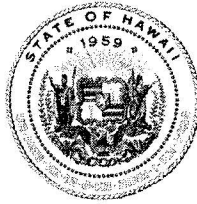
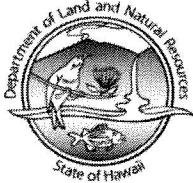


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committees on
HAWAIIAN AFFAIRS
and
WATER, LAND, & OCEAN RESOURCES**

**Wednesday, March 23, 2011
10:00 AM
State Capitol, Conference Room 329**

**In consideration of
SENATE BILL 23, SENATE DRAFT 1
RELATING TO NATIVE HAWAIIANS**

Senate Bill 23, Senate Draft 1 would establish an aha kiole commission within the Department of Land and Natural Resources (Department) to advise the Governor and the Legislature on natural resource management decisions based on an aha moku system. While the Department agrees that developing management philosophies to account for best practices of an aha moku system, and indigenous practices, would benefit the natural resources management of the State, it is never-the-less concerned by several parts of the legislation and offers the amendments described below and detailed in the attached proposed House Draft 1.

The Department is concerned that the use of the term Aha Kiole "Commission" creates the impression that the body has governance and oversight functions similar to the Department's Commission on Water Resource Management as opposed to the strictly advisory capacity intended for the Kiole. The Department suggests substituting "advisory council" in place of "commission" such that the bill makes reference to an Aha Kiole Advisory Council instead of an Aha Kiole Commission.

The Department also suggests that the Aha Kiole Advisory Council advises the Office of the Chairperson of the Department of Land and Natural Resources rather than the Governor and the Legislature as the bill is currently drafted. The Department further suggests that references to the Aha Kiole Advisory Council providing advice to "state and county agencies" be removed from the legislation, such that the advisory council serves in an advisory capacity solely to the Department. The Department also suggests the requirement to select an executive director be omitted from the legislation since the advisory council will select its own chairperson who can

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

organize the activities of the advisory council as an uncompensated member of the advisory council, especially since funds are not appropriated for hiring an executive director.

Finally, the Department agrees that advisory council members should be reimbursed for necessary expenses incurred in the performance of their duties under the legislation, but suggests that reimbursable expenses must be approved by the Department in advance.

Thank you for this opportunity to provide testimony.

S.B. NO. 23
S.D. 1
Proposed H.D. 1

Report Title:

Aha Kiole Advisory Council

Description:

Establishes an aha kiole advisory council placed within the department of land and natural resources to serve in an advisory capacity to the office of the chairperson of the department of land and natural resources on all matters regarding the management of the State's land and natural resources. (Proposed HD1)



S.B. NO. 23

S.D. 1

Proposed H.D. 1

A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that, over the past two
2 hundred years, Hawai'i has seen and experienced severe changes in
3 a variety of instances. One such instance includes the
4 deterioration of the Hawaiian culture, language, values, and
5 land tenure system, which have in part resulted in the over-
6 development of the coastline, alteration of fresh water streams,
7 destruction of the life-giving watersheds, decimation of the
8 coral reefs, and the decline of endemic marine and terrestrial
9 species.

10 Native Hawaiian culture has knowledge that has been passed
11 on for generations, and is still living for the purposes of
12 perpetuating traditional protocols, caring for and protecting
13 the environment, and strengthening cultural and spiritual
14 connections. It is through the 'aha moku councils that native

____.B. NO. _____

1 Hawaiians protected their environment and sustained the
2 abundance of resources that they depended upon for thousands of
3 years.

4 Today, many Hawaiian communities are becoming revitalized
5 by using the knowledge of cultural practitioners that was passed
6 down through kupuna, and experienced farmers (mahi'ai) and
7 fishers (lawai'a) to engage and enhance sustainability,
8 subsistence, and self-sufficiency. Furthermore, many Hawaiian
9 communities are interested, concerned, involved, willing, and
10 able to advise government agencies, organizations, and other
11 interested groups in integrating traditional knowledge and
12 ahupua'a management practices.

13 The legislature further finds that on August 15 to 17,
14 2006, the Ho'ohanohano I Na Kupuna Puwalu series began and native
15 Hawaiian cultural and traditional practitioners who are versed
16 in lawai'a and mahi'ai, ocean, and land ahupua'a methods gathered
17 to discuss and bring forth the wisdom of the kupuna and
18 ancestors. It was a gathering of empirical knowledge handed
19 down from generation to generation on traditional fishing,
20 agriculture, streams, fishponds, and land use methodology based
21 on the ahupua'a system. Representatives from thirty-seven moku
22 in the State and over one hundred ahupua'a practitioners,

____.B. NO. _____

1 including kupuna and the acknowledged traditional experts of
2 each moku, all joined together to come forth with their mana‘o
3 and concerns.

4 The conclusion of Puwalu ‘Ekahi was the creation of a
5 resolution calling on native Hawaiians to begin a process to
6 uphold and continue Hawaiian traditional land and ocean
7 practices. Perpetuating and preserving the knowledge of the
8 practitioners through the continuation of the konohiki
9 management, the kapu system, and the creation of an ‘aha moku and
10 the ahupua‘a management system was the consensus.

