

**clee1 - Lina**

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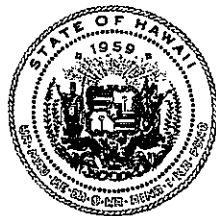
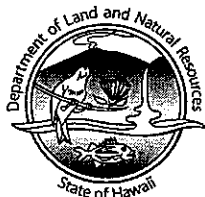
**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 02, 2012 2:39 PM  
**To:** HAWtestimony  
**Cc:** moana.bjur@hawaii.gov  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM  
**Attachments:** HB2806\_LNR\_02-08-12\_HAW.pdf

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Guy Kaulukukui  
Organization: Dept. of Land and Natural Resources  
E-mail: [moana.bjur@hawaii.gov](mailto:moana.bjur@hawaii.gov)  
Submitted on: 2/2/2012

Comments:

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 Committee on  
HAWAIIAN AFFAIRS**

**Wednesday, February 8, 2012  
8:30 AM  
State Capitol, Conference Room 329**

**In consideration of  
HOUSE BILL 2806  
RELATING TO NATIVE HAWAIIANS**

House Bill 2806 would create an aha moku advisory committee within the Department of Land and Natural Resources to advise the chairperson on the application of best management practices as they relate natural resources management with traditional practices and knowledge. The bill would also provide for the committee's members to be appointed by the Governor (and confirmed by the Senate), allow the committee to appoint its own executive director, and would appropriate funds to support the committee's activities. The Department of Land and Natural Resources (Department) acknowledges the intent of the bill and offers the following comments.

Should this measure advance, the Department suggests that the bill address issues such as organization, objectives, and process, as with such advisory bodies as the Kahoolawe Island Reserve Commission, Historic Places Review Board, Natural Area Reserves System Commission, etc. Further it should include a requirement that it adopt rules for the purposes of the chapter and to guide its conduct.

Finally, should this measure advance, the Legislature should consider a trial period, its duration sufficient to provide a review, audit, and evaluation in order to assess the need for its continuance.

For the above-lying reasons, and that the proposed funding may affect the Governor's budget priorities, the Department has reservations with a full endorsement of the bill in its current form.

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

**clee1 - Lina**

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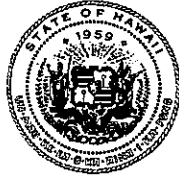
**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 07, 2012 10:49 AM  
**To:** HAWtestimony  
**Cc:** dreanalee.k.kalili@gmail.com  
**Subject:** Testimony for HB2807 on 2/8/2012 8:30:00 AM  
**Attachments:** HB2807\_HHL\_02-08-12\_HAW.docx

Testimony for HAW 2/8/2012 8:30:00 AM HB2807

Conference room: 329  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Alapaki Nahale-a  
Organization: Department of Hawaiian Home Lands  
E-mail: [dreanalee.k.kalili@gmail.com](mailto:dreanalee.k.kalili@gmail.com)  
Submitted on: 2/7/2012

Comments:

NEIL ABERCROMBIE  
GOVERNOR  
STATE OF HAWAII



ALBERT "ALAPAKI" NAHALE-A  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
  
MICHELLE K. KAUHANE  
DEPUTY TO THE CHAIRMAN  
  
M. WAIALEALE SARSONA  
EXECUTIVE ASSISTANT

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

ALAPAKI NAHALE-A, CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
PROVIDING COMMENTS TO THE HOUSE COMMITTEE ON HAWAIIAN AFFAIRS

**HB 2806, RELATING TO NATIVE HAWAIIANS**

February 8, 2012

Chair Hanohano, Vice-Chair Lee and Members of the Committee:

The Department of Hawaiian Home Lands supports the purpose and intent of this bill to establish the Aha Moku Advisory Committee within the Department of Land and Natural Resources. As a land trust, we appreciate how the proposed moku system will include the use of community expertise and establish programs and projects to improve communication, education, provide training on stewardship issues throughout the region and increase education.

While we support the work of the Aha Moku Advisory Committee and the concept of ahupuaa-based indigenous management practices guiding the oversight of the state's natural resources, we ultimately defer to the Department of Land and Natural Resources, the lead agency, to determine the feasibility and fiscal impact of this measure.

