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**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

On House Bill 2704 - Relating To Ha'iku Valley

**BEFORE THE HOUSE COMMITTEE ON
WATER, LAND, OCEAN RESOURCES & HAWAIIAN AFFAIRS**

February 6, 2008

House Bill 2704 establishes the Ha'iku Valley Cultural Preserve Commission to have policy and management oversight of the Ha'iku Valley cultural preserve. The Department of Land and Natural Resources (Department) supports the intent of preserving Ha'iku Valley, the Department nonetheless has strong reservations with the way this measure is presently written.

The Department believes that Ha'iku Valley is an important cultural resource in Hawaii and the creation of a Ha'iku Valley Cultural Preserve Commission provides a sensitive approach to appropriately managing the Valley. However, the Department asks that three sections of the bill be deleted.

§ -6 strips the Department of its powers and duties in regard to approvals pertaining to the Valley. Section 183C-3(7), Hawaii Revised Statutes (HRS) specifically gives the Board of Land and Natural Resources (Board) the responsibility of establishing and enforcing land use regulations on within the Conservation District. Since a majority of the Valley is within the Conservation District, the Department would need to retain its role in regulating conservation lands within the Valley.

§ -8 strips the Department's Oahu Burial Council of its powers and duties in regards to proper treatment of burial sites and human skeletal remains found in the valley. The Department would need to retain its responsibilities under Section 6E-43(b), HRS in this regard as well.

Finally, § -10 allows the use of the Department's Civil Natural Resources Violations System to process violations under the newly established chapter under this bill. Since the Department does not own any land in the Valley, the use of the Department's violations system would not be applicable.



Association of Hawaiian Civic Clubs
P. O. Box 1135
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TESTIMONY OF LEIMOMI KHAN, PRESIDENT
IN SUPPORT OF

HB 2704 - RELATING TO HA`IKU VALLEY

**HOUSE COMMITTEE ON WATER, LAND, OCEAN RESOURCES &
HAWAIIAN AFFAIRS**

Hearing date and time: February 6, 2008, 8:30 a.m.; In person testimony

February 6, 2008

Aloha Chairperson Ito, Vice-Chairperson Sagum, and members of the House Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

The Association is a growing national confederation of fifty-three Hawaiian Civic Clubs, located throughout the State of Hawai`i and in the States of Alaska, California, Colorado, Illinois, Nevada, Utah, Virginia and Washington State. It initiates and works to support actions that enhance the civic, economic, educational, health and social welfare of our communities, and in particular, the culture and welfare of the Native Hawaiian community.

Thank you for this opportunity to testify in strong support of House Bill 2704, which would establish the Ha`iku Valley cultural preserve commission to have policy and management oversight of the Ha`iku Valley cultural preserve.

On October 29, 2005, the Association passed Resolution 2005-28, "Urging the Association of Hawaiian Civic Clubs to Support the Establishment of Cultural Preseves in Halawa and Ko`olaupoko, O`ahu. Resolution 2005-28 identified Ha`iku Valley as wahi pana, sacred land. It also made note of the fact that many wahi pana show only remnants of their former glory, but are still consecrated and worthy of our care and respect.

The Association agreed with a basic premise of the Resolution, which is that to malama, or care for na wahi pana is to perpetuate our existence as a living Hawaiian culture, and that cultural preserves should be established to protect these areas. This is consistent with language in the bill, which states at Section 1: "The establishment of the commission will provide a system that recognizes the valley's unique challenges and preserves in perpetuity its cultural and historic resources for the people of Hawai`i."

The Association's member club, the Ko`olaupoko Hawaiian Civic Club, has advocated a Ha`iku Valley cultural preserve management regime for decades. There is strong support for this bill from Ko`olaupoko and we urge this Committee to support this bill. Thank you for hearing this bill and thank you for this opportunity to testify.

FRANK KAWAIKAPUOKALANI HEWETT
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February 5, 2008

Rep. Ken Ito, Chair
And Members
House Committee on Water, Land,
Ocean Resources & Hawaiian Affairs
State Capitol
Honolulu, Hawai'i 96813

Re: H. B. 2704, Relating to Ha'iku Valley

Aloha kakou!

I wish to offer my strong support for the passage of House Bill 2704, which would establish the Ha'iku Valley Cultural Preserve Commission and would provide for the preservation and perpetuation of the rich history, heritage and culture found in Ha'iku Valley, ahupua'a o He'eia, moku o Ko'olaupoko.

Having been born and raised in lower Ha'iku Valley, my na'au is deeply rooted in this 'aina and in the spiritual mana that helped nurture me in my childhood years. I was always so inspired by the beauty and majesty of our sheltering Ko'olau pali, standing proudly above all of our kupa'aina families who lived in the area. As a keiki, I played in the streams and roamed through the forests of Ha'iku, always mindful of my kupuna's admonition to be respectful of this sacred place. There were burials in the area; indeed, our family burials can be found at Kane a me Kanaloa heiau.

Up mauka, at a high point overlooking the valley, is Kahekili Heiau, called by some, "Kanehekili Heiau". Kanehekili was the god of thunder and lightning, and this would have been a fitting name for a temple in a valley where the mana of the storm sounds the echoing drums of thunder and flashes the light of Kane.

On the northern wall of our valley is Kaualehu cave, where again, our ancestors were buried until their relocation sometime last century.

I have been concerned about the future of this valley since before H-3 was built, always hoping that somehow, they would preserve this area because of its many heiau and burial grounds, and because of its great potential for healing, for education, and for enlightenment. Over the years, I have been asked to consult with my 'ohana and friends of the Ko'olau Foundation and the Ko'olaupoko Hawaiian Civic Club, as to what was my

mana'o for this wonderful 'aina. What did I think this valley should have, now that the military no longer controls it?

My mana'o is this: establish this cultural preserve as soon as possible, and provide the support necessary to help develop its potential as I listed above.

This bill before us today is a good bill, except I would offer one change. Please amend the language in Section 5, item number 6, to read as follows:

“(6) One member shall be appointed by the governor from a list provided by kupa'aina families of Ha'iku Valley who lived in the area for at least 100 years.”

I urge you to please support this bill, with the amendment I have proposed, and to give it the funding necessary to enable the realization of this *ulumahie*... this vision for Ha'iku Valley...honoring and respecting our kupuna by creating this cultural preserve for generations to come.

Mahalo for this opportunity to comment.

Malam pono,



FRANK KAWAIKAPUOKALANI HEWETT