11 On November 8 and 9, 2006, Puwalu ‘Elua brought together
12 educators, administrators, cultural practitioners, and kupuna to
13 discuss the values and the spiritual connection between natural
14 resources and native Hawaiians; the ahupua‘a concept;
15 generational knowledge and learning; the importance of place
16 names and mo‘olelo; seasonal closures and lunar calendars;
17 fishing practices; the Northwestern Hawaiian islands; konohiki
18 connections; marine protected areas; ‘upena (nets); placed-based
19 kapu; limu; and pu‘uhonua concepts that could be developed as an
20 educational framework to integrate this knowledge into a

____.B. NO. _____

1 curricula for all public, private, charter, and Hawaiian
2 immersion schools in Hawai'i.

3 On December 19 and 20, 2006, Puwalu 'Ekolu brought together
4 major policymakers and stakeholders in the protection of the
5 Hawai'i ecosystem. Native Hawaiian practitioners and experts in
6 traditional methods of sustainability, government policymakers
7 including members of the legislature, state agency directors,
8 environmental groups, educational leaders, and Hawaiian
9 community organizations discussed existing programs and their
10 successes and failures in community building. In conclusion, it
11 was agreed that statutes, ordinances, and a framework for
12 community consultation using the Hawaiian perspective and
13 traditional methods such as the ahupua'a management system are
14 needed, and the creation of the 'aha moku councils should be
15 established.

16 Between 2006 and 2010, three more puwalu were convened to
17 gather additional community input on best practices in the area
18 of native Hawaiian resource management. All puwalu were open to
19 the public and included farmers, fishers, environmentalists,
20 educators, organizations and agencies, and governmental
21 representatives who, through discussions on the integration of
22 these practices into regulation and common utilization, came to

____.B. NO. _____

1 the consensus of the necessity to integrate the 'aha moku system
2 into government policy. The information gathered from all
3 puwalu has been compiled into a comprehensive report to the
4 legislature as required by Act 212, Session Laws of Hawaii 2007.

5 The purpose of this Act is to create an 'aha kiolo advisory
6 council which will be located within the department of land and
7 natural resources and shall serve in an advisory capacity to the
8 office of the chairperson of the department of land and natural
9 resources. The 'aha kiolo advisory council will advise the
10 office of the chairperson of the department of land and natural
11 resources on issues related to land and natural resource
12 management through the 'aha moku system, a system of best
13 practices that is based upon the indigenous resource management
14 practices of moku (regional) boundaries, that acknowledges the
15 natural contours of land, the specific resources located within
16 those areas, and the methodology necessary to sustain resources
17 and the community.

18 SECTION 2. (a) There is established the 'aha kiolo
19 advisory council to be placed within the department of land and
20 natural resources for administrative purposes as provided in
21 section 26-35, Hawaii Revised Statutes. The 'aha kiolo advisory
22 council shall advise the office of the chairperson of the

____.B. NO. _____

1 department of land and natural resources in carrying out the
2 purposes of this Act. The 'aha kiolo advisory council shall
3 consist of eight members selected by the 'aha moku councils of
4 the respective islands without regard to sections 26-34 and
5 78-4, Hawaii Revised Statutes. The 'aha kiolo advisory council
6 members shall select the chairperson of the 'aha kiolo advisory
7 council. The 'aha kiolo advisory council members shall not
8 receive compensation for their service but shall be reimbursed
9 for necessary expenses, including travel expenses, incurred
10 while attending meetings approved in advance by the office of
11 the chairperson of the department of land and natural resources.

12 (b) The 'aha kiolo advisory council shall:

- 13 (1) Provide advisory input based upon the indigenous
14 resource management practices of each moku to the
15 office of the chairperson of the department of land
16 and natural resources;
- 17 (2) Aid in the implementation of a comprehensive set of
18 best practices for natural resource management;
- 19 (3) Foster the understanding and practical use of
20 knowledge, including native Hawaiian methodology and
21 expertise;

____.B. NO. _____

- 1 (4) Ensure the future sustainable use of the State's
- 2 marine, land, cultural, agricultural, and natural
- 3 resources;
- 4 (5) Enhance community education and cultural awareness;
- 5 (6) Participate in the protection and preservation of the
- 6 State's natural resources;
- 7 (7) Engage in discussion with and participate in meetings
- 8 and events held by the various moku statewide; and
- 9 (8) Establish an administrative structure that oversees
- 10 the 'aha moku system.

11 (c) The 'aha kiole advisory council shall submit an annual

12 report to the office of the chairperson of the department of

13 land and natural resources no later than twenty days prior to

14 the convening of each regular legislative session. The annual

15 report shall include a list of all recommendations made by the

16 'aha kiole advisory council and the resulting action taken by the

17 department of land and natural resources over the course of the

18 year.

19 SECTION 3. There is appropriated out of the general

20 revenues of the State of Hawaii the sum of \$ or so much

21 thereof as may be necessary for fiscal year 2011-2012 and the

22 same sum or so much thereof as may be necessary for fiscal year

____.B. NO. _____

1 2012-2013 for reimbursement of necessary expenses, including
2 travel expenses, incurred by members of the 'aha kiole advisory
3 council while attending meetings approved in advance by the
4 office of the chairperson of the department of land and natural
5 resources.

6 The sums appropriated shall be expended by the department
7 of land and natural resources for the purposes of this Act.

8 SECTION 4. This Act shall take effect upon its approval.

9

clee2 - Matt

From: joylynn.paman@gmail.com on behalf of Joylynn Paman [joy@mauifishpond.com]
Sent: Sunday, March 13, 2011 1:40 PM
To: HAWtestimony
Subject: Support for SB 23

Dear Hawaiian Affairs and Water, Land, Ocean Committees:

My name is Joylynn Paman. I am from the ahupua'a of Waiohuli and the moku of Kula on the mokupuni of Maui. I am writing on behalf of myself and my `ohana.