Mahalo for the opportunity to provide these comments.

**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 05, 2012 8:55 PM  
**To:** HAWtestimony  
**Cc:** kaiwilauula@yahoo.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM  
**Attachments:** HB 2806\_Aha Moku\_Feb 8 2012.docx

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Vanda Hanakahi  
Organization: Aha Moku Advisory Committee  
E-mail: [kaiwilauula@yahoo.com](mailto:kaiwilauula@yahoo.com)  
Submitted on: 2/5/2012

**Comments:**

Leimana DaMate, Executive Director, Aha Moku Advisory Committee will be present to give testimony on our behalf, and to answer questions if need be. Mahalo.



Vanda Hanakahi, Aha Moku Advisory Committee

**TESTIMONY IN SUPPORT**  
**OF HB 2806**

**RELATING TO NATIVE HAWAIIAN ROLL COMMISSION**

House Committee on Hawaiian Affairs

Wednesday, Feb.8, 2012, 8:30 a.m., Rm 329

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Submitted by: Vanda Hanakahi, Moloka'i, Chair, on behalf of the other members of the Aha Moku Advisory Committee and the 43 moku from each of the main Hawaiian Islands that they represent: Leslie Kuloloio, Kahoolawe; Ke'eaumoku Kapu, Maui; Winifred Basques, Lana'i; Pi'ilani Kaawaloa, Hawaii; Charles Kapua and Rocky Kaluhiwa, O'ahu; Sharon Pomroy, Kaua'i; and Keith and Bruce Robinson, Konohiki, Ni'ihau.

Aloha Chair Hanohano, Vice Chair Lee and Members of the House Committee on Hawaiian Affairs,

Thank you for the opportunity to testify in strong support of H.B. 2806, the bill relating to Native Hawaii's and one that establishes the Aha Moku Advisory Committee within the Board of Land and Natural Resources.

The purpose of H.B. 2806 is to complete the purpose of Act 212, the Aha Moku Bill which passed the legislature unanimously into law in 2007. Its intent is two-fold: First, to integrate the Native Hawaiian cultural and traditional values into the fabric of state policy; and Second, to address the severe changes to the physical and cultural landscape accumulated over the past 200 years in the State of Hawai'i which were responsible for the deterioration of the natural resources, our unique ecosystem as well as the Hawaiian culture.

The Aha Moku System is the restoration of the Native Hawaiian land and ocean tenure system that dates back to the 9<sup>th</sup> century, prior to the arrival of Paa'o. This is the system that was responsible for the sustainability of the natural and cultural resources of the people. It is a site-specific process and its practices were honed through countless generations of native practitioners whose sole purpose is to sustain and perpetuate the resources upon which the people were and continue to be dependent upon. This system is simple, yet sophisticated, is based upon the scientific observations of expert resource managers, and is flexible enough to allow for natural and unexpected changes within the environment.

## Aha Moku Testimony

Hawaiian Affairs Committee, February 8, 2011

There are 567 traditional ahupua'a within the State of Hawai'i, and they comprise the 43 moku or larger land districts on each island. Each ahupua'a and each moku are geographically different and unique in their resources. Because of this distinction, it has come to light over the past decades that the western method of having one law that manages such diverse geography within eight islands does not work. For example, when the lobster season is open in the state, the lobsters are actually spawning on the south side of the Island of Hawai'i. The moku system allows for community participation and sharing of knowledge within each different ahupua'a.

For the first time in history, the Native Hawaiian people are striving to work within the Hawaii State System to share their generational and empirical knowledge of Hawaii's natural resources in a unified effort to stem the on-going deterioration of our state's natural assets. This effort has the wide-spread support of the general public as well as active participation of the kanaka maoli. However, this can only be done through direct collaboration between the native people and state agencies that ensures trust and cooperation. We believe that initiating the Aha Moku System into state policy through the Board of Land and Natural Resources will begin the process of halting the degeneration of our ecosystem, perpetuate the Hawaiian culture, and ensure the protection of our unique environment for all of Hawaii for future generations. Everyone will benefit from this.

We urge the passage of H.B. 2806

Mahalo nui loa!

