



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE
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THEODORE E. LIU
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MARK K. ANDERSON
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Statement of
THEODORE E. LIU
Director

Department of Business, Economic Development, and Tourism
before the

**SENATE COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY
SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS**

Friday, April 3, 2009
1:15 PM

State Capitol, Conference Room 016

in consideration of

**SCR 3, PROPOSED SD 1 REQUESTING THE ESTABLISHMENT OF A JOINT
HOUSE AND SENATE WORK GROUP TO DEVELOP RECOMMENDATIONS
FOR STATE/COUNTY ACTIONS TO COMPLEMENT DESIGNATION OF THE
AHUPUAA BETWEEN KALIHI AND PUNAHOU STREETS, THE PALI
LOOKOUT AND THE PACIFIC OCEAN AS THE HAWAI'I CAPITAL
NATIONAL HERITAGE AREA.**

Chairs Fukunaga and Taniguchi, Vice-Chairs Baker and Takamine, and members of the Committees.

The Department of Business, Economic Development & Tourism (DBEDT) supports SCR 3, Proposed SD1, which establishes a joint House and Senate work group to develop recommendations for State/County actions to complement designation of the Ahupuaa between Kalihi and Punahou Streets, the Pali Lookout and the Pacific Ocean as the Hawai'i Capital National Heritage Area.

The establishment of the HCCD was an important step toward recognizing the area as a vibrant and exciting center for arts and culture that also serves to unify and grow the businesses and communities in the area. DBEDT has been involved in the HCCD since its inception and continues to be an active participant in the coalition that is responsible for guiding and directing the implementation of programs to further its development.

The potential of the Hawai'i Capital National Heritage Area designation will serve to bring about supplemental Federal funding by the National Park Service of the United States Department of the Interior, afford the area with a higher profile and reputation as a destination for heritage and recreational travelers, preserve the heritage of the area, with an emphasis on education and conservation, and further nurture the arts and cultural institutions in the district.

Thank you for the opportunity to offer these comments.

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
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Testimony of
LAURA H. THIELEN
Chairperson

Before the Senate Committees on
ECONOMIC DEVELOPMENT AND TECHNOLOGY
and
JUDICIARY AND GOVERNMENT OPERATIONS

Friday, April 3, 2009
1:15 pm
State Capitol, Conference Room 016

In consideration of
SENATE CONCURRENT RESOLUTION 3, PROPOSED SENATE DRAFT 1 -
REQUESTING THE ESTABLISHMENT OF A JOINT HOUSE AND SENATE WORK
GROUP TO DEVELOP RECOMMENDATIONS FOR STATE/COUNTY ACTIONS TO
COMPLEMENT DESIGNATION OF THE AHUPUAA BETWEEN KALIHI AND
PUNAHOU STREETS, THE PALI LOOKOUT AND THE PACIFIC OCEAN AS THE
HAWAII CAPITAL NATIONAL HERITAGE AREA

Senate Concurrent Resolution 3, Proposed Senate Draft 1 resolves to form a working group comprised of members of the Hawaii State Senate, Hawaii State House of Representatives, Honolulu City Council, representatives of the Bishop Museum, Friends of Iolani Palace, Hawaii Capital Cultural Coalition and other interested stakeholders to develop recommendations for the 2010 legislation to complement the United States Congressional delegation to preserve the Hawaii Capital Cultural District as a National Heritage Area. While the Department of Land and Natural Resources (Department) acknowledges this undertaking, the Department nonetheless defers to the interested stakeholders on whether they have the resources to commit toward this endeavor.

April 3, 2009

Senator Carol Fukunaga, Chair
Committee on Economic Development and Technology
Hawai'i State Legislature

Via Email: EDTtestimony@capitol.hawaii.gov

Re: In support of SCR3-SD1

Dear Senator Fukunaga and Members of the Committee:

The Hawai'i Capital Cultural Coalition and partners support SCR3-SD1 requesting the establishment of a work group to develop recommendations for state/county actions to complement designation of the Hawai'i Capital National Heritage Area.

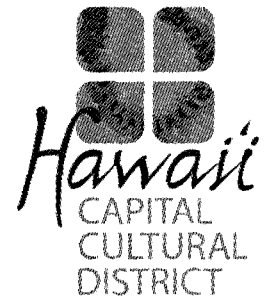
Designation of the Hawai'i Capital National Heritage Area would recognize the significance of Hawai'i's incomparable heritage, provide a platform for cultural groups to tell their stories to a wider audience, and provide new resources to support preservation and perpetuation of Hawai'i's cultural sites and traditions.

Any federal monies received must be matched with non-federal resources. We support a work group of stakeholders that would explore methods for the state and county to creatively and effectively leverage this funding to benefit the many heritage organizations and cultural activities in the area.

The initiative to create a National Heritage Area in the Kapalama/Honolulu ahupua`a is the result of an extensive feasibility study conducted by the Hawai'i Capital Cultural Coalition with a wide range of community involvement. The Native Hawaiian Hospitality Association provided cultural consultation for the National Heritage Area feasibility study, including a Hawaiian cultural assets inventory, area history, assistance with determination of the ahupua`a boundaries, and two rounds of review of the draft study by panels of Hawaiian historians and cultural consultants. The study has been available online for public comment since December 2008.

Since the initiative was begun in 2004, information about the project has been regularly distributed to a large database, including many Hawaiian institutions and individuals all of whom were invited to be involved in the planning process. `Iolani Palace, Queen Emma Summer Palace, Bishop Museum, and Washington Place are among the area cultural sites that have been involved in the NHA initiative since its inception. HCCC has made on-going efforts to hold community and individual meetings and send out electronic and written outreach via news media, mailings, community meetings and internet to solicit input from any interested individuals. Small businesses, individuals, community organizations, non-profits, as well as cultural institutions and government officials have been active in the on going process. The coalition continues to grow as attention to our efforts grow and we raise funds or in-kind services for additional community outreach. All board members and partners work on a volunteer basis, except for one paid full time coordinator.

When the designation passes in Congress the first federal monies are required to be used to continue the process by creating the community plan which is open to anyone and may take up to 3 years.



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We appreciate the State legislature's initial designation of Hawai'i Capital Cultural District in 2003. Through more recent community involvement and input on the feasibility study, by the cultural panel and other stakeholders in the area, the area was enlarged to include Kapalama and Honolulu ahupua'a. This community request came about in an effort to create additional opportunities to tell more of Hawai'i's stories and support sustainable efforts by City and County and State government and other businesses.

National Heritage Areas are *locally* planned and implemented through an inclusive community planning process. Neither the National Park Service nor any other federal agency has any regulatory authority over the NHA. National Heritage Areas do not impose any new local land use, zoning, land acquisition, building code, or similar federal regulations.