Please vote for Senate bill 23 when it is considered before the HNW/WLO Committee. This bill formally recognizes the moku system and establishes the Aha Kiole Commission to advise the Governor and the Legislature.

We are very concerned about the future of our natural resources on the land and in the sea. We believe that restoring the Aha Moku system will revive the community's pride in their individual moku and will increase local stewardship of Hawaii's natural resources. This will ensure that all of Hawaii's peoples and our visitors will have fish and other natural resources to enjoy forever. The Commission is needed to formally convey to the Governor and the Legislature the recommendations of the people of every ahupua'a, moku and mokupuni on the management of our natural resources.

Mahalo nui loa!

--

Joylynn Paman
Executive Director
`Ao`ao O Na Loko I`a O Maui
P.O. Box 1371
Kihei, Hawai`i 96753
www.mauifishpond.com

"Revitalizing a wall . . . Revitalizing a culture . . ."

clee2 - Matt

From: Kathy Corcoran [glorybe@hawaiiantel.net]
Sent: Sunday, March 13, 2011 2:11 PM
To: HAWtestimony
Subject: RE Senate Bill 23

To the Hawaiian Affairs/Water, Land, Ocean Committees

March 13, 2011

Aloha from Maui,

My name is Kathy Corcoran and I live in the Ahapua'a of Waine'e, in Lahaina Moku, on Maui.

Please approve Senate Bill 23, formally recognizing the aha moku system and establishing the Aha Kiole Commission to advise the governor and the legislature.

Here in Hawaii, our government and its agencies and departments need assistance from extra eyes and ears of people in the communities, and the many generations of experience from people who have knowledge about their local species and conditions. When the local communities become involved in this way, the residents take pride in their stewardship and teach their children also how to conserve resources, so their community will continue to have native fish and plants and fertile soil and clean water for generations to come.

These days, we hear the word "sustainability" a lot. By passing Senate Bill 23, you will enable a greater measure of sustainability for these islands, thereby giving a legacy to us, our children and everyone who visits Hawaii.

Mahalo for your work on behalf of our islands!

Kathy Corcoran
Lahaina Sustainability Facilitator
P.O. Box 13127
Lahaina, HI 96761

Phone: 661-1852

clee2 - Matt

From: Willette Kalaokahaku Akima [kalaokahaku61@yahoo.com]
Sent: Sunday, March 13, 2011 2:13 PM
To: HAWtestimony
Subject: SB 23

To whom this may concern :

My name is Willette Kalaokahaku Akima. My 'ohana come from the ahupua'a of Lālāmilo and Kahalu'u in the moku of Kohala on the mokupuni of Hawai'i and Kāneohe on the mokupuni of 'Oahu. I am writing on behalf of myself and my ohana.

Please vote for Senate bill 23 when it is considered before the HNW/WLO Committee. This bill formally recognizes the moku system and establishes the Aha Kiole Commission to advise the Governor and the Legislature.

We are very concerned about the future of our natural resources on the land and in the sea. We believe that restoring the Aha Moku system will revive the community's pride in their individual moku and will increase local stewardship of Hawaii's natural resources. This will ensure that all of Hawaii's peoples and our visitors will have fish and other natural resources to enjoy forever. The Commission is needed to formally convey to the Governor and the Legislature the recommendations of the people of every ahupua'a, moku and mokupuni on the management of our natural resources.

Me ke aloha nui loa,

*W. Kalaokahaku Akima
P.O Box 2132
Kamuela, Hawai'i 96743
808-895-2386*

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:12 PM
To: HAWtestimony
Cc: kainareal@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: DeAnn Kaina
Organization: Individual
Address:
Phone:
E-mail: kainareal@yahoo.com
Submitted on: 3/20/2011

Comments:

We are concern of our natural resources. Please support SB 23, and helped to revive our resources by giving us the opportunity to enhance the 'Aha Moku system and to advise the Governor and Legislature of what's happening within our own Moku's. The people knows best.

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:13 PM
To: HAWtestimony
Cc: kainareal@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Drusilla Kaina
Organization: Individual
Address:
Phone:
E-mail: kainareal@yahoo.com
Submitted on: 3/20/2011

Comments:

We are concern of our natural resources. Please support SB 23. Mahalo nui.

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:16 PM
To: HAWtestimony
Cc: uluhani1940@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Orpha Kaina
Organization: Individual
Address:
Phone:
E-mail: uluhani1940@yahoo.com
Submitted on: 3/20/2011

Comments:

We needed from a long time ago. Its time to listen to the people's voices and help us with the 'Aha Moku system. We know our Moku and ahupua'a better, because we've lived here all our lives. Let us make our own decisions and policies that represents our own sense of place.