Vanda Hanakahi, Chair, Moloka'i

Aha Moku Advisory Committee

P.O. Box 507, Ho'olehua, HI 96729

Phone: 808-646-1487

Email: [kaiwilauula@yahoo.com](mailto:kaiwilauula@yahoo.com)

**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 05, 2012 9:05 PM  
**To:** HAWtestimony  
**Cc:** bob@fastnethi.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM  
**Attachments:** HB 2806\_BDamate\_2 8 2011\_HAW.docx

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Bob Damate  
Organization: Individual  
E-mail: [bob@fastnethi.com](mailto:bob@fastnethi.com)  
Submitted on: 2/5/2012

Comments:



**Robert DaMate**

**TESTIMONY IN SUPPORT OF HB 2806**

**Relating to Native Hawaiians**

Submitted to: Hearing of the Hawaiian Affairs Committee, Chair Representative Faye Hanohano and Members of the Committee

Hearing Date: February 8, 2012, 8:30 a.m., Room: 329

Aloha Chair Hanohano and Members of the House Committee on Hawaiian Affairs,

Mahalo for giving me this opportunity to tell you how important this Bill is. I live in the ahupua'a of Kahuku, the moku of Ka'u, Mokupuni of Moku O Keawe and I am the Ahupua'a representative for my ahupua'a, Kahuku. I am a lawai'a and a mahiai, a beneficiary of generational knowledge handed down to me by my father who was hanai'd by the Kealoha family in Waianae in the early 1920's. I do not have Hawaiian blood. I am a third-generation Korean/Filipino whose parents were raised by Hawaiians to love the land and ocean. I bring this up because the Aha Moku System does not depend on being Hawaiian. It's foundation is generational Hawaiian knowledge of the natural and cultural resources. Like every local resident, especially those who were born and raised in Hawaii, I am a keiki o ka 'aina. I am Hawaiian in my beliefs and in my practices. I have taught my own children and grandchildren, who are Native Hawaiians through their mother how to sustain the marine resources; how to know when to fish and for what; how to know when to plant and why; how to follow our lunar calendars that balances our environment, specific to Ka'u.

All of this is encompassed in the Aha Moku System. We must formally recognize this system so that practices we have used for generations and have proven to work can be handed down and shared – the whole focus of the Aha Moku System is to keep the natural balance intact and protect our ecosystem. The beauty of the Moku System is that it is site-specific. What works in Ka'u does not work in Kaua'i. Laws must be changed to protect our resources as they are, not as some would wish them to be. I want my children and grandchildren, and the generations to come after me, to be able to fish in the same places that my father taught me to fish. HB 2806 would make sure that happens.

I ask, on behalf of my 'ohana, my children and grandchildren - Please support the passage of HB 2806.

Mahalo,

Robert DaMate

P.O. Box 6573

Oceanview, HI 96737

Phone: 808-497-0834

Email: bob@fastnethi.com

**clee1 - Lina**

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**From:** Marilyn Leimomi Khan [mkhan@hawaiiantel.net]  
**Sent:** Sunday, February 05, 2012 9:14 PM  
**To:** HAWtestimony  
**Cc:** Oahu Council Government Relations Committee; Rep. Chris Kalani Lee; Rep. Faye Hanohano; Keaia, Jalna; DaMate, Leimana  
**Subject:** Transmittal of Testimony - HB 2806, Relating to Native Hawaiians  
**Attachments:** Oahu Council Legislative Testimony HB 2806.doc

Testifier's name with position/title and organization: Mahealani Cypher, President, O'ahu Council, Association of Hawaiian Civic Clubs OR Leimomi Khan, Chair, Government Relations Committee, O'ahu Council

Committee: Committee on Hawaiian Affairs

Date and Time of Hearing: Wednesday, Feb 8, 2012, Conf Room 329, State Capitol

Measure Number: HB 2806, Relating to Native Hawaiians - Establishes aha moku advisory committee within the DLNR. Makes an appropriation.

