

January 30, 2008

RECEIVED FEB 04 2008

Senator Clayton Hee
Hawaii State Capitol
415 Beretania St.
Honolulu, HI 96813

RE: SB 2727

Dear Senator Hee:

Those of us who lived on the naval base in Haiku Valley for a year or more, were delighted to learn from a friend on Oahu about SB 2727. Our small group of survivors served at Haiku NRS during the 1940s and 1950s. Although we didn't learn until later the details of the archeological and cultural treasures hidden in the valley we each acknowledged being aware of an aura of mystery and history that impressed itself upon us when first entering the valley. Although we were young men in our teens and twenties we were in awe of the geological wonders and the technical marvels that surrounded us. We hope that you will give serious consideration to the unique and important military role Haiku valley played during world war 2 and the Korean conflict.

we learned, within the last few years, of the heroic initial ascent up the south wall of the valley accomplished by a citizen of Hawaii. This life threatening achievement by High Scalars Bill Adams and Louis Otto required twenty-one days. It made the establishment of the secret transmitter station possible.

The multitude of lives and the millions of dollars saved through the use of the fascinating machine known as the Alexanderson Alternator Very Low Frequency Transmitter has been memorialized in David O. Woodbury's book *Builders for Battle* and in several magazines including the Reader's Digest.

Haiku valley boasted five of the longest unsupported antenna wires of that era. They extended over a mile in length; strung from the south cliff to the north cliff at a height of 2300 feet. The Alternator generated two hundred and fifty thousand watts of power sending signals to submarines as far away as Tokyo bay while the subs remained underwater.

The archeological and cultural significance as well as the unparalleled wartime history of the valley constitute a treasure well worth preserving.

I invite you to visit a photo-sharing site containing 13 galleries showing hundreds of photos and many stories of Haiku Valley as it appeared to sailors residing there in the 1940s. Photos of the construction of the bomb proof transmitter building and the amazing antenna anchors are also shown. The site can be accessed using the most awkward and unbecoming URL of:

www.davewjessup.smugmug.com

The photo-site contains material submitted by both Hawaiians and military personnel now located on the mainland. The fact that the photo-site has averaged 2,640 hits a month for the last 13 months seems to indicate a genuine and wide spread interest in the history of Haiku Valley.

We respectfully solicit your support in creating the HAIKU VALLEY CULTURAL PRESERVE.

Mahalo nui loa




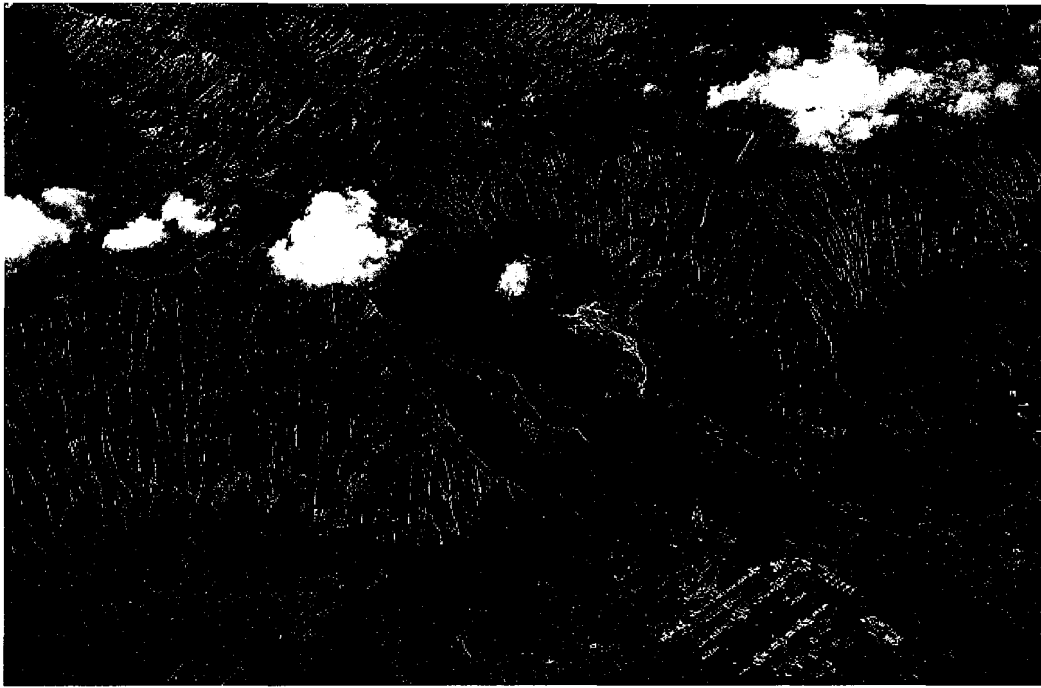
David W. Jessup
539A NE 100 St.
Seattle, WA 98125
206 523 0373