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:17 PM
To: HAWtestimony
Cc: uluhani1940@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Peter Kaina, Jr.
Organization: Individual
Address:
Phone:
E-mail: uluhani1940@yahoo.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:19 PM
To: HAWtestimony
Cc: kihakaina@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Kihapiilani W. K. Kaina
Organization: Individual
Address:
Phone:
E-mail: kihakaina@yahoo.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:18 PM
To: HAWtestimony
Cc: lonokaina@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Bernard Lono Kalawaia Kaina
Organization: Individual
Address:
Phone:
E-mail: lonokaina@yahoo.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:20 PM
To: HAWtestimony
Cc: ebturalva@aol.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Bernadine Turalva
Organization: Individual
Address:
Phone:
E-mail: ebturalva@aol.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:23 PM
To: HAWtestimony
Cc: honokowaihood@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Noreen Rederos
Organization: Individual
Address:
Phone:
E-mail: honokowaihood@yahoo.com
Submitted on: 3/20/2011

Comments:

Please support this Bill, so to help revive our natural resources and allow the people within the different moku's to make their own decisions, for what we know best that is of traditional knowledge based upon information that is common sense.

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:23 PM
To: HAWtestimony
Cc: honokowaihood@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Kahomealoha Rederos
Organization: Individual
Address:
Phone:
E-mail: honokowaihood@yahoo.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:24 PM
To: HAWtestimony
Cc: honokowaihood@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Kaulana Obatay
Organization: Individual
Address:
Phone:
E-mail: honokowaihood@yahoo.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:24 PM
To: HAWtestimony
Cc: jrwatson@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Jesse Watson
Organization: Individual
Address:
Phone:
E-mail: jrwatson@yahoo.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 20, 2011 5:24 PM
To: HAWtestimony
Cc: jrwatson@yahoo.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Renette Watson
Organization: Individual
Address:
Phone:
E-mail: jrwatson@yahoo.com
Submitted on: 3/20/2011

Comments:

clee2 - Matt

From: Hardy Spoehr [HSpoehr@papaolalokahi.org]
Sent: Monday, March 21, 2011 7:20 AM
To: HAWtestimony
Subject: SB 23, SD1, Relating to Native Hawaiians

TESTIMONY: SB 23, SD1, Relating to Native Hawaiians

Wednesday, March 23, 2011
10:00am
Conference Room 329
State Capitol

Papa Ola Lokahi, the Native Hawaiian Health Board, supports this legislation. The `Aha Kiole can provide the basis for district and/or area sustainability and provide the various levels of government with valuable mana`o on planning and development activities.

Thank you

Hardy Spoehr, Executive Director
Papa Ola Lokahi
894 Queen Street
Honolulu, HI 96813
808-597-6550

Testimony to the Committees on Water Land Oceans & Hawaiian Affairs

Wednesday, March 23, 2011; 10:00 a.m.
Conference Room 329

Speaking in Support

RE: SB 23

Chairs Representative Chang, Representative Hanohano, Vice Chair Representative Har, Representative Lee and Members of the Water, Land, Oceans and Hawaiian Affairs Committees:

My name is James E. Coon; I am a charter member and Maui Representative and Vice Chair of Ke Kahu O Na Kumu Wai, Marine and Coastal Zone Advocacy Council (MACZAC).

I also serve on the Ocean Resources Management Plan Working Group which helps facilitate the implementation of the ORMP. (Ocean Resources Management Plan)

I am speaking as an individual citizen of Hawaii in support of SB 23.

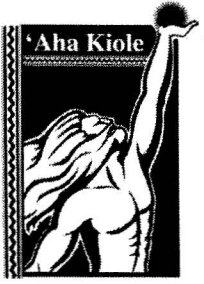
One of the major themes of the ORMP is to promote collaboration and stewardship. We need new perspectives on our relationship with the land, sea, and each other that will guide ocean resource management in Hawaii. Building on traditional Hawaiian management principles we need to move towards integrated and area-based approaches to natural and cultural resources management that require greater collaboration among jurisdictional authorities and catalyze community involvement and stewardship.

I believe that this bill: SB 23 is a very necessary step in providing the voice of the traditional Hawaiian area based natural and cultural resource management envisioned by the ORMP.

I humbly ask you to please pass SB 23

E Malama Pono,

James E. Coon



Aha Kiole Advisory Committee

TESTIMONY IN SUPPORT OF SB 23, SD
1 RELATING TO THE 'AHA KIOLE
ADVISORY COMMISSION

March 23, 2011

10:00 a.m.

Room 329

Submitted to: Joint Hearing of the Committees on Hawaiian Affairs and Water, Land and Ocean Resources

Submitted by: The Aha Kiole Advisory Committee: Vanda Hanakahi, Moloka'i (Chair), Leslie Kuloloio, Kahoolawe, (Vice-Chair); Timmy Bailey, Maui; Winifred Basques, Lana'i; Pi'ilani Ka'awaloa, (Po'o) Hawai'i; Charles Kapua, O'ahu; Sharon Pomroy, Kaua'i; Keith Robinson, (Konohiki) Ni'ihau.

Aloha Chair Hanohano, Vice-Chair Lee; Chair Chang, Vice-Chair Har and the Members of the Committees;

Thank you for the opportunity to testify in strong support of S.B. 23 SD 1, the bill that formalizes the Aha Moku System and creates the Aha Kiole Commission within the State Department of Land and Natural Resources We support with the following amendments: (~~strike out old language~~) (**underscore new language**)

SECTION 1. Paragraph 9: The purpose of this Act is to ~~create an Aha Kiole Commission~~ **formally recognize the 'Aha Moku System and to create an Aha Kiole Commission,** which will be located within the department of land and natural resources and shall serve in an advisory capacity to the governor and the legislature.