It is our hope that the designation of Hawai'i Capital National Heritage Area will serve as an important catalyst in several capacities:

- 1. Preservation and Enhancement of Culture & Values:** We will honor our people with this national designation and generate great pride to work together towards preservation of our cultural landscape and perpetuation of our culture & values.
- 2. Education Outreach and Access:** Hawai'i has physical limitations with its separation of our islands and people by water. This means many residents have never had the opportunity to visit our cultural treasures. We will strive to provide greater access for more residents/students to know their own history first hand and participate in its perpetuation.
- 3. Telling Our Own Stories:** Hawai'i enjoys a global and national reputation for its natural beauty and unique island hospitality. Through the HCNHA designation we will expand upon Hawai'i's image of its unique cultural roots and diversity, allowing visitors to appreciate and enjoy the heritage of this ahupua'a.
- 4. Virtual and Physical Infrastructure Support:** Over time many different districts were developed on 'Oahu. There is an opportunity to create better connectors with transportation, information centers, signage, way finding, technology, and education. These improved connections can also serve our neighbor islands residents and visitors.
- 5. Partnerships:** The broad base of potential partners amongst the Hawaiian community, arts community, government, business, and the visitor industry will generate a far greater involvement in the culture and history of Hawai'i because of this designation.

The Hawai'i Capital Cultural Coalition (formerly known as the Hawai'i Capital Cultural District) is a nonprofit partnership of cultural associations, businesses, public agencies, and service organizations who are working together to preserve, nurture and celebrate the heritage of Hawai'i and establish a thriving cultural area in Honolulu's historic core.

Mahalo for your long-term support for the culture and arts of Hawai'i,



Mona Abadir
HCCC Board President



NATIONAL HERITAGE AREAS Frequently Asked Questions

What is a National Heritage Area?

A place recognized by Congress for its unique heritage resources where a combination of cultural, historic, natural and scenic assets tell a unique story and have shaped a cohesive, nationally-distinctive landscape.

National Heritage Areas are *partnerships* at the regional and/or local level that involve planning around a theme, industry, and/or geographical feature that influenced the area's culture and history. This planning strategy encourages residents, government agencies, non-profit groups and private partners to agree on and carry-out programs and projects that recognize, preserve, and celebrate the area's unique heritage.

How are National Heritage Areas managed?

- The management plan is developed *locally*, and responsibility to implement the plan is *local*. Planning must be done collaboratively on the basis of mutual interests and shared goals.
- The Hawai'i Capital Cultural Coalition is the coordinating organization for the Hawai'i Capital National Heritage Area charged with conducting an open community planning process and coordinating the implementation of the plan.

What is the role of the National Park Service and other federal agencies in NHAs?

- National Heritage Areas are supported through the National Park Service, U.S. Department of the Interior.
- *National Park Service involvement is always advisory in nature; it neither makes nor carries out management decisions.* The National Park Service assists local partnerships, primarily through financial and technical assistance.

How is a NHA different from a National Park?

- A National Heritage Area is not a unit of the National Park Service, nor is any land owned or managed by the NPS.

Does NHA designation impose any new regulations or restrictions?

- No, NHAs do not impose any new local land use, zoning, land acquisition, building code, or similar federal regulations. Designation legislation does not provide the management entity or any federal agency with the authority to regulate land.

What are the benefits of NHA designation?

- Collaborative approach to heritage conservation that does not compromise traditional local control over and use of the landscape. NHA heritage conservation efforts are grounded in a community's pride in its history and traditions, and in residents' interest and involvement in retaining and interpreting the landscape for future generations.
- Support for locally managed, collaborative initiatives that celebrate, preserve, enhance and interpret a region's cultural, historic and natural resources.
- Financial and technical assistance from the National Park Service. In general, NHAs are eligible for up to \$10 million in federal funding over 10-15 years. The funding is applied for on a project-by-project basis, and must be matched with non-federal resources.
- Leveraging of resources through partnerships.
- National attention to and education about an area's cultural importance. NHAs provide a platform for cultural groups to tell their stories to a wider audience.

What are the matching requirements for federal funds?

- The match is one to one. Many sources can be used to make up the matching contribution, including in-kind support, volunteer hours, the value of the contributions of all partners in the funded project, as well as local governmental allocations.

What is the process for the Hawai'i Capital National Heritage Area?

- A Suitability/Feasibility Study was conducted by the Hawai'i Capital Cultural Coalition according to NPS guidelines. The study is available for download on the HCCC website.
- Concurrent bills, S.359 and H.R.1297, to establish the Hawai'i Capital National Heritage Area were submitted in both houses of Congress in early 2009. Passage of the measure is estimated for late 2009.

What kinds of projects are planned for the National Heritage Area?

- Once designation is achieved *a community planning process that is as inclusive as possible* will be conducted to develop a master plan for the NHA.
- Examples of the kinds of projects the community may wish to support through the NHA initiative include: education programs, cultural training, interpretive materials and exhibits, support for cultural sites and activities, conservation and preservation, physical improvements, signage and way-finding, festivals, and management activities.

What has been the community outreach for this project?

- Since the initiative was begun in 2004, information about the project has been regularly distributed to a large database, including many Hawaiian institutions and individuals, all of whom were invited to be involved in the planning process. `Iolani Palace, Queen Emma Summer Palace, Washington Place, Bishop Museum, and Mission Houses Museum are among the area cultural sites that have supported the NHA initiative since its inception.
- The Native Hawaiian Hospitality Association provided cultural consultation for the National Heritage Area feasibility study, including a Hawaiian cultural assets inventory, area history, determination of the ahupua`a boundaries, and two rounds of review of the draft study by panels of Hawaiian historians and cultural consultants.

How were the boundaries determined?

- The proposed boundaries for the Hawai'i Capital National Heritage Area are the Kapalama/Honolulu ahupua`a that encompass Nu`uanu and Kapalama Valleys and surrounding area and coastal plain. The boundaries were developed to provide continuity for the natural, cultural, historic and educational resources that help tell the stories of the NHA.
- The overarching themes (stories) of the Hawai'i Capital National Heritage Area are: 1) Native Hawaiian Struggle for Cultural Preservation and Self-Determination; 2) Hawaii's Exceptional Experience in Multi-Culturalism; and 3) Hawaii's Role as a Link to Asia and the Pacific.

For more information see websites:

Hawai'i Capital Cultural Coalition: www.hawaiicapitalculture.org

National Park Service: www.nps.gov/history/heritageareas

Alliance of National Heritage Areas: www.nationalheritageareas.org

Contact:

Hawai'i Capital Cultural Coalition, 1001 Bishop Street, Suite 2800, Honolulu, HI 96813

Phone: (808) 927-1370 Fax: (808) 550-4403 Email: hcccinfo@hawaiicapitalculture.org

Brief History of Hawai'i Capital National Heritage Area Initiative and Related Community Outreach

The Hawai'i Capital Cultural District was established in 2003, creating a partnership most of the major arts and cultural institutions in the downtown, Nuuanu and Kalihi areas, arts and culture related associations, state agencies, and businesses with an interest in supporting arts and culture and heritage tourism.

Hawaiian cultural institutions and individuals who have regularly participated in the coalition since inception:

Institutions

- Bishop Museum
- `Iolani Palace
- Native Hawaiian Hospitality Association
- Queen Emma Summer Palace/Daughters of Hawai'i
- Washington Place
- Kawaiahao Church
- Kamehameha Schools

Individuals

- Nanette Napoleon, Historian
- Ramsay Taum, UH TIM School
- Peter Apo, Peter Apo Consulting
- Haunani Hendrix, Prince Hotels
- Manu Boyd, OHA

The idea to explore becoming a National Heritage Area was brought up in a 2004 coalition meeting. Minutes of coalition meetings, held throughout 2004 - 2008, including a updates of the NHA process, were circulated to an email database of about 150. All were encouraged to participate in the discussion.