Leonard E. Hardy
1515 Meadowbrook Road
Feasterville Trevose PA 19053
215 357 5429

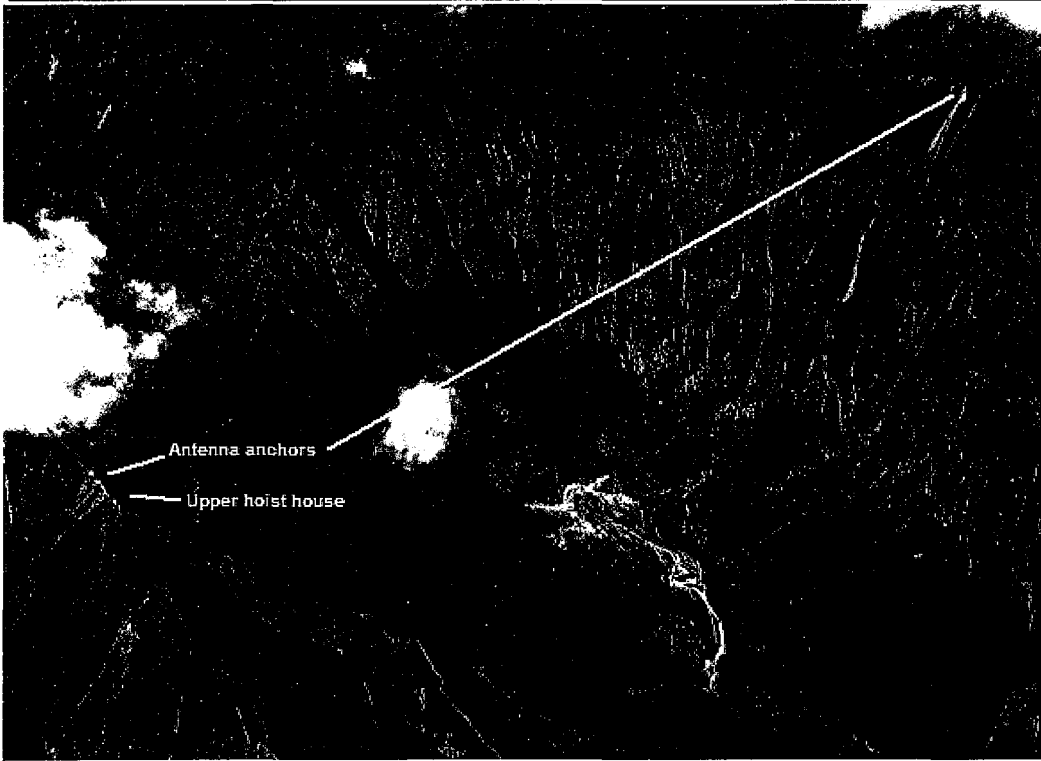
Duncan 'Ted' Urquhart
1067 Shell Blvd #12
Foster City, CA 94404
650 345 7749

Ted and Len asked me to prepare this letter for their editing and approval. In the interest of time it was not physically mailed to them for individual written signatures. They have indicated their accord with this final version. They are available by phone for additional questions and information.

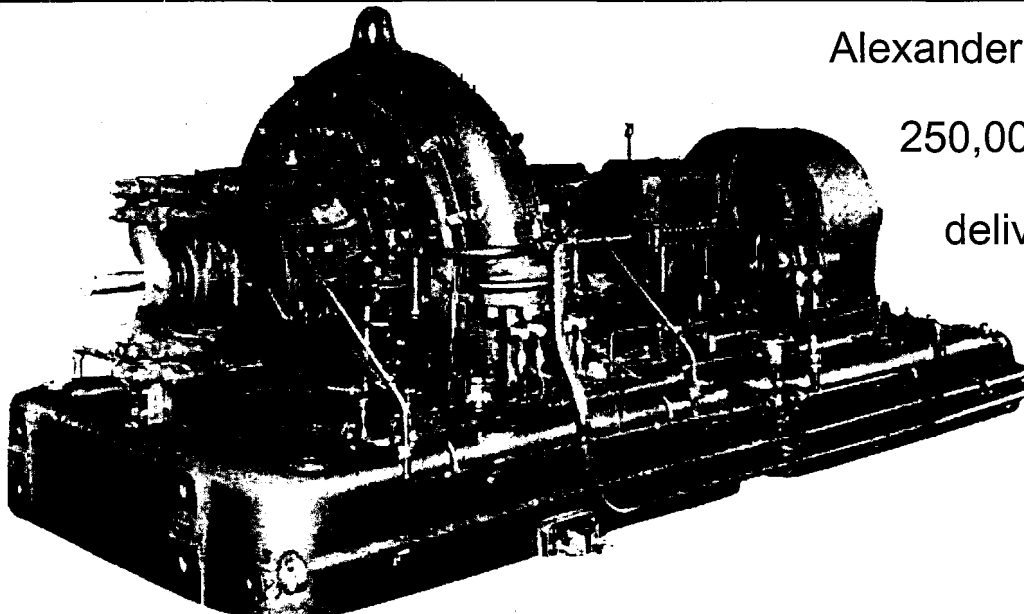




Haiku Valley 1943



Antenna anchor sites



Alexander Alternator

250,000 watts of radio power

delivered to sky high antennae

LEIALOHA ROCKY KALUHIWA
P. O. BOX 4870
Kane`ohe, HI 96744
Ph. 286-7955
rockyfromheeia@aol.com