SECTION 3. ~~This Act shall take effect upon its approval.~~ **There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____ or so much thereof as may be necessary for fiscal year 2011-2012 and the same sum or so much thereof as may be necessary for fiscal year 2012-2013 for the administrative costs related to carrying out the duties of the 'Aha Kiole Commission.**

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 4. This Act shall take effect upon its approval.

It was this Legislature who, in 2007, in answer to the critical and on-going concerns of Hawai'i residents on the continuing decline of the health of our natural and cultural resources, passed Act 212 through which the Aha Kiole Advisory Committee (AKAC) was created. The purpose of Act 212 was to initiate the process to create a system of best practices that is based

upon the indigenous resource management practices of moku (regional) boundaries, which acknowledges the natural contours of land and ocean, the specific resources located within those areas, and the methodology necessary to sustain resources and the community.

The AKAC have met the mandates of Act 212 through six statewide public puwala (conferences), island puwala held on every island, and many public moku and ahupua'a meetings convened from 2006 through 2010. All of the conferences, meetings and gatherings were attended by the Native Hawaiian communities and the general public including lawai'a (fishermen), mahiai (farmers), environmentalists, educators, organizations, agencies and many residents of the different ahupua'a and moku on each island. Consensus was reached on supporting the formal recognition of the Aha Moku System into current government policy through an Aha Kiolo Commission as reported to the Legislature in the Aha Kiolo Advisory Committee Final Reports of 2009 and 2011.

The Aha Moku System is a true community consultation process through which communities can promote, educate and organize traditional resource management principles, practices and knowledge gleaned from thousands of years of Native Hawaiian kupuna (ancestral) knowledge and history that is site-specific. Everything focuses on the sustainability and protection of natural and cultural resources in Hawai'i. Every resident in Hawai'i, and every stakeholder interested in the health and welfare of our ecosystem and environment should be a participant in this process.

Since Act 212 was established in 2007, the AKAC, through the Aha Moku System has continued to restore the time proven system of traditional land and ocean management on each of the islands. As an example, on the island of Moloka'i, the residents of the five moku of Kaluakoi, Pala'au (Ko'olau), Kawela, and Mana'e (Halawa) have identified their ahupua'a and have held monthly meetings in their communities to continue to refine the system as it pertains to Moloka'i. Further, educational meetings are often held to inform communities of what the aha moku system is and how it relates to land and ocean resources. As a result of these on-going meetings, over 200 residents, Hawaiian and non-Hawaiian have signed up to be part of a moku council in March 2011 alone. This process is repeated throughout all of the islands with the neighbor islands being a little more successful than O'ahu. Attached is the listing of the Aha Moku Councils in the State of Hawai'i.

The AKAC shall continue to provide input based on the indigenous management practices of each moku to state and county agencies; to aide in the comprehensive set of best practices for natural and cultural resource management; to continue to foster understanding of and the practical use of knowledge including Native Hawaiian methodology and expertise; and, to enhance community education and cultural awareness.

The current Aha Kiolo Advisory Committee, per Act 39, will sunset in June of 2011. To continue the work of the residents, both Hawaiian and non-Hawaiian who make up the Aha Moku Councils and the 500+ ahupua'a in Hawai'i, the Aha Kiolo Commission must be created and the Aha Moku System formally recognized in the State of Hawai'i.

We urge you to support the passage of S.B. 23 SD1 and to include our recommended amendments.

Mahalo nui loa,

Vanda Hanakahi, Chair, Moloka'i

Aha Kiole Advisory Committee

P.O. Box 507

Ho'olehua, HI 96729

Phone: 808-336-6184

kaiwilauula@yahoo.com

Aha Moku System

Aha Kiole and Aha Moku Representatives

MOKU O KEAWE (Hawai'i)

Kiole: Pi'ilani Ka'awaloa (Acting Po'o) Phone: 808-896-4172
P.O. Box 688, Pahoa, HI 96778 Email: punatita7@yahoo.com

Moku	Moku Representatives	Contact
Ka'u	Darlyne Vierra	P.O. Box 22, Naalehu, HI 96772 Phone: 808-640-8740
	Elizabeth Kuluwaimaka	P.O. Box 6808, Oceanview, HI 96737 Phone: 808-990-9327
Puna	Elaine Hauanio	P.O. Box 188, Pahoa, HI 96778 Phone: 808-936-8816
Hilo	Herman & Debra Ann Costa	136 King Ave., Hilo, HI 96720 Phone: 808-640-5917 Email: ua-jr@live.com
Hamakua	Wesley Murakane	P.O. Box 615, Honoka'a, HI 96727 Phone: 808-960-3277 Email: wes8887@msn.com
Kona	Kaleo Kualii	P.O. Box 99, Kailua-Kona, HI 96745 Phone: 808-960-8170 Email: kaleokualii@hawaii.rr.com
	Arthur Mahi	73-4149 Mamalahoa Hwy, Kailua-Kona, HI 96740 Phone: 808-325-7134
Kohala	Vacant	

Aha Moku System

Aha Kiole and Aha Moku Representatives

Moku O Kahekili (Maui)

Kiole: Timothy Bailey Phone: 808-357-2937
 90 Alae Road, Kula, HI 96790 Email: paulokealeioku@hawaiiantel.net