In 2006, the coalition proceeded with a NHA Suitability/Feasibility Study. It worked to disseminate information about the effort, including hosting a series of Community Forums to gather community input. Invitations to the forums, sent to a database of about 200, included a summary of the National Heritage Area project.

Hawaiian Institutions and individuals who received regular updates on the NHA initiative since 2004 via emailed coalition minutes and invitations to the Community Forums, included, the above, plus:

- Dept of Hawaiian Homelands
- Office of Hawaiian Affairs
- Kamehameha Schools
- Center for Native Hawaiian Advancement
- Native Hawaiian Chamber of Commerce
- Ku'iwalu
- Kawaiahao Church
- Wayne Panoke, Mayor's Office on Culture and the Arts

The Native Hawaiian Hospitality Association was a member of the NHA Feasibility Study team and provided consultation regarding all aspects of Hawaiian culture including the history of the area and the Hawaiian cultural assets inventory. NaHHA also conducted 2 rounds of review of the draft study by panels of Hawaiian cultural practitioners and historians. These reviewers were:

- Dr. Davianna MacGregor, UH Professor, Ethnic Studies
- Marilyn Reppun, Historian
- Peter Apo, Peter Apo Consulting
- Maile Meyer, Na Mea Hawai`i
- Bill Ha`ole, Enoa Tours and Trolley
- Lulani Arquette, Executive Director, NaHHA
- Ramsay Taum, UH, TIM School

A June 2007 article in the Honolulu Advertiser described the National Heritage Area initiative; a prominent sidebar invited public comment on the project.

Information about the NHA effort has also been published in the following newsletters: Hawai`i Community Development Authority (Kakaako, mailing list of 8,000), Historic Hawai`i Foundation, and Native Hawaiian Hospitality Association (multiple articles).

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

**Senator Carol Fukunaga, Chair
Senator Rosalyn H. Baker, Vice Chair**

And

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

**Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair**

Hawai'i State Capitol, Conference Room 016

Friday, April 3rd, 2009, 1:15 pm

Submitted by

William P. Hā'ole, III, Board Vice President

Hawai'i Capital Cultural Coalition

National Heritage Area

95-168 Kau'opae Place

Mililani, HI. 96789

623-2376

IN SUPPORT OF SCR 3, PROPOSED SD1

Aloha Honorable Chairs Senators Carol Fukunaga and Brian T. Taniguchi and members of both the Committee on Economic Development and Technology and the Committee on Judiciary and Government Operations

I am a Native Hawaiian submitting support for SCR 3 and Proposed SD 1. I have been an active participant in the HCCC-NHA since its genesis. I am proud of the opportunity that this initiative provides the Kanaka Maoli. It is another venue to share how we have evolved and survived from pre-western contact to today's diverse multi-ethnic culture. This is a story that should not be silenced any further. It is a story of a land-based people born with an innate sense of mālama in relationship to their 'āina. A people stripped layer by layer of the essence (the Hā) of their existence to becoming more and more dependent to the changes of time AND who are now evolving into brilliance, commanding respect and recognition. Too many people over too much time have attempted to silence the truth about Hawai'i's unique history and relationship with the United States of America and the world. From my work in the visitor industry for the past 25 years, our culture and history have not been represented accurately, and in many cases – have been shamefully distorted and abused. This needs to change.

The Hawai'i Capital Culture Coalition (formerly the Hawai'i Capital Culture District) has spent hundreds of hours visioning, planning, conducting community meetings, developing a feasibility study, and communicating the Hawai'i Capitol National Heritage area possibility on a "shoe-string" budget. Mona Abadir, the visionary person behind the project, has donated countless hours of personal time and her own resources to help launch this effort. The effort has succeeded to this point based on the sheer will and dedication of many dedicated volunteers. Funding support has been limited and there is only one paid staff person, Lorraine Lunow-Luke, who has also contributed a lot of pro bono time.

Many other Hawaiian organizations and individuals have been involved in the process. Some of the organizations include Friends of 'Iolani Palace, Queen Emma Summer Palace/Daughters of Hawai'i, Kamehameha Schools, Bishop Museum, Department of Hawaiian Homelands, Native Hawaiian Chamber of Commerce, Office of Hawaiian Affairs, Native Hawaiian Hospitality Association, and the Council for Native Hawaiian Advancement. Other organizations supporting this initiative include Hawai'i Tourism Authority, University of Hawai'i College of Travel Industry Management, Friends of Washington Place, Hawai'i Opera Theatre, Honolulu Academy of Arts, and so many others.

The HCCC-NHA has always been transparent and has always welcomed participation of all – stakeholders, cultural practitioners of all ethnicities, businesses and all artisans, inside the designated area and out. Every effort to honor the “host culture” has been the forefront of concern while the delicately balancing the contributions of other ethnicities that contributed to the overall fabric we know as Hawai’i today. Further, the stakeholders make the decisions, not its elected officers. While we agree that most of the historic sites are currently on National & State Preservation and Protection lists, it does not promise any financial support to sustain its operations and its ability to continue sharing its story. In light of today’s economic challenges it would seem prudent for all to unite and engage in the arduous task of finding alternative funding, which is one of many goals the HCCC-NHA hopes to achieve. In that, the HCCC-NHA is about becoming self-sufficient, developing itself as an economic resource of itself, for itself and the people of Hawai’i.

The HCCC-NHA is not about dictating how one manages their individual kuleana within the Heritage Area including whether or not they participate in this process. It is, however, about supporting and partnering with historic sites within the Heritage Area and working together in building growth potential and interdependence with each other. Regarding the right to inventory and evaluate properties within the National Heritage Area? It would seem important to perform an inventory of who, what, why and how each partner can contribute to the success of this venture. Once accomplished, the mo’olelo within becomes clearer, more accessible and much more accurate. The HCCC-NHA is not about political status, representation or ownership. It’s about telling a story of our past and continues to tell the story of today and what happens tomorrow – the true story of Honolulu, the people, town and what makes it unique.

In conclusion, much resistance to the HCCC-NHA designation involve exclusion, infringement and Private Property Owners and Regulatory issues I submit that through the course of eight years HCCC meetings have always been open. While limited in financial resources, we relied heavily on our stakeholders to pass the word of our work to their network and contacts by word-of-mouth. HCCC-NHA when invited engaged and participated in as many Native Hawaiian Conferences and cultural events possible. Further, I submit for your review Section 8; of S 359, regarding the Private Property Owners and Regulatory Protections of the NHA. I believe this provides sufficient evidence of the level of misconceptions and inaccuracies of the opposition to: SCR3 (HCR22, HR24, SCR42, and SR6), which ask for support of the NHA designation

SEC. 8. PRIVATE PROPERTY OWNERS AND REGULATORY PROTECTIONS.

Nothing in this Act--

- (1) abridges the rights of any owner of public or private property, including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;
- (2) requires any property owner to permit public access (including access by any Federal, tribal, State, or local agency) to the property;
- (3) modifies any provisions of Federal, tribal, State, or local law with regard to public access to, or use of, private land;
- (4) alters any land use regulation, approved land use plan, or other regulatory authority of any Federal, tribal, State, or local agency;
- (5) conveys any land use or other regulatory authority to the local coordinating entity;
- (6) authorizes or implies the reservation or appropriation of water or water rights;

(7) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

I respectfully implore your favorable consideration to pass the Proposed SD 1. Thank you for your kind consideration of the content of my testimony. I am available upon request for any questions or discussion

Respectfully submitted,

A handwritten signature in cursive script that reads "William P. Hā'ole, III". The signature is written in black ink and includes a stylized flourish at the end.