February 5, 2008

TO: SEN. CLAYTON HEE, CHAIR, & MEMBERS
COMMITTEE ON WATER AND LAND
SEN. JILL TOKUDA, CHAIR, & MEMBERS
COMMITTEE ON AGRICULTURE & HAWAIIAN AFFAIRS
SEN. BRIAN TANIGUCHI, CHAIR, & MEMBERS
COMMITTEE ON JUDICIARY

FROM: LEIALOHA ROCKY KALUHIWA
Lifetime Resident of He`eia Ahupua`a
Ko`olau Foundation Vice President

SUBJECT: **S.B.2727, RELATING TO HA`IKU VALLEY**

As a lifetime resident of the He`eia ahupua`a, and on behalf of the Ko`olau Foundation, I wish to speak in strong support of Senate Bill 2727, to establish a cultural preserve for this very important `aina.

As a keiki o ka`aina, and on behalf of our kupa`aina of Ha`iku, I ask your consideration of one amendment to this bill: please change section 5, item number 6, to have the kupa`aina families submit a list of names for the governor to appoint one of our `ohana to sit on this preserve commission. These kupa`aina families, who lived there on kuleana lands for over 200 years, still reside on Ha`iku Road and in He`eia. I feel their presence is of great importance, and that this change is needed to include their mana`o as part of the commission membership.

The Ko`olau Foundation was formed many years ago by members of our community who were deeply concerned about the potential effects of building H-3 upon our Ko`olaupoko area. Through the years, our name and mission have evolved, and our primary objective today is to perpetuate and preserve our Hawaiian culture and traditions by advocating for historic preservation and promoting educational programs.

In the mid-1990s, when the Coast Guard first announced their plans to close down the OMEGA Station, the Ko'olau Foundation held public meetings to find out what our community's vision and desires were for the future of Ha'iku.

Their mana`o has been incorporated into our *Ulumahie*, our Vision for Ha'iku Valley, preserving the heritage of native Hawaiians by utilizing the ahupua`a as a learning environment.

Among our hopes for this cultural preserve are some of the following:

- Developing a cultural and environmental education program through partnerships with area schools, cultural organizations, the University of Hawai'i and others.
- Restoring the valley as a healing center by removing alien species and planting native Hawaiian herbs, plants, shrubs and trees – as this area was once known as our “hospital” for residents of Ko'olaupoko – and providing a place for kahuna la'au lapa'au.
- Establishing planting areas for local hula halau, where they could grow their own greens instead of gathering from kapu forest reserves.
- Establishing a new trail system.
- Providing a venue for cultural and community events, such as makahiki competitions and festivals, hula and slack-key music events, chant and craft demonstrations, and other activities.
- Ultimately, through an extensive nationwide fundraising drive, to convert the OMEGA Station into a new Ko'olau Museum which would house interpretive displays and artifacts taken from H-3 construction, honor the history and heritage of Ko'olaupoko, and celebrate the importance of the military's OMEGA Station itself. The OMEGA Station was one of only 7 stations that communicated all over the world with aircraft and ships at sea.

In closing, mahalo for your patience in letting me share our mana`o on our vision for this cultural preserve. Again, I urge you to pass this bill, with the change I requested, and support its funding as it moves through the Finance Committee.

Jennifer Leilani Jones-Tollefsen
46-257 A Haiku Road
Kaneohe, HI 96744
Ph: 236-7016

February 5, 2008

To: Senator Clayton Hee, Chair and Members
Committee on Water and Land
Senator Jill Tokuda, Chair and Members
Senator Brian Taniguchi, Chair an Members
Committee on Judiciary

From: JENNIFER LEILANI JONES-TOLLEFSEN
Resident of He`eia Ahupua`a

Subject: S.B. 2727, Relating to Ha`iku Valley

I was born and raised in Ha`iku Valley lands and I am still a resident on Ha`iku Road. My great grandmother, grandmother, and father was also born and raised here along with our ancestors from King Kamehameha the 1st.

This valley has always been sacred to us because many of ancestors are buried there. I grew up among these burial sites with great respect for them.

This valley means a lot to many of us and we want to see it set aside as a preserve to protect our cultural land and the plants that still exist which were once used by my grandmother as medicine for healing. This natural environment is important therefore I strongly support this bill.