Moku	Moku Representatives	Contact
Hamakuapoko	Kawika Kamai	
Wailuku	Richard Hoopii	3499 Kahikili Hwy, Wailuku, HI 96763 Phone: 808-244-7151 Email: Hoopii_808@yahoo.com
Kula	Terrance Lind	P.O. Box 1042, Kula, HI 96790 Phone: 808-264-2603 Email: TerranceLind@yahoo.com
Kaupo	Aimoku Pali	P.O. Box 1132, Kula, HI 96790 Phone: 808-760-3028
Kaanapali	Orpha Kaina	5080 I Hanawai St., Lahaina, HI 96760 Phone: 808-669-8191 Email: kainareal@yahoo.com
Kipahulu	John Lind	P.O. Box 468, Hana, HI 96713 Phone: 808-248-8974
Lahaina	Ke'eaumoku Kapu	P.O. Box 11524, Lahaina, HI 96761 Phone: 808-250-1479 Email: kuleanavalley@yahoo.com
Kahikinui	Mitchell Pauole Lani	P.O. Box 1056, Kula, HI 96790 Phone: 808-357-5812
Hana	Robert Malakini	P.O. Box 575, Hana, HI 96713 Phone: 808-264-3101 Email: malaiaknin@hotmail.com
Koolau	Ed Wendt	185 Wailua Road, Haiku, HI 96708 Phone: 808-248-7730 Email: ed.wendt@hawaiiantel.net
Hamakualoa	Les Kuloloio	469 Maalo St., Kahului, HI 96732 Phone: 808-871-4001 Email: pokaiuli@yahoo.com
Honuaua	Robert Luuwai	301 Kulalani Rd., Kula, HI 96790 Phone: 808-878-1867 Email: rluwai@hotmail.com

Aha Moku System

Aha Kiole and Aha Moku Representatives

Moku O Kanaloa (Kahoolawe)

Kiole: Les Kulolio (Vice-Chair) Phone: 808-281-7652
469 Maalo St., Kahului, HI 96732 Email: pokaiuli@yahoo.com

Moku	Moku Representatives	Contact
Honuaula	Robert Luuwai	301 Kulalani Rd., Kula, HI 96790 Phone: 808-878-1867 Email: rluuwai@hotmail.com

Nana'I Kaula (Lana'i)

Kiole: Winifred Basques Phone: 808-559-0062
P.O. 630521, Lanai City, HI 96763 Email: winniebjr@yahoo.com

Moku	Moku Representatives	Contact
Kona/Koolau	George Purdy	P.O. Box 630545, Lana'i City, HI 96733 Phone: 808-559-0175 Email: worldcat30@gmail.com

Aha Moku System

Aha Kiole and Aha Moku Representatives

Moloka'i Pule O'o (Moloka'i)

Kiole: Vanda Hanakahi (Chair) Phone: 808-336-6184
P.O. Box 507, Ho'olehua, HI 96729 Email: kaiwilauula@yahoo.com

Moku	Moku Representatives	Contact
Kaluakoi	Byron Espaniola	P.O. Box 150, Maunaloa, HI 96770 Phone: 808-336-0488
Pala'au/Ko'olau	Wayde Lee	P.O. Box 1032, Kaunakakai, HI 96748 Phone: 808-567-6877 Email: walee@gmail.com
Kawela	Mervin Dudoit Sr.	P.O. Box 1034, Kaunakakai, HI 96748 Phone: 808-553-9968
	Mervin Dudoit Jr.	P.O. Box 871, Kaunakakai, HI 96748 Phone: 808-553-8240
Mana'e (Halawa)	Judy Caparida/Ruth Manu	P.O. Box 222, Kaunakakai, HI 96748 Phone: 808-558-8558/808-336-1637
	Bronson (Dukie) Kalipi	P.O. Box 660, Kaunakakai, HI 96748 Phone: 808-213-5416 Email: bkalipi@hotmail.com

Aha Moku System

Aha Kiole and Aha Moku Representatives

Moku O Kakuhihewa (O'ahu)

Kiole: Charles Kapua Phone: 808-4793263
235 Komo Mai Drive, Pearl City, HI 96782 Email: kapuahonolulu@aol.com

Moku	Moku Representatives	Contact
Ko'olaupoko	Rocky & Jerry Kaluhiwa	P.O. Box 4870, Kaneohe, HI 96744 Phone: 808-286-7955 Email: rockyfromheeia@aol.com
Ko'olauloa	Ululani Biernie-Keawe	P.O. Box 532, Hauula, HI 96821 Phone: 808-237-8856 Email: ululani2008@hawaiiantel.net
Waianae	Carl Jellings	89-252 Kepeka St., Nanakuli, HI 96813 Phone: 808-668-4141 Email: EOD1989@aol.com
Ewa	Henry Chang Wo	91-1091 Hanaloa St., Ewa Beach, HI 96826 Phone: 808-689-7229
Waialua	Vacant	
Kona	Vacant	

Aha Moku System

Aha Kiole and Aha Moku Representatives

Mano O Kalanipo (Kaua'i)

Kiole: Sharon Pomroy Phone: 808-346-6725
P.O. Box 600, Anahola, HI 96703 Email: pomroys001@hawaii.rr.com

Moku	Moku Representatives	Contact
Halele'a/Napali	Thomas Hashimoto	P.O. Box 412, Kilauea, HI 96784 Phone: 808-828-1206
Kona	Llewellyn Kaohelaulii	2249 Kuai Rd, Koloa, HI 96756 Phone: 808-826-6265 Email: terrie_hayes@hotmail.com
	Kane Turalde	P.O. Box 1022, Waimea, HI 96796 Phone: 651-5984 Email: kaneswahine@aol.com
Puna	Cherly Lovell-Obatake	P.O. Box 366, Lihue, HI 96766 Phone: 808-635-3676 Email: kuhiau@hotmail.com
Ko'olau	Kalehua Ham-Young	P.O. Box 845, Anahola, HI 96714 Phone: 808-559-0062