Number of copies committee is requesting: 3 copies (including an original) to Room 313



**O'ahu Council**  
**Association of Hawaiian Civic Clubs**  
P.O. Box 37874  
Honolulu, Hawaii 96837-1122

February 5, 2012

**TESTIMONY IN SUPPORT OF HB2806**  
**RELATING TO NATIVE HAWAIIANS**

Hearing, Wednesday, February 8, 2012, Conference Room 329, State Capitol

Representative Faye P. Hanohano, Chair  
Representative Chris Lee, Vice Chair  
Members, Committee on Hawaiian Affairs

Aloha mai, kākou

The O'ahu Council of the Association of Hawaiian Civic Clubs comprised of 25 civic clubs located on the island of O'ahu testifies in support of HB 2806, Relating to Native Hawaiians.

The provisions of the bill are consistent with the vision that the Hawaii 2050 Sustainability Plan Task Force had, that is, "The Native Hawaiian people and their culture are honored and respected, and the diversity of our island values derived therefrom is perpetuated. We incorporate and share Native Hawaiian knowledge and protocols for the preservation, cultivation, and management of all natural and cultural resources."

What better way to honor and respect the indigenous culture of Hawai'i than by calling on Native Hawaiian kupuna, farmers, fishermen, and cultural practitioners to seek their advice on ways to protect the environment and sustain Hawai'i's natural resources, especially by integrating indigenous resource management practices in each moku and fostering the understanding and practical use of native Hawaiian resource knowledge, methodology and expertise.


The Hawaii 2050 Sustainability Task Force saw the value in consulting with Native Hawaiian practitioners by their creation of a Kanaka Maoli Working Group. Senator Russell Kokubun, chair of the Task Force, would be among the first to laud the work of that working group as influential in the outcomes of the Sustainability Plan.

“...The Kanaka Maoli worldview is governed by the cultural principles of pono, malama ‘āina, and kuleana. Within this worldview, the Earth and her myriad life forms (biological diversity) are kinolau, the earthly body forms of the Akua. Every life form possesses living energy that sustains each other creating a familial, interdependent, reciprocal relationship between the Akua, the ‘āina, and the kanaka in fine balance and harmony.” (Paoakalani Declaration, October 2003.) Thus, Native Hawaiians are cognizant of their kuleana to care for the ‘āina and their culture.

We cannot comment enough about the invaluable service that Kanaka Maoli cultural practitioners would bring to the State of Hawai‘i, and in particular to the Dept of Land and Natural Resources by way of the Aha Moku Advisory Committee.

Mahalo for the opportunity to provide this testimony in support of HB 2806. Passage of this legislation is the pono thing to do!

Me kealoha pumehana

A handwritten signature in cursive script that reads "Mahealani Cypher".

MAHEALANI CYPHER  
President

**About the O‘ahu Council, Association of Hawaiian Civic Clubs (AHCC)**

The O‘ahu Council is one of five councils that comprise the AHCC. It advocates actions that enhance the civic, economic, educational, health and social welfare of our communities and elevates the social and intellectual status of all Hawaiians. Twenty-five clubs located throughout the island of O‘ahu comprise the council.

**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 05, 2012 9:56 PM  
**To:** HAWtestimony  
**Cc:** leimana@fastnethi.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM  
**Attachments:** HB 2806\_Leimana DaMate\_2 8 2011\_HAW.docx

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Leimana DaMate  
Organization: Individual  
E-mail: [leimana@fastnethi.com](mailto:leimana@fastnethi.com)  
Submitted on: 2/5/2012

Comments:

# **Testimony of Leimana DaMate**

## **IN SUPPORT OF HB 2806**

### **RELATING TO NATIVE HAWAIIAN ROLL COMMISSION**

House Committee on Hawaiian Affairs

Wednesday, Feb.8, 2012, 8:30 a.m., Rm 329

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Aloha Chair Hanohano, Vice-Chair Lee and members of the Hawaiian Affairs Committee,

Thank you for the opportunity to testify in support of HB 2806 relating to Native Hawaiians which establishes the aha moku advisory committee within the Department of Land and Natural Resources. This bill is the result of many years of community consultation and effort to integrate Native Hawaiian traditional and generational resource methodology into Hawaii State Policy. For the first time since the overthrow of the Hawaiian Kingdom in 1893, our Hawaiian lawai'a (fishermen) and mahi'ai (farmers) have come forward as a unified group to offer their expert knowledge, experience and willingness to advise the State of Hawai'i on integrating this knowledge into the fabric of state policy.