William P. Hā'ole, III
95-168 Kau'opae Place
Mililani, HI. 96789
(808) 351-2149, Mobile
whaole@yahoo.com

fukunaga4 - Michelle

From: Frank Haas [fhaas@hawaii.edu]
Sent: Thursday, April 02, 2009 9:04 PM
To: EDTTestimony
Cc: 'Lorraine Lunow-Luke'
Subject: Testimony in support of SCR3-SD1

Aloha Senator Fukunaga and members of the Committee on Economic Development and Technology

Testimony in Strong Support of SCR3-SD1

The proposed national heritage area designation for the Hawai'i Capital District will provide the Nu'uano/Kapālama ahupua'a with a much needed shot in the arm for continued development of businesses, visitor attractions, and cultural sites located there. The designation will provide potential access to funding that will facilitate access to and interpretation of these sites and businesses. And, the successful implementation of a heritage area designation will mean increased traffic into the area for residents and visitors alike. With increased appreciation for the historic and cultural sites, the area will not only see an improved economic climate but, perhaps more importantly, a heightened appreciation for the importance of our culture and heritage and a better way to tell Hawai'i's story.

I foresee the development of a successful plan to create a heritage area as a collaborative effort among all of the stakeholders in the area. The result will be a more vibrant and rich experience for our residents and visitors with interpretive materials to help understand the significance of the sites and a lively blend of cultural presentations and activities. What has been an area that is rich in potential can become a centerpiece for cultural activities, tourism, and increased business built upon higher traffic.

I encourage you adopt SCR3-SD1 as a step toward the preservation and revitalization of the Nu'uano/Kapālama ahupua'a ... and the improved economic benefits that this revitalization will bring.

Frank Haas
President
Marketing Management
fhaas@earthlink.net

fukunaga4 - Michelle

From: Windward Ahupua`a Alliance [info@waa-hawaii.org]
Sent: Friday, April 03, 2009 7:29 AM
To: EDTTestimony
Subject: SCR 3 - Proposed SD 1

TESTIMONY SUBMITTED BY:

Shannon Wood, *President & CoFounder*
Windward Ahupua`a Alliance
P.O. Box 6366
Kane`ohe, HI 96744
Website: <http://www.waa-hawaii.org>; E-Mail: <mailto:info@waa-hawaii.org>
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Sen. Carol Fukunaga, Chair
Sen. Rosalyn Baker, Vice Chair

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Sen. Brian Taniguchi, Chair
Sen. Dwight Takamine, Vice Chair

1:15 pm
Friday, April 3, 2009
Conference Room 016

SCR 3 - Proposed SD 1

REQUESTING THE ESTABLISHMENT OF A JOINT HOUSE AND SENATE WORK GROUP TO DEVELOP RECOMMENDATIONS FOR STATE/COUNTY ACTIONS TO COMPLEMENT DESIGNATION OF THE AHUPUAA BETWEEN KALIHI AND PUNAHOU STREETS, THE PALI LOOKOUT AND THE PACIFIC OCEAN AS THE HAWAII CAPITAL NATIONAL HERITAGE AREA

Support With Amendments

My name is Shannon Wood speaking on behalf of the *Windward Ahupua`a Alliance* in strong of **SCR 3 - Proposed SD 1**, which would set up the **Hawai`i Capital National Heritage Area**. However, I have one small amendment - please correct the spelling of the word **CAPITOL** - it's currently spelled with an **A** - when you are referring to the place where the *Legislature* meets and the *Governor & Lt. Governor* have their offices.

Unfortunately, a **House** resolution asking the *Congressional* delegation to withdraw its support of a similar designation for the area submitted by *Rep. Sylvia Luke* has passed out of the *Hawaiian Affairs Committee*. Perhaps the area senators and representatives might want to confer about the purpose of the two resolutions and come up with a compromise.

In the meantime, *WAA* strongly supports this resolution because we are committed to supporting the preservation & restoration of cultural and historical sites. Furthermore, I sit on the board of the **Friends of Falls of Clyde** which would be part of the **Hawaii Capitol National Heritage Area**.

Mahalo for the opportunity to testify in support of SCR 3 - Proposed SD 1 - as long as you correct the spelling of **Capitol**.

2709

HPACH
919 4th Street
Pearl City, Hawaii 96782

April 3, 2009

Senator Carol Funkunaga, Chair
Senator Rosalyn H. Baker, Vice Chair
And Committee Members On Economic Development and Technology
Senator Brian T. Taniguchi, Chair
Senator Dwight Y Takamine, Vice Chair
And Committee Members On Judiciary and Government Operations
House of Representatives, 2009 Legislature Session
State of Hawaii

Subject: SCR 3, PROPOSED SD1: Requesting The Establishment of a Joint House and Senate Work Group to Develop Recommendations for State/County Actions to Complement Designation of the 'Ahupua'a Between Kalihi and Punahou Street, The Pali Lookout and the Pacific Ocean as the Hawaii's Capitol National Heritage Area, **OPPOSE**

ALOHA Kakou,

My name is Richard Pomaikaiokalani Kinney. On January 17, 1003 after reading Public Law 103-150 I renounced my citizenship to the United States. I come here today as a Hawaiian National of the Hawaiian Kingdom. I strongly support the restoration of the Hawaiian Kingdom government that was invaded and occupied thru an Act of War on the January 16, 1893 with the involvement of the diplomatic and military forces of the United States.

As Sovereign of the Hawaiian Political Action Council of Hawaii, I **STRONGLY OPPOSE** the intent and passage of SCR 3.

The Hawaii Capitol National Heritage Area plan is HEWA. In the planning of Hawaii Capitol National Heritage Area plan for the past 6 years, there have never been any Public Hearings on this HEWA Stealing of Hawaiian Lands.

The introduction of the Hawaiian Capitol National Heritage Bill into Congress by Senator Inouye without any public hearings in Hawaii is HEWA.

I and many Hawaiian Nationals of the Hawaiian Kingdom have an

HPACH
919 4th Street
Pearl City, Hawaii 96782

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SCR 3

Inherent Sovereign claims to all Crown and Government lands of Hawaii. Including all the lands in the Hawaii Capitol National Heritage Area Bill that has been introduced into the Congress of the United States.

I and my fellow Hawaiian Nationals have never and will never relinquish our claims to all the Crown and Government lands of our nation, the Hawaiian Kingdom.

The Hawaii Capitol National Heritage Area Bill is in violation of the reconciliation process of the Apology Resolution, Public Law 103-150. A reconciliation process that is on going.

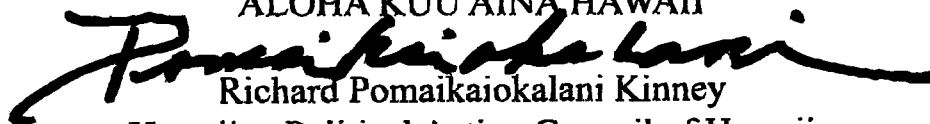
The continued Selling, Exchanging or otherwise of the Crown and Government lands of Hawaii by the State and now by the Congress of the United States is HEWA.