Thank you for this opportunity to give my testimony.

testimony

From: Ken Conklin [ken_conklin@yahoo.com]
Sent: Tuesday, February 05, 2008 3:15 PM
To: testimony
Subject: SB 2727 RELATING TO HA'IKU VALLEY for hearing Friday February 8

testimony@capitol.hawaii.gov

Aloha PAR people,

Below the line is testimony I'd like to submit for the following hearing to the members of all three committees WTL/AHW/JDL

DATE: Friday, February 8, 2008
TIME: 2:45 p.m.
PLACE: Conference Room 414

Thank you for helping Hawaii's people express our views to our Legislators.

Ken Conklin

Kenneth R. Conklin, Ph.D.
46-255 Kahuhipa St. Apt. 1205
Kane'ohe, HI 96744
tel/fax (808) 247-7942
e-mail Ken_Conklin@yahoo.com

=====
TO: THE SENATE
COMMITTEE ON AGRICULTURE AND HAWAIIAN AFFAIRS Senator Jill N. Tokuda, Chair COMMITTEE ON WATER AND LAND Senator Clayton Hee, Chair COMMITTEE ON JUDICIARY AND LABOR Senator Brian T. Taniguchi, Chair

Date: February 4, 2008

Re: SB 2727 RELATING TO HA'IKU VALLEY.

From: Kenneth R. Conklin, Ph.D.
46-255 Kahuhipa St. Apt. 1205
Kane'ohe, HI 96744
tel/fax (808) 247-7942
e-mail Ken_Conklin@yahoo.com

Aloha Chairs Tokuda, Hee, and Taniguchi; members of the committees, and members of the public,

I must strongly object to certain provisions of SB 2727 relating to Ha'iku Valley.

For 15 years I have been a resident of Kane'ohe, and have visited Ha'iku Valley on many occasions.

Every time I stand at my doorway, I see the majestic Ko'olau peaks of Ha'iku Valley. I'm often blessed to see the rains and mists moving slowly across the landscape, with perhaps 20 waterfalls and occasionally a rainbow. It's easy to recognize the gods here -- that's why I have chosen to live here. The "Stairway to Heaven" is visible from my doorway when the sun shines on it at the right angle. I worked for a time with a community group in the 1990s trying to find a way to create a preserve to protect historical, natural, and cultural aspects of the valley; and I toured the old Omega Station and an outbuilding used as a workshop/garage -- buildings which would be good for a museum, cultural center, or place for launching hikes.

While I applaud the effort to resolve jurisdictional conflicts in Ha'iku Valley and to preserve historical, natural, and cultural resources, I vehemently oppose (1) the effort to place the valley under the control of a racially and ideologically stacked commission, under the auspices of OHA; (2) to single out one particular racial group and its cultural heritage as the sole source of value for historic and cultural preservation; and (3) to declare that the valley will be transferred to a future race-based government if and when that new government achieves federal/state recognition.

Ha'iku Valley belongs to all the people of Hawaii, and should stay that way. Ha'iku Valley has been used for a variety of agricultural, cultural, and religious purposes by people of various racial heritages. May it always be so! That's why this bill must be rejected.

It appears that this bill is a trojan horse for establishing Hawaiian sovereignty in Ha'iku Valley and could very likely result in a loss of rights for access to the valley by people lacking Hawaiian native blood, and loss of the right to engage in any agricultural or religious activities other than taro growing and worshipping the Hawaiian or Christian gods.

I believe this entire bill should be thrown in the trash because it is hopelessly laced with racist provisions. But if the committee is determined to pass this bill in some form or other, then here are some proposed deletions and insertions:

Section 1: Delete the word "native" in sentence #1. The valley is indeed "of significant cultural and historic importance to ALL the people of Hawaii" -- Insert the word ALL.

In section 2, the proposed new chapter of HRS:

Title of the chapter should not designate Ha'iku Valley as exclusively a cultural preserve, but a rather a combination natural and cultural preserve.

Sec 1: Remove OHA as administrator of this chapter.

Sec. 4: "Office" [OHA] should be removed and replaced by DLNR

Sec. 5: The Commission. It should NOT be placed under OHA but under DLNR.

The requirements for selecting the 7 members of the commission are currently written to guarantee a racial majority of ethnic Hawaiians. That is legally and morally bad for our multiracial, multicultural society. Subsection (1) The Ko'olau Foundation is actually an individual known by two names as either Mahealani Cypher or Denise DeCosta, who is President of the Ko'olaupoko Hawaiian Civic Club (a race-based institution); Subsection (2) Two members appointed by the Governor who must be members of that same race-based Ko'olaupoko Hawaiian Civic Club; Subsection (3) one member representing the race-based OHA; and subsection (6) One member appointed by the Governor from a list provided by race-based "Native Hawaiian organizations" -- the provisions cited here guarantee that at least five of the seven members of the commission will be ethnic Hawaiians, even if the CC Honolulu representative in item #4 and the DLNR representative in item #5 might possibly not be.