Ni'ihau O Kahele Lani (Ni'ihau)

Kiole / Konohiki: Keith And Bruce Robinson Phone: 808-335-3500
P.O. 232, Kaumakani HI 96747
Email: niihauisland@hawaiiantel.net

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 22, 2011 4:48 AM
To: HAWtestimony
Cc: kuhiau@hotmail.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Cheryl Lovell-Obatake
Organization: Aha Kiole Kauai Puna District Rep
Address:
Phone:
E-mail: kuhiau@hotmail.com
Submitted on: 3/22/2011

Comments:

Aloha e,
SB 23 Relating to Native Hawaiians -
Watershed Councils on Kauai have identified the devastating changes to our land, our water and our culture.
Ohana that posses (Mahele kuleana lands) Land Commission Awards/Royal Patents have been displaced due to high real property taxes and zoning changes. The Comprehensive Zoning Ordinance needs to be updated. There are some ahupua'a boundary errors. Developers have cited wrong ahupua'a boundaries. Ask Senator Kouchi and Rep. Tokioka.
The Kauai General Plan 2000, Chapter 3 Caring for Land, Water and Culture is self explanatory It had concensus from the general public. Ask Senator Kouchi.
I humbly as for your favorable vote for SB 23.

Aloha Ke Akua Pu & Mahalo

Cheryl Ululani Lovell-Obatake
<http://www.hawaii.edu/environment/ainakumuwai/index.htm>

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 22, 2011 10:36 AM
To: HAWtestimony
Cc: rhoda@hawaiiilink.net
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: rhoda libre
Organization: Kaua'i Westside Watershed Council
Address:
Phone:
E-mail: rhoda@hawaiiilink.net
Submitted on: 3/22/2011

Comments:

Aloha,

The Kaua'i Westside Watershed Council and our kona moku constituents humbly supports and asks of your support in this Bill SB23. In regards to ahupua'a system and aha moku kuleana, KWWC has been the active native gatherers and stewards of our regional resources and treasures. It is imperative that our regions be protected, traditions and habitat be restored and our culture to live and thrive. My only forboding impressions would be in the time of the aha kirole/commission as a whole to be in a state of dysfunctionality or inefficiency, the regional watershed council shouldn't be held to administrative infractions or manipulations. The regions themselves should be empowered to respond to emergency and maintenance and their own accountability processes. This approach will avoid centralization, unnnecessary abuse, and delayed services, bullying, and unfair practices that fleece resources from their own stewardships and coastal community on behalf of jurisdiction, health and welfare of native habitat and their inhabitants, historical preservation and significant sites.

Please pass this bill to help our watershed council (aha council) region b protected. We have been constantly bombarded by illegal activities and wish enforcement and justice but nothing and nobody ever comes to help and our species and food supplies have been depleting and going into extinction. Our county and state have not been hospitable nor helpful in our native habitat and coral reef emergencies and epidemics, and our region's cultural community cries for help.

Please support us and support this bill SB23 for the life of our land is perpetuated in righteousness.

regards,

Rhoda Libre
Kaua'i Westside Watershed Council
Hanakaumaka Pu'u honua
808-645-1210
kauaiwestsidewatershedCouncil@gmail.com

Ko'olauloa Hawaiian Civic Club

P.O. Box 532

Hau'ula, HI. 96717

Committee on Hawaiian Affairs

Representative Faye P. Hanohano, Chair

Committee on Agriculture

Representative Clift Tsuji, Chair

And Committee Members

RE: Testimony in support of SB23 SD1 SSCR 486

The Ko'olauloa Hawaiian Civic Club submits this testimony on behalf of their non-profit organization and nearly 120 members. We are the second oldest club of nearly 60 clubs in the Association of Hawaiian Civic Clubs. A number of our members have been privileged to sit and meet in full discussion on the issues and concerns before us as a people on every district/moku.

This is testimony in support of the SB 23 SD1 SSCR 486 and its intent to garner the native Hawaiian and cultural practitioners in conferences and conventions to discuss and create a dialogue to address the issues and concerns of the peoples of this land in respect to their cultural traditions in fishing and farming rights. In this legislation, it addresses the generational knowledge of those kupuna and cultural practitioners that give merit to being in an advisory capacity to the leadership in the State of Hawai'i, namely the Governor and the Department of Land and Natural Resources.

In respect of all others in the State of Hawai'i, the native people of this land/'aina with their inherit rights and sovereignty of a nation that is being addressed whether on a federal or state level should always acknowledge the rights of its people first and foremost. This should include a native Hawaiian on every Board, Commission, Council and every State agency including the various departments.

This would definitely be a start in acknowledging the native Hawaiians in these kinds of capacity based on their expertise and generational knowledge of native Hawaiian fishing and farming to include our kalo/lo'i farming/mahiai. I believe that the native Hawaiian practitioner has the credibility needed to be of benefit to any of the advisory Boards, Commissions and Council appointed to serve on in the State of Hawai'i.