Once more, HPACH Strongly OPPOSE the intent and passage of SCR 3.

Mahalo Nui for allowing me to give testimony on this Resolution.

Attachment: Renouncement Documents

ALOHA KUU AINA HAWAII



Richard Pomaikaiokalani Kinney

Hawaiian Political Action Council of Hawaii

87-168 Maaloa Street

Waianae, Hawaii, 96792

Email: HIAWAII@aol.com

HPACH

919 4th Street
Pearl City, Hawaii 96782

AUGUST 6, 1993

LETTERS TO THE EDITOR, THE ADVERTISER, HONOLULU STAR BULLETIN

DEAR SIR,

ON JANUARY 17, I RENOUNCED MY CITIZENSHIP TO THE UNITED STATES (LETTER ENCLOSED). ALL THE RECENT EVENTS SURROUNDING THE MOVEMENT FOR HAWAIIAN SOVEREIGNTY, TELLS ME THAT I MADE THE RIGHT DECISION.

THE HAWAIIAN KINGDOM WAS CREATED BY HAWAIIANS. HAWAIIANS FIGHTING HAWAIIANS AND SPILLING THEIR BLOOD TO BE AN INDEPENDANT NATION OF THEIR OWN AND THE FREE WORLD.

AFTER THE WARS WERE OVER, THE HAWAIIAN KINGDOM ORGANIZED ITSELF AS A NATION IN ACCORDANCE WITH INTERNATIONAL LAWS.

EVERYTHING, FROM A NATIONAL CONSTITUTION, TREATIES WITH FOREIGN NATIONS INCLUDING THE UNITED STATES TO BUILDING A NEW PALACE WERE ALL PARTS OF THE NEW NATION.

THE HAWAIIAN KINGDOM WAS CREATED FOR THE PERPETUATION OF HAWAIIAN SOVEREIGNTY OVER HAWAII.

THE PROVISIONAL GOVERNMENT OF HAWAII, THE REPUBLIC OF HAWAII, THE TERRITORY OF HAWAII AND THE STATE OF HAWAII GOVERNMENTS WERE ALL CREATED BY NON-HAWAIIANS TO HAVE AMERICAN SOVEREIGNTY RULE OVER HAWAII.

AFTER ONE HUNDRED YEARS OF BEING UNDER AMERICAN SOVEREIGNTY, HAWAIIANS TODAY SHOULD REALIZE THAT IT IS TIME FOR HAWAIIANS TO REUNITE OURSELVES AS A FREE AND INDEPENDANT NATION ONCE MORE.

HAWAIIANS TODAY MUST STAND UP FOR COMPLETE INDEPENDANCE FROM THE UNITED STATES. HAWAIIANS MUST SECURE HAWAII AS A NATIONAL HOMETLAND FOR OUR CHILDREN AND THEIR CHILDREN'S CHILDREN TO COME.

HAWAIIAN SOVEREIGNTY MUST BE THE SUPREME LAW OF HAWAII.

UA MAU KE EA O KA AINA I KA PONO!

"HANA LIKE KAKOU NA HAWAII"

R. Pomaiokalani Kinney
RICHARD POMAIOKALANI KINNEY

SOVEREIGNTY, HAWAIIAN POLITICAL ACTION
COUNCIL OF HAWAII

731 McCULLY ST., PH-3, HONOLULU, 96826

HPACH

919 4th Street
Pearl City, Hawaii 96782

TO WHOM IT MAY CONCERN,

I, RICHARD POMAIIKAI KINNEY
(NAME)

919 4th Street, Pearl City, Honolulu, Hawaii 96782
(ADDRESS)

a NATIVE HAWAIIAN descendant, do hereby declare myself
SOVEREIGN unto GOD the CREATOR.

I, further declare my autonomous right, as a NATIVE
HAWAIIAN descendant, to uphold with body and soul, the
autonomous right of all NATIVE HAWAIIAN descendants and
their OHANA.

"HANA LIKE KAKOU"

July 16, 1984
(DATE OF NOTARY)

Richard Pomaikai Kinney
(NAME)

919 4th St. Pearl City, HI

STATE OF HAWAII)
) ss.
City and County of Honolulu)

On this 16th day of July, 1984, before me personally
appeared Richard Pomaikai Kinney, to me known to be the person described
in and who executed the foregoing instrument and acknowledged that he
executed the same as his free act and deed.

My Commission expires: July 31, 1986

Mecan K...
NOTARY PUBLIC, State of Hawaii

HPACH

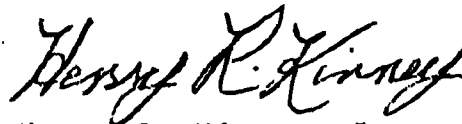
919 4th Street
Pearl City, Hawaii 96782

STATE OF HAWAII
City and County of Honolulu) ss.

I, Henry Richard Kinney, Jr., a Native Hawaiian descendant and Sovereign, born on December 26, 1938 at Queen's Hospital in Honolulu, Hawaii, do hereby renounce my citizenship to the United States of America as of 6 P.M. Hawaiian Standard Time on January 17, 1993.

I protest against any and all acts done against my native country, the Hawaiian Kingdom and its constitutional sovereign, Queen Liliuokalani by United States troops on January 17, 1893. *Alto Qto*

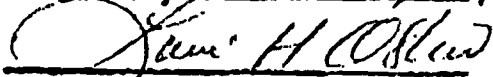
Now, to avoid any collision of arrest from agents of the United States, and perhaps the loss of my life and freedom, I seek the full independence of the Hawaiian Islands as an independant nation of the Free World. *Qto*



Henry R. Kinney, Jr.
731 McCully Street
Honolulu, Hawaii
96826

Subscribed and sworn to before me this

15th day of January, 1993



Notary Public, First Judicial Circuit
State of Hawaii

MY COMMISSION EXPIRES 6-1-96





April 3, 2009

Senator Carol Fukunaga, Chair
Economic Development & Technology
415 S. Beretania Street
Honolulu HI 96813

Dear Senator Fukunaga and Members of the Committee,

I am Mary Begier testifying today as an interested citizen speaking in support of SCR3 and the proposed SD1. As a person who cares about the arts and culture of our community and a practicing real estate agent I see the value in the working group that is created in this resolution.

Designation of the Hawaii Capital National Heritage Area recognizes the significance of Hawaii's incomparable heritage, provides a much needed platform for cultural groups of varied backgrounds to share their stories. It will bring new resources to support preservation of Hawaii's multi-cultural sites and traditions.

Please enable the stakeholders to come together to explore ways that government can work together with the private sector to blend creativity and financial resources

Thank you for the opportunity to testify in support.

1188 Bishop St., Suite 3412 Honolulu HI 96813
101 Aupuni St., Suite 101 Hilo HI 96720

April 1, 2009

Honorable Carol Fukunaga, Chair
11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair
10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Date: Friday, April 3, 2009
Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 SD1 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 SD1 (HCR22, HR24, SR6, and SCR42) is as follows:

- a. This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory each property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa - mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below*).
- f. Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.
- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.

- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. **WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS.** They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- i. **The process itself has not been inclusive:** A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.

* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to “section e” above: “In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka’ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings.” (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

“The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai’i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation;** and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in **STRONG OPPOSITION** to SCR3 SD1 (HCR22, HR24, SR6, and SCR42).

Me ke aloha pumehana,

Tamar deFries
2031 Haalelea Place
Honolulu, HI 96813

fukunaga4 - Michelle

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 31, 2009 3:26 PM
To: EDTTestimony
Cc: pennysfh@hawaii.rr.com
Subject: Testimony for SCR3 on 4/3/2009 1:15:00 PM

Testimony for EDT/JGO 4/3/2009 1:15:00 PM SCR3

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: Penny Levin
Organization: Individual
Address: Wailuku, Hawaii
Phone:
E-mail: pennysfh@hawaii.rr.com
Submitted on: 3/31/2009

Comments:
Aloha Honorable Committee Members;
I oppose SCR3 SD1.

While I am sure it is without ill-intention that there are state, federal and nonprofit groups who wish to create a Heritage Corridor for the Nuuanu-Capitol district, it is inappropriate for the resources present within the district. The suggestion has been made that such a designation would improve the collective tourist dollars generated by the district. These sites, no the least of which is Mauna Ala and Iolani Palace belong to Hawaiians. No one else should decide whether these sites should fall under national rules. I am sure that the residents of this ahupuaa would feel the same way. NAGPRA laws clearly indicate that the fate of ancestral bones and burials must be given to those of Hawaiian ancestry who are directly linked to them - that would include Mauna Ala. State Historic Preservation laws already protect the individual landmarks within this ahupua'a. Additional federal authority is unnecessary. If this bid is purely to be eligible for federal funding, it is a short-sighted decision. Federal funding will become non-existent within a few years and then we will be stuck with the designation but no money to implement. The prominent TCPs (traditional cultural places) in this district are some of the most politically important historic era sites of the Hawaiian monarchy and its alii. To fail to even discuss this initiative with the Hawaiian community and the residents of the area from the very first day is a failure of honest process. One has to ask, is this the feather in the cap of wresting ceded lands from Hawaiians that the legislature would support a federal designation, and hence a removal of local determination, over these sacred grounds? I can only shake my head in disbelief that the agencies and organizations involved think that such a working group would make such a move acceptable. I urge you to oppose this resolution and oppose the designation of this district as a federal Heritage Area. Mahalo.

April 1, 2009

Honorable Carol Fukunaga, Chair
11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair
10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Date: Friday, April 3, 2009
Time: 1:15 pm

RE: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) is as follows:

- a. This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory each property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa - mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below*).
- f. Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.

- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.
- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. **WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS.** They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- i. **The process itself has not been inclusive:** A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.

* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to “section e” above: “In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka’ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings.” (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

“The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42).

Kealii Makekai
2563 Date st #312
Honolulu Hi, 96826
808 947-4343

fukunaga4 - Michelle

From: Dee Texidor [DeeTex123@hawaii.rr.com]
Sent: Thursday, April 02, 2009 5:17 PM
To: EDTTestimony
Subject: OPPOSITION TO PROPOSED SD1 AS IT RELATES TO SCR3

Importance: High

April 2, 2009

Honorable Carol Fukunaga, Chair
11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair
10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Date: Friday, April 3, 2009
Time: 1:15 pm

**RE: OPPOSITION TO PROPOSED SD1 AS IT RELATES TO SCR3 (HCR22, HR24, SR6, and SCR42)
- REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT
AS A NATIONAL HERITAGE AREA**

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SD1 AS IT RELATES TO SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA.

I oppose the language used in the Resolution and its reference to :

WHEREAS, POTENTIAL DESIGNATION OF THE HAWAII CAPITAL NATIONAL HERITAGE AREA DURING HAWAII'S FIFTIETH ANNIVERSARY YEAR REQUIRES THE DEVELOPMENT. "

Actually, I oppose the whole concept of establishing "The Hawaii Capital National Heritage Area". It's not right that these culturally significant areas sensitive to Native Hawaiians and historical landmarks in Hawaiian history be under the umbrella of the power and control of the U.S. federal government.

More specifically, in January 2008, our Hawai'i Supreme Court issued a unanimous decision, authored by Chief Justice Ronald Moon, holding that the state is prohibited from selling or transferring any of the 1.2 million acres of "ceded" lands **until the unrelinquished claims of Native Hawaiians to those lands have been resolved through the political process.**

I believe that this has to be addressed before these culturally significant areas are vacumed into a National Heritage area as the language recognizes the 50th State Anniversary in conjunction with the National Heritage Area designation. Historical facts dictate a Hawaiian legacy for the Hawaiian people - not an American one.

"Whereas the proposed Hawaii Capital National Heritage Area provides an outstanding concentration of natural, cultural, historic, and scenic resources that should be preserved and recognized as Hawaii's Capital National Heritage Area,"

Whereas, designation as a National Heritage Area allow for the use of federal funds to maintain, preserve, and protect an area's physical character and cultural legacy; and"

I know that no desecration of anything is unHawaiian - to maintain, preserve, and protect - to malama aina - has always been the core of Hawaiian values and spirituality. I know that the people who love Hawaii, Hawaiians and non-Hawaiians, promote conservation and revitalization of the land, nor do they want any destruction to any part of it. Within the last 20 yrs, the unprecedented expansion and growth has changed these islands - by the State and by American/Japanese corporate entities. Whose "cultural legacy" are you talking about? The Hawaiian cultural legacy or the American ? Please, define "community revitalization" and "economic development" which usually means 1-2 million dollar condo units in the urban Honolulu area.

*As well, we know we must address the sense of betrayal that many in our Native Hawaiian community feel on the issue of ceded lands, and in particular the case now pending before the United States Supreme Court. We will not turn a deaf ear to these questions, as difficult as they may be. We have heard the call of the people and we must respond. -- Colleen Hanabusa
January 21, 2009*

I believe that by designating this area as a National Heritage Area, you do not acknowledge the facts of Hawaiian history, the State Supreme Court (the highest court), and yet again, you fail the call of the people who are Hawaii. I pray that you choose to respond by hearing the call of the people and address this sense of betrayal.

I AM IN STRONG OPPOSITION to SD1 AS IT RELATES TO SD1 AS IT RELATES TO SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA.

Thank you,
Diane Texidor
814 Kinau Street #308
Honolulu, HI 96813
536-5427

April 2, 2009

Honorable Carol Fukunaga, Chair

11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair

10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

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designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?

e. As stated in their study, the local managing authority has the right to inventory each property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa - mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below*).

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Area Suitability/Feasibility Study, p. 54).

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Me ke aloha pumehana,

C. A. Ostroski

75-291 Aloha Kona Drive

Kailua-Kona, HI 96740

808-896-4760

Honorable Carol Fukunaga, Chair
11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair
10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Honorable Senators,

Re: Strong opposition to HCR22, HR24, SCR3, SR6 and SCR42

I, Janos Keoni Samu, resident and citizen of the Reinstated Kingdom of Hawai`i, AKA State of Hawa`i hereby strongly oppose the above captioned bills pertaining to the establishment and support of a National Heritage Area permitting directly and/or indirectly the involvement of the any Federal agency or federal authority in the supervision, overseeing, management and audit of said National Heritage Area including Mauna Ala, Iolani Palace, Nuuanu Pali, Puowaina - Papakolea - and basically everything and anything within the Honolulu Ahupuaa and Kapalama Ahupuaa - mountain to sea.