Sec. 6 item #5 should remove race-specific language and allow the Commission to enter into curator or stewardship arrangements with ANY cultural or environmental groups regardless of their specific race or culture. Many races, cultures and religions should be involved in preserving Ha'iku Valley and helping it to thrive for educational, cultural, and spiritual purposes.

Sec. 7 allows farming activities. Of course the writers of the bill have in mind that the land should be used for taro production; however, it should be noted that rice production and animal farming were also done here historically. So this section should avoid creating the impression that taro is the only farming activity likely to be allowed under management as envisioned. This section should specifically mention taro, rice, cattle, and poultry farming as examples of what would be permitted; and should require the payment of reasonable rent to the state for commercial or subsistence farming use of the land.

Section 13, subsection 11 (page 11) "Transfer"

should be deleted entirely, because it contemplates turning over the entire valley to OHA. Specifically it says:

"the resources and waters of the valley cultural preserve shall be held in trust by the office as part of the public land trust provided that the office shall transfer management and control of the valley cultural preserve to the sovereign native Hawaiian entity upon its recognition by the United States and the State."

Such a provision must never be allowed to pass, because the issue of how to chop up the lands and resources of Hawaii to be divided between the State of Hawaii and the Akaka tribe is a matter for negotiated settlement, not a matter for outright give-away even before such negotiations begin.

Section 13, subsection 3 (page 13 of draft) "Severability" says the valley may be given in fee simple to the Office of Hawaiian Affairs (even in the absence of an Akaka tribe). That must never be allowed to happen, since OHA is a race-based institution.

SPECIAL PLEA TO MEMBERS OF THIS COMMITTEE:

I cannot keep up with all the legislation being proposed to give Hawaii lands, resources, and jurisdictional authority to race-based institutions. But every time you see such legislation coming before you, please reject it. Don't you find the language of this bill frightening? You should!

PLEASE HAVE COURAGE TO EXERCISE YOUR RESPONSIBILITY TO REPRESENT THE INTERESTS OF ALL HAWAII'S PEOPLE, NOT JUST A VOCAL AND POWERFUL MINORITY. PLEASE DEFEND US AGAINST RACIAL SEPARATISM AND ETHNIC NATIONALISM.

See my book:

"Hawaiian Apartheid: Racial Separatism and Ethnic Nationalism in the Aloha State" available at the library or through webpage <http://tinyurl.com/2a9fqa>

Looking for last minute shopping deals?

Find them fast with Yahoo! Search. <http://tools.search.yahoo.com/newsearch/category.php?category=shopping>

FRANK KAWAIKAPUOKALANI HEWETT
45-349 Namoku Street
Kane'ohe, Hawaii 96744

February 5, 2008

Senator Clayton Hee, Chair
And Members
Senate Committee on Water and Land
State Capitol
Honolulu, Hawaii 96813

Re: S.B. 2727, Relating to Ha'iku Valley

Aloha kakou!

I wish to offer my strong support for the passage of Senate Bill 2727, 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.



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

February 5, 2008

To: Sen. Clayton Hee, Chair, & Members
Senate Committee on Water & Land
Sen. Jill Tokuda, Chair, & Members
Senate Committee on Agriculture & Hawaiian Affairs
Sen. Brian Taniguchi, Chair, & Members
Senate Judiciary Committee

From: Mahealani Cypher, President *MC*
Ko'olaupoko Hawaiian Civic Club

Subject: In Support of S.B. 2727, Relating to Ha'iku Valley

Aloha mai kakou. Mahalo for this opportunity to offer our strong support for Senate Bill 2727, which would establish a cultural preserve commission for the preservation and protection of Ha'iku Valley.

The Ko'olaupoko Hawaiian Civic Club has worked long and hard to advocate for the establishment of a cultural preserve in this valley which, until about 10 years ago, was used as a military installation.

We believe the cultural and natural resources of this valley make it an ideal place to establish a living learning environment, a place where we can expose our youngsters to a healthy outdoor classroom, a place that is convenient and easily accessible to area schools and the community.

We believe there is a strength in Ha'iku Valley, a mana that can restore our spirit and inspire our hearts and minds.

There are a number of heiau in this valley, including the most significant – Kanehekili Heiau – which stands at a high point below the pali Ko'olau. At Kane a me Kanaloa Heiau are the burials of kupa'aina, local families who once lived in the valley and who, until recently, regularly visited the gravesites to pay their respects to their iwi kupuna.

We hope to see this dream become a reality, that Ha'iku Valley is restored to the people of Kane'ohe and He'eia, and that it becomes a community resource that

safeguards our cultural treasures, restores our native vegetation, and utilizes our natural historic resources valuable learning opportunities.