You probably could liken this opportunity to that of the Attorney General or Deputy Director of any of these State agencies, meaning on a advisory capacity. Based on that sharing of mana'o, please support the passage of legislation to continue the work of the AHA Kiole and the merits and credibilty it has already gained. Lets not discount a dialogue but give credit to the process which the AHA Kiole represents. Mahalo D. Ululani Beirne-Keawe, President

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 22, 2011 1:30 PM
To: HAWtestimony
Cc: rogersn001@hawaii.rr.com
Subject: Testimony for SB23 on 3/23/2011 10:00:00 AM

Testimony for HAW/WLO 3/23/2011 10:00:00 AM SB23

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Puanani Rogers
Organization: Aha Moku Council - Kaua`i
Address:
Phone:
E-mail: rogersn001@hawaii.rr.com
Submitted on: 3/22/2011

Comments:

Please support this measure. It is a measure that will assure our people that we have support of the Legislature to malama ka `aina, ahupua`a by ahupua`a, island by island. It also fosters, unity in our community, education of cultural practices, and empower us to malama our `aina and as a consequence, malama ourselves.
Mahalo for this opportunity to speak, mahalo for supporting this bill.

Puanani Rogers - Kupuna o Kaua`i

SB 23 SD1

RELATING TO NATIVE HAWAIIANS – Aha Kiole Advisory Commission
Establishes the “Aha Kiole Advisory Commission placed within the Department of Land and Natural Resources to serve in an advisory capacity to the governor on all matters regarding the management of the State’s land and natural resources (SD1).”

Senate Committee of Hawaiian Affairs (HAW)
Sen. Brickwood Galuteria, *Chair* - Sen. Pohai Ryan, *Vice Chair*
House Committee of Water, Land & Ocean Resources (WLO)
Rep. Jerry L. Chang, *Chair* - Rep. Sharon E. Har, *Vice Chair*
Public Hearing – Wednesday, March 23, 2011
10:00 am, State Capital, Conference Room 329

Honorable Chair Galuteria and Members of the Senate Committee on Hawaiian Affairs,
Honorable Chair Chang and Members of the House Committee on Water, Land & Ocean Resources,

Mahalo for the opportunity to testify in **strong support of SB 23 SD 1**. It is very rare that a bill is presented to legislation that gives the community a voice to speak for the rights of the 'aina/land. Empowering the community to assist in the process of assessment, restoration and protection of their community resources by utilizing the traditional best management practices of the ahupua'a system of our kupuna/ancestors, may very well be the saving grace of our land, water and culture. The ahupua'a is a method of land division that runs from mauka/mountain to makai/sea. The ahupua'a system is to malama/care for, the a'ina/land and wai/water, from mauka to makai.

I have witnessed in the planning process where testimony of the community in opposition to development in an area falls on deaf ears. Although valid reasons of an historical, cultural and environmental nature are presented in opposition to development, it still passes and usually with conditions. Most times, the conditions are not followed and it's the community who brings that to the attention of the agencies that are suppose to be "watching". I've seen where, due to illiegal grubbing and grading, an entire reef was destroyed along with our precious limu kohu. Did you know, depending on the type of coral, coral grows back .2 to 1 inch per year? I didn't, until it happened.

Just this past year, Kaua'i residents reported on possible environmental violations in the local newspaper. Reports of abandoned fishing nets in Anahola, dead shearwaters on beach in Ha'ena and chopping of old monkey pod trees in Kekaha by community members fell on deaf ears as indicated by the following reports.

A concerned citizen "made at least 20 phone calls to the state Department of Land and Natural Resources in the month after he first saw the men laying the net." Finally a Division of Conservation and Resource Enforcement officer returned his call stating that someone had gone to the area, but did not see any floatation device or net. However, the concerned citizen had indicated that as of Monday, September 20, 2010, a round orange buoy still marked the spot where the net was first laid out. A Ha'ena resident, said his wife found at least six dead shearwaters while walking the beach near Ha'ena Point on Sept. 14th, 2010. There appeared to be a main puncture on each bird, adding that the bodies appeared "kinda mangled". A Kekaha resident said about 40 trees, including old growth monkey pods", were being cut down near the low-income housing project in Kekaha. On Monday, September 20, 2010, 20 men equipped with chainsaws and tractors, cut about 25 to 30 trees. The workers stated that the purpose of the cutting of trees was to install septic tanks in the area. The project is due to be hooked up to the county sewage system in the near future. However, members of the community stated that they were unaware and were not notified of this process and that the trees provided shade for the area, which is arid and hot. When will the aina, the environment and the community stop being a victim with limited rights?

We need to start planning for the immediate future as well as the future regarding safety and sustainability, especially in the wake of recent catastrophic earthquake of Japan.

The “ahupua’a” methodology, known as the “Watershed” concept in the mainland is being utilized with much success as a method to “meet water quality standards and protect water resources” as indicated by EPA. It is deemed as being useful by the EPA as a method for “persons working with impaired or threatened waters”, which we are beginning to see happening in our once pristine waters.

Our ancestors utilized the Ahupua’a system and thrived, then we were forced to live another way and slowly the ‘Aina and all her treasures, continues to perish. *We were the first to know and live Ahupua’a. Will we be the last to return back?*

Please, support the voice of the people; support the empowerment of our communities; support malama ‘aina, kai and waiwai; **support the passage of SB 23 SD 1.**

Mahalo, for your attention to this matter. If you have any questions, feel free to contact me:

Respectfully,

Mahelani Sylva
P. O. Box 927
Lihue, HI 96766
Kaua'i Moku
808-635-4735