This protest is based on the fact that the aforesaid area is an inalienable part of the Hawaiian culture and sacred to the the Hawaiian nation, and as such cannot be handled as a commodity. Allowing the direct or indirect overseeing, management, supervision, and/or audit by any entity regarded by native Hawaiians, residents and citizens of the Kingdom of Hawaii as foreign (including the country called United States of America) would be a consent and aiding to the rape of the culture and heritage of the Hawaiian nation.

Therefore I am in strong opposition of the approval of HCR22, HR24, SCR3, SR6 and SCR42.

Yours truly,

Janos Keoni Samu
PO Box 527
Kalaheo, HI 96741
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LATE

April 3, 2009

Senator Carol Fukunaga, Chair
Senate Committee on Economic Development and Technology
Hawai`i State Legislature

Via Email: EDTestimony@capitol.hawaii.gov

Aloha Senator Fukunaga and Members of the Committee:

The Hawaii Theatre Center supports SCR3-SD1 requesting the establishment of a work group to develop recommendations for State/Country actions to complement designation of the Hawai`i Capital National Heritage Area.

Designation of the Hawai`i Capital National Heritage Area would recognize the significance of Hawai`i's incomparable heritage, provide a platform for cultural groups to tell their stories to a wider audience, and provide new resources to support preservation and perpetuation of Hawai`i's cultural sites and traditions. Any federal monies received must be matched with non-federal resources. We support a work group of stakeholders that would explore methods for the state and county to creatively and effectively leverage this funding to benefit the many heritage organizations and cultural activities in the area.

The initiative to create a National Heritage Area in the Kapalama/Honolulu ahupua`a is the result of an extensive feasibility study conducted by the Hawai`i Capital Cultural Coalition with a wide range of community involvement. Since the initiative was begun in 2004, information about the project has been regularly distributed to a large database, including many Hawaiian institutions and individuals all of whom were invited to be involved in the planning process. Iolani Palace, Queen Emma Summer Palace, Bishop Museum, and Washington Place are among the area cultural sites that have been involved in the NHA initiative since its inception.

The Native Hawaiian Hospitality Association provided cultural consultation for the National Heritage Area feasibility study, including a Hawaiian cultural assets inventory, area history, assistance with determination of the ahupua`a boundaries, and two rounds of review of the draft study by panels of Hawaiian historians and cultural consultants. National Heritage Areas are *locally* planned and implemented through an inclusive community planning process. Neither the National Park Service nor any other federal agency has any regulatory authority over the NHA. National Heritage Areas do not impose any new local land use, zoning, land acquisition, building code, or similar federal regulations.

The proposed Hawai`i Capital National Heritage Area includes an assemblage of cultural/natural sites, architecture, and living traditions that represent Hawaii's unique and diverse backgrounds. It provides an opportunity to preserve and honor a special ahupua`a that has unique history and significance for Hawai`i, local communities, and Native Hawaiians. It engages us to tell our stories from an accurate and truthful perspective.

Thank you for the opportunity to submit this testimony.

A handwritten signature in cursive script that reads 'Sarah M. Richards'.

Sarah M. Richards
President

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Testimony in Support of SCR3-SD1:

**Requesting the establishment of a work group to develop
recommendations for actions to complement designation of the
Hawai'i Capital National Heritage Area**

April 3, 2009

To: Senator Carol Fukunaga, Chair
Senate Committee on Economic Development and Technology
Hawai'i State Legislature

From: Nanette Naioma Napoleon (No organizational affiliation)

Aloha Senator Fukunaga and Members of the Committee,

I am writing as an individual in support of SCR3-SD1 requesting the establishment of a work group to develop recommendations for state/county actions to complement designation of the Hawai'i Capital National Heritage Area.

I have been interested in, and involved with, historical preservation issues for more than 30 years, particularly with Native Hawaiian sites. I did some volunteer work for the Hawaii Capital Cultural Coalition in its early stages and have attended a number of update meetings on its progress over the last 5 years.

I think that designating the proposed Honolulu districts as a National Heritage Area will greatly enhance and benefit the entire State of Hawai'i by bringing national attention to the wide variety of significant historic and cultural sites in this area, which has the highest concentration of museums, historic homes, buildings, graveyards, monuments, churches, ethnic temples and neighborhoods in the state.

The money and support from the federal government will go a long way in helping to educate the local community and visitor population about the importance of these sites, which form a very unique cultural landscape that can be found nowhere else in America.

Mahalo for your commitment thus far to this project. I hope you will continue to support this bill in every way possible.

Sincerely,

Nanette Naioma Napoleon
131-A Hauoli St.
Kailua, HI
Ph. 261-0705
Email: nanette@hawaii.rr.com

April 2, 2009

LATE

Honorable Carol Fukunaga, Chair
1th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair
10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Date: Friday, April 3, 2009
Time: 1:15 pm

RE: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) are as follows:

- a. This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory each property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa - mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below*).
- f. Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.

While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.

- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. **WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS.** They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- i. **The process itself has not been inclusive:** A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.

* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the **WITHDRAWAL** of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the **WITHDRAW** of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation;** and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in **STRONG OPPOSITION** to SCR3 (HCR22, HR24, SR6, and SCR42).

Finally, I would like to add that because my ancestors inhabited these areas before westerners arrived at the shores and because their iwi/bones are still in the earth in these areas and because I was born in a section of these areas and because my 'ohana has 'aina in this area, the nightmare of the government digging up our ancestral remains and the thought of being thrown off the 'aina is disturbing and haunting. The iwi and homes of our Ali'i are on these lands. I totally **OPPOSE** having any federal agency manage our ancestral bones, the bones of our Ali'i and their beloved homes. The state of Hawaii is already doing a bad job with what they describe as "management". What drives the federal government to believe that they can do any better. No one can take care of these sacred sites better than its rightful heirs, the kanaka maoli oiwi. The government come like common thieves in the day, strip us of our ancestral bones and leave us with nothing. Genocide at its best. The whole world watches the common criminals steal from us as we, the kanaka maoli oiwi, are the crime.

I appeal to the Chairs and Committee Members to support kanaka maoli oiwi and **OPPOSE** this bad legislation.

NAME : Paulette Ka'anohi Kalcikini
 ADDRESS : 89-107 Nanaikala Street 96792
 PHONE NUMBER : 927-9425

KEWALO HAWAIIAN HOMESTEAD LATE

COMMUNTION ASSOCIATION

2136 Kapahu St. Honolulu, Hawaii 96813 Phone: (808) 673.5929 Email: Auhoon@hotmail.com

April 3, 2009

Honorable Carol Fukunaga, Chair
11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair
10th Senatorial District
Hawaii State Capitol, Room 219
415 South Beretania Street
Honolulu, HI 96813

Date: Friday, April 3, 2009
Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

The Kewalo Homestead was created by the Hawaiian Commission Act of 1920 as Amended. We are five generations of leasees and members of the Kewalo Hawaiian Homestead Community Association since 1949. Our mission is to serve and protect the interests of all Native Hawaiian Beneficiaries living on homestead land.