Among the main purposes of our civic club is to perpetuate the history and heritage of our Hawaiian culture, and we believe we can help achieve that purpose through the establishment of this preserve.

We ask your kokua to pass this bill, and to support funding for what will be needed to get this preserve fully established and operational.

Mahalo for this opportunity to offer comment.

Me kealoha pumehana.

P. O. Box 664
Kaneohe, HI 96744
Ph. (808) 235-8111
koolaupokohcc.org

KO`OLAU FOUNDATION

Post Office Box 4749
Kane`ohe, Hawai`i 96744
malamapono@aol.com

February 5, 2008

To: Sen. Clayton Hee, Chair, & Members
Senate Committee on Water & Land
Sen. Jill Tokuda, Chair, & Members
Senate Committee on Agriculture & Hawaiian Affairs
Sen. Brian Taniguchi, Chair, & Members
Senate Judiciary Committee

From: Lawrence Akina, President *la*
Ko`olau Foundation

Subject: Testimony in Support of S.B. 2727, Relating to Ha`iku Valley

On behalf of the Ko`olau Foundation, we offer our strong and committed support for the passage of Senate Bill 2727, which will help protect, preserve and perpetuate the cultural and natural resources of Ha`iku Valley.

This important `aina is a hidden treasure that sits mauka of the communities of Kane`ohe and He`eia. The valley is actually within the ahupua`a of He`eia.

Upon learning of the U.S. Coast Guard's plans to decommission the OMEGA Station about 10 years ago, our foundation conducted outreach into our community during the 1990s to search out the hopes and wishes of the people of Kane`ohe and He`eia regarding the future of Ha`iku Valley.

The Ko`olau Foundation has evolved over the years, and has reinforced its mission to advocate for historic preservation and perpetuation of Hawaiian culture through educational and other programs. Some of us have been actively advocating for our Kane`ohe community, and for Ko`olaupoko, for over 35 years, and we are still involved.

Our members participated in numerous community meetings and in a working group from the Office of Hawaiian Affairs, which worked to create an interpretive plan for cultural areas affected by H-3, such as Ha`iku Valley.

We ask your committees to support this bill, and to also support adequate funding to make this cultural preserve a reality.

Mahalo.

Chris Anderson
46-483 Makena St.
Kāne'ohe, Hawai'i 96744
(808) 247-5571 • andercox@hawaii.rr.com

Wednesday, February 6, 2008

Testimony regarding SB2727, RELATING TO HA'IKU VALLEY

To the members of the Senate Committee on Agriculture and Hawaiian Affairs:

My name is Chris Anderson, and this testimony is sent in strong support of the long-overdue reopening of Ha'iku Valley— as a managed cultural and natural preserve under the stewardship of appropriate government agencies, and in cooperation with committed nonprofits such as The Friends of Ha'iku Stairs, the Ko'olau Foundation, and the Ko'olaupoko Hawaiian Civic Club.

I have lived at the primary “entrance” to Ha'iku Valley for the last 25 years; my home is across from the gate that was built a few years ago to prevent access into the Valley (after the Omega Station was decommissioned). As I write this testimony, that gate, once again, is a puka-filled, torn-up mess that, at best, merely slows the flow of people into the Valley. It injures the clumsy ones, who fall off of it or get snagged on the barbwire, and it diverts the others through nearby holes, or onto adjacent properties, including my neighbor's, who are understandably frustrated and angry about the situation.

This has gone on for years. The gate has never kept out anyone but the most timid, and it never will, because it is not permanently staffed or maintained. Also, it is not 50 feet high, reinforced with concrete, electrified, and patrolled by packs of starving, vicious guard dogs. Please believe me when I tell you, that is what it would take, and even then enterprising hikers, pig hunters and tourists would just find a way around it. They have for years already, day and night. The desire to hike the Stairway to Heaven or provide food for their families is too strong, and it will not go away. I have watched people go in and out of our Valley for a quarter century now, and there was never a problem until the Coast Guard base was decommissioned and the Valley supposedly “closed” to the public.

Before that, when access was properly managed, people arranged with the Coast Guard for entry, parked up on the base, signed the appropriate waivers, and enjoyed their visits to the aptly named Stairway to Heaven, or to the Omega Station itself. Then they left. They didn't park on our streets, tramp through our yards, drink water from our hoses without asking, or leave their rubbish on our

sidewalks. This began to happen only in recent years, after the half-hearted and inconsistently funded attempt was made to close the valley to the public.

In the 1980s, I hiked the Stairway with brownie scouts, Bermuda-shorted tourists, and 65-year-old mama-sans. It was not a life-threatening hazard then, and it is in better shape now, since the \$1 million spent on its repair. All we need to make Ha'iku Valley a recreational success again is controlled access, dedicated parking on base, and thoughtful, long-term management.