We the Executive Board and its Membership oppose all legislation relating to and in relation to the support, designation and establishment of the Hawai'i Capitol National Heritage Area. This is a threat to the self-determination of our peoples and our community. Kewalo Hawaiian Homestead Community Association also opposes the Hawai'i Capitol National Heritage Area, because of:

- the Hawai'i Capitol National Heritage Area federal designation is in direct conflict with the Hawaiian Homes Commission Act of 1921;
- the Kewalo community was not included in the planning process that led to the Hawai'i Capitol National Heritage Area current legislation.

In closing, Kewalo requests removing the entire Hawaiian Homestead Lands from the proposed National Heritage Area.

Thank you for your time and consideration.

Annie K. Au Hoon
President

Cc: Mokupuni O Oahu

Mokupuni o Oahu

LATE

C/o Secretary Ms. Au Hoon 2136 Kapahu St. Honolulu, Hawaii 96813-1424

April 3, 2009

Honorable Carol Fukunaga, Chair
11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Brian T. Taniguchi, Chair
10th Senatorial District
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RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

As the President of the Mokupuni o Oahu and its members who represent the leadership of the Nanakuli Hawaiian Homestead Community Association, Waianae Kai Homestead Association, Waianae Valley Homestead Community Association, Kaupea Homestead Community, Kalawahine Streamside Association, Kewalo Hawaiian Homestead Community Association, Papakolea Community Association.

We would like to thank you for the opportunity to submit testimony to you and your committee to express our desire to support the position of Papakolea Community Association, Kewalo Hawaiian Homestead Community Association and Kalawahine Streamside Association as they OPPOSE and are in OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA.

Respectfully submitted,



Kamaki Kanahale,
Chairman
Mokupuni O Oahu

Cc: Executive Board

Member of Sovereign Councils of the Hawaiian Homelands Assembly "SCHHA"

Kalawahine Streamside Association
C/o Management Specialists
1585 Kapiolani Blvd., Suite 1530
Honolulu, Hawaii 96814
Ph. # (808) 949-7611, Fax. # (808) 943-1668

LATE

April 3, 2009

Honorable Carol Fukunaga, Chair
11th Senatorial District
Hawaii State Capitol, Room 216
415 South Beretania Street
Honolulu, Hawaii 96813

Honorable Brian Taniguchi, Chair
10th Senatorial District
Hawaii State Capitol, Room 219
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Date: Friday, April 3, 2009
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RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) – REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA.

Dear Chairs and Committee Members,

The Kalawahine Streamside Association (KSA) is one of three Hawaiian homestead communities located in the proposed National Heritage Area. KSA is an 87-unit development on 26.5 acres of Hawaiian home lands on the eastern slope of Kalawahine Valley, between Papakolea and Roosevelt High School.

We are **opposed** to this and any legislation relating to and in relation to the support, designation and establishment of the Hawai'i Capitol National Heritage Area for the following reasons:

- A lack of community and involvement, as required under the National Park Service Critical Steps.
- The lack of recourse for community stakeholders within the Hawai'i Capitol National Heritage Area designation area to protest decisions of the local managing entity.
- The right of the local managing authority to inventory each property within the designated area and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity.
- The KSA community was not included in the planning process that led to the Hawai'i Capitol National Heritage Area's current legislation.

Sincerely,

Richard Soo
Interim President
Kalawahine Streamside Association
Cell # (808) 227-2239 Email: soor001@hawaii.rr.com

LATE

CID
Chinatown
Improvement District

Board of Directors April 3, 2009

E. Lee Stack, President The Carol Fukunaga, Chair
Joseph Leoni, V.P. 11th Senatorial District
Wing Tek Lum, Treasurer Hawaii State Capitol, Room 216
E. M. Stack, Secretary 415 South Beretania Street
Honolulu, HI 96813

Robert Au
H. William Burgess
Christy Coito-Vicari
Meimei Engel
Ken Hayashida
Ernest Hunt
Allen M. Stack, Jr

Attached please find our testimony voicing strong concerns re: SCR3, SD1

It is a letter sent by our group to the Honorable Senator Daniel Inouye and I
submit it as testimony today (3 pp. total)

Respectfully submitted,

E. Lee Stack, President
Chinatown Improvement District

CID
Chinatown
Improvement District

Board of Directors April 1, 2009

E. Lee Stack, President The Honorable Daniel K. Inouye
Joseph Leoni, V.P. United States Senate
Wing Tek Lum, Treasurer Prince Kuhio Federal Building
E. M. Stack, Secretary 300 Ala Moana Blvd., Rm 7-212
Honolulu, HI 96850

Robert Au
H. William Burgess
Christy Coito-Vicari
Meimei Engel
Ken Hayashida
Ernest Hunt
Allen M. Stack, Jr

Dear Senator Inouye,

It has come to the attention of our Board over the last several weeks that legislation has been submitted by your office (S359) to declare the Ahupua'a of Nuuanu and Kapalama as a National Heritage Area. This federal area would encompass much of greater Honolulu including Chinatown. Our Board members and supporters are comprised of land and business owners throughout the Chinatown State and National historic district. We are key constituents of Chinatown---many with generational ties to the area---who came together after the Mayor's 2006 Chinatown Summit and our formation is one of the outcomes of that event.

We are deeply concerned about several aspects of the proposed National Heritage Area:

(1) A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts and business groups which comprise the coalition there has been little effective effort (over the past six years) to inform affected community constituents. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many key constituents---residents, business owners, investors and community associations--who will be affected by this legislation know little or nothing about it. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders within the communities which they serve.

(2) The Hawaii Capital Cultural Coalition (HCCC), which is proposed as the managing entity for the Heritage Area, is comprised of primarily arts-affiliated non-profits and tourist industry businesses. It does not include any key Chinatown constituents, nor is it an elected body. **It will essentially be**

unaccountable to Chinatown stakeholders for decisions and recommendations made over the ten year (or longer) term of the designation. Senators and Representatives have shorter term limits than the HCCC shall have and they are accountable to their constituents. If Chinatown stakeholders disagree with decisions and recommendations of the HCCC and it's Board, to whom shall we appeal? What recourse do we have?

(3) Chinatown and many of the other sites listed in the HCCC study have, for some time, been designated as state and national historic register properties or districts. Regulations and measures to protect and preserve these areas are already in place. A Heritage Area designation would add one more layer of restriction and regulation to an already burdensome and, in some cases, broken process.

(4) While S359 states that groups need not participate in the proposed Heritage Area programs, that does not mean that the decisions of the HCCC will or could not affect such stakeholders in profound ways. The Bill also states that Federal funds may not be used for condemnation purposes. However, if the HCCC recommends that property(ies) be managed, protected, enhanced or acquired and developed, the City can pursue grants for such purposes.

In closing, we would like to reiterate our deep concerns over the process leading up to the introduction of legislation in the U.S. Senate and the lack of effective community outreach (a key requirement for Heritage designation). Also, we have strong reservations about the specification of a managing entity which is a non-governmental and unaccountable body. For a period of at least ten years, this group will not need to be responsive to the constituencies and stakeholders in the affected communities. This could cause these communities a great disservice and also result in irreparable harm.

Respectfully submitted,

E. Lee Stack, President
Chinatown Improvement District