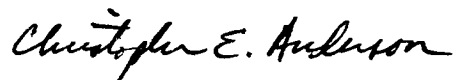
I served on the citizens' visioning committee that collaborated with Wil Chee Planners back in the 1990s to develop just such a plan. That plan has been sitting in mothballs for a decade now because of the inability of the City & County and the Dept. of Hawaiian Homelands to reach an accommodation about exchange or sale of the land. Ever since, our neighborhoods have paid the price for this governmental gridlock. But our vision for Ha'iku Valley was simple: you manage it basically like you manage Hanauma Bay. Fix it up and maintain it, limit access, provide security and parking, engage nonprofits to help with on-site education and community activities, and charge reasonable fees for the public to get in and use facilities like the Stairway.

Ha'iku Valley can be the natural, cultural, historical and recreational resource that we imagined then, and that SB2727 begins to envision now through establishment of the Ha'iku Valley Cultural Preserve Commission. It's time, finally, to conclude the stalled deliberations that have left the Valley and our community in limbo for years, generating frustration and resentment in my neighbors, allowing the valley to go to seed, and allowing its former military facilities to be vandalized perhaps beyond repair. It's time, finally, to stop depriving the public of a unique cultural, recreational and educational resource.

It's time, finally, to open the Valley again, properly.

I ask respectfully that you support SB2727, and ask your colleagues in the House and Senate to do so as well.

Mahalo,

A handwritten signature in cursive script that reads "Christopher E. Anderson".

Chris Anderson

Darlene Tsukazaki

From: Sen. Jill Tokuda
Sent: Thursday, February 07, 2008 8:45 AM
To: Kamakana Kaimuloa
Cc: Darlene Tsukazaki
Subject: FW: Testimony in strong support of SB2727

-----Original Message-----

From: leikalina@juno.com [mailto:leikalina@juno.com]
Sent: Thursday, February 07, 2008 8:34 AM
To: Sen. Jill Tokuda
Cc: Sen. J. Kalani English; Sen. Mike Gabbard; Sen. Russell Kokubun; Sen. Clayton Hee; Sen. Sam Slom
Subject: Fw: Testimony in strong support of SB2727

This testimony is sent in strong support of the long-overdue reopening of Ha'iku Valley, as envisioned in SB2727 through establishment of the Ha'iku Valley Cultural Preserve Commission.

Kalina Chang
47-350 Kamehameha Hwy.
Kaneohe, HI 96744
808-239-9818

February 7, 2008

Testimony regarding SB2727, RELATING TO HA'IKU VALLEY

To the members of the Senate Committee on Agriculture and Hawaiian Affairs:

This testimony is sent in strong support of the long-overdue reopening of Ha'iku Valley— as a managed cultural and natural preserve under the stewardship of appropriate government agencies, and in cooperation with committed nonprofits such as The Friends of Ha'iku Stairs, the Ko'olau Foundation, and the Ko'olaupoko Hawaiian Civic Club.

I have lived on windward side since 1992, and have yet to hike these stairs... the closest I've gotten is the foot of the stairs. It's a long time for my family and I to wait. Back then it was in disrepair, but people still went... legally or not. It's ready now and has been, since the \$1 million spent on its repair. All we need to make Ha'iku Valley a recreational success again is controlled access, dedicated parking on base, and thoughtful, long-term management.

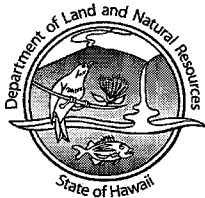
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It's time, finally, to open the Valley again, properly. Please, people,
use
some common sense here.

I ask respectfully that you support SB2727, and ask your colleagues in
the House and Senate to do so as well.

Mahalo,
Kalina Chang

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

On Senate Bill 2727 - Relating To Ha'iku Valley

**BEFORE THE SENATE COMMITTEES ON
AGRICULTURE AND HAWAIIAN AFFAIRS
and
WATER AND LAND**

February 8, 2008

Senate Bill 2727 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.



SB 2727, RELATING TO HA'IKU VALLEY

Senate Committee on Agriculture and Hawaiian Affairs
Senate Committee on Water and Land
Senate Committee on Judiciary and Labor

February 8, 2008
Room: 414

2:45 p.m.

Aloha Chairpersons Tokuda, Hee, Taniguchi and members of the committees. I am Clyde Namuo, Administrator to the Office of Hawaiian Affairs.

The Office of Hawaiian Affairs (OHA) **SUPPORTS, with Amendments,** SB 2727, which would establish the Ha'iku Valley Cultural Preserve Commission that would have policy and management oversight of the Ha'iku Valley Cultural Preserve.

In 2006, the Hawai'i State Legislature passed HCR 278, HD 1, signifying the intent of the 23rd Legislature to establish cultural preserves in both Ha'iku and Halawa valleys as an end result of the Halawa-Lulukū Interpretative Development Plan. OHA has been working with the Department of Transportation, Department of Hawaiian Homelands, Department of Land and Natural Resources, the City and County of Honolulu, the Honolulu Board of Water Supply, Kamehameha Schools, Queen Emma Foundation and representatives of 'ohana and other culturally knowledgeable persons in, and from, these two important areas, to help effectuate this important goal.

In our report to the 24th legislative session, we stated that there was a community sentiment for OHA to be a part of these cultural preserves, and several community members in the Ha'iku area felt OHA should be the steward in the Ha'iku Valley. We also stated that several planning issues needed clarity for good decisions to be made regarding this cultural preserve. Departmental jurisdiction and responsibilities, assessment of previous archaeology studies and integrity of the land, defining what is meant by "cultural preserve," and resolving access into Ha'iku Valley are some of the component issues.

Clarity in these and other areas will aid the development of this cultural preserve.

Since April 2000, the Halawa-Lulukū Interpretive Development (HLID) project has worked with a working group of community stakeholders on mitigating the adverse impact created by construction of the H3 freeway. Within Ha`iku valley, two heiau sites are the focus of its mitigation, Kahekili Heiau and Kane ame Kanaloa Heiau. Community stakeholders have consistently advocated for Ha`iku Valley being a cultural preserve, and the HLID Working Group unanimously supports this bill.

OHA has substantive obligations to protect the cultural and natural resources of Hawai`i for its beneficiaries, the people of this land. Part of this mission is to identify and protect traditional cultural landscapes which serve as the last vestiges of meaningful connections with the ancestors of Hawai`i and the unique and fragile natural, cultural, and historical resources these connections rely upon. S.B. 2727 would be a natural progression of this important kuleana to mālama Ha`iku Valley.

The establishment of the Ha`iku Valley Cultural Preserve Commission would greatly assist in the protection and perpetuation of this unique cultural landscape and heritage center for all the people of Hawai`i and more importantly, for future generations.

After consulting with our agency partners and analyzing practical implementation of this proposed legislation, OHA determined that the following amendments to our initial bill are warranted to properly effectuate the goals of this legislation. We urge the Committee to remove the following sections of the bill for a proposed Senate Draft 1:

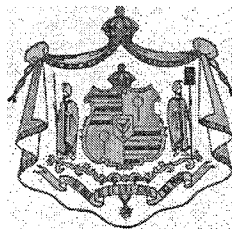
1. From Section -6 "Responsibilities and duties of the commission" - -- subsection (6), which would have removed the powers and duties of the Board of Land and Natural Resources and the Land Use Commission regarding permits pertaining to the valley; and -- subsection (8), which would have removed the O`ahu Island Burial Council from decision-making

on burials and iwi kúpuna found in the valley;
and

2. All of Section -10 "Administrative violation system" - which would have moved the enforcement and administration of civil and criminal violations from the Board of Land and Natural Resources.

We also urge the Committee to insert the words "to preclude" after the word "deemed" in the last sentence of subsection (c) in line 7 of page 10 of the bill, in the proposed HRS section on general administrative penalties, for purposes of clarity.

OHA urges the Committee to PASS S.B. 2727, with the above amendments. Thank you for the opportunity to testify.



O'ahu Council
Association of Hawaiian Civic Clubs

February 7, 2008

TO: Senate Committees on Water & Land
Agriculture & Hawaiian Affairs
Judiciary & Labor

FROM: Joseph Lapilio III, President – Oahu Council
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SUBJECT: **SUPPORT FOR S.B. 2727, RELATING TO HA'IKU VALLEY**

On behalf of the O'ahu Council of the Association of Hawaiian Civic Clubs, I offer our **strong support** for the passage of Senate Bill 2727, relating to the protection and preservation of cultural resources in Ha'iku Valley.

The O'ahu Council consists of 22 active clubs whose membership is comprised primarily of native Hawaiians from throughout the island of O'ahu. A core value and purpose for our council is to preserve and perpetuate the traditions and culture of our native Hawaiian people.

This bill will address a critical need to protect wahi kapu, burial sites, and other cultural and environmental resources within this important Ko'olaupoko valley. It provides core operational support that ensures sustainability of this stewardship and caretaking responsibility, and establishes a funding mechanism to receive donations that will enhance the preservation, management, and educational programs of the preserve.

In 2005, at the request of the Ko'olaupoko Hawaiian Civic Club, our Council adopted a resolution of support for this cultural preserve. The resolution was later also supported at our State Convention of the Association of Hawaiian Civic Clubs (an additional thirty-two clubs from across the State of Hawai'i and the U.S. mainland). We applaud the efforts of the Ko'olaupoko club in working for so many years to bring this matter to your attention through the Office of Hawaiian Affairs and through their personal advocacy here at the Legislature.

We ask your committees' kokua to pass this bill, and to support adequate funding for this project to help this wonderful vision, to malama'aina and preserve our heritage, to become a reality.

Mahalo for this opportunity to comment.