This in itself is historical because throughout the renaissance and re-emergence of the Hawaiian culture throughout the past decades, important components such as language and hula have been the focus. However, it has always been known that the foundation of the Hawaiian people is the natural and cultural resources. And, because Hawaiians are so indivisibly connected to their 'aina and kai, land and ocean, they have never been separated. This connection will help all of us who live and love Hawaii continue to enjoy our resources. Hawaiians, in their moku and ahupua'a, can now advise the policy makers in land and ocean resources on best practices for specific sites. This has never been done before.

For the past seven years, our kupuna and moku representatives have been striving to offer their expert knowledge on resource management to the State of Hawaii through our legislators and agencies. Many of the state and county agencies have already begun to incorporate aspects of the ahupua'a system in their individual divisions through information gleaned from our annual legislative reports, the seven statewide puwalu that were held and countless community and public meetings – but it is being done without the formal participation of the Hawaiian people.

In 2007 and 2011, bills were introduced and unanimously passed by our legislature. While these efforts have been accepted and acknowledged through the passage of Act 212 in 2007, Governor Abercrombie expressed concerns in 2011 and as a result, the bill was vetoed until those issues could be addressed. Those concerns were answered through meetings and collaborations with the Department of Land and Natural Resources, the Office of Hawaiian Affairs and legislators.

As a result, HB 2806 contains the necessary amendments that satisfy the governors concerns.

I live in my ancestral lands in the ahupua'a of Kahuku, moku of Ka'u, mokupuni (island) of Moku O Keawe (Hawai'i) where my 'ohana continues to practice traditional resource methodology in protecting and preserving our environment and ecosystem.. It is the same now, as it has been for countless generations. You can come to Ka'u and know that what you see is what our ancestors saw. It is what we want our grandchildren and their grandchildren to see – a pristine and beautiful land teeming with plentiful resources to sustain all of us. This is one small part of HB 2806 – it is repeated over and over again throughout the traditional 43 moku of Hawaii.

Please accept the traditional knowledge that is offered to our state. Please pass H.B. 2806.

Mahalo,

Leimana DaMate

Phone: 808-497-080, Email: [Leimana@fastnethi.com](mailto:Leimana@fastnethi.com)

clee1 - Lina

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 06, 2012 11:06 AM  
**To:** HAWtestimony  
**Cc:** pomroys001@hawaii.rr.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Sharon Pomroy  
Organization: Aha Moku Representative, Kauai  
E-mail: [pomroys001@hawaii.rr.com](mailto:pomroys001@hawaii.rr.com)  
Submitted on: 2/6/2012

**Comments:**

Aloha, I am Sharon Pomroy. I live in Anahola on the island of Kauai. Since 2006 I have been the Kauai representative for the Aha Kiole which was created through Act 212 in 2007. In the past 5 years I, along with Aha Kiole representatives from every island have been making efforts to organize communities on our islands to form Ahapuaa councils that can help to take accurate measures of all resources within their ahapuaa. We are also dedicated to maintaining and revitalizing those resources for the benefit of the Ahapuaa and it's residents. Those resources can be found on land and in the rivers, streams as well as in the near shore fisheries and the deep ocean waters.

When ACT 212 was passed there were funds allotted to do the necessary and much needed outreach work on every island. For what ever reasons the Governor, Lingle and now Governor Abercrombie chose not to release the funds. In spite of this the Kiole on every island as well as the Moku Representatives went ahead and did the work. We filed all the reports asked for and have been successful in getting communities to consider this Aha Moku as a beneficial joint community effort.

It is our hope on Kauai that HB2806 be passed and supported by all involved. We firmly believe that passage of this measure will allow for much needed resource management that is led by ahapuaa/moku with the support of the State of Hawaii. Additionally the requested funding will allow us to do more outreach on every island. Outreach that is not being done today because of the lack of monitory resources to get information out to the community at large.

Pau, Sharon Pomroy, Anahola, Kauai



**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 06, 2012 3:05 PM  
**To:** HAWtestimony  
**Cc:** makaala@hawaiian.net  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM  
**Attachments:** Kaaumoana testimony 2-8-12 HB 2806 aha kiole.pdf

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: Makaala Kaaumoana  
Organization: Individual  
E-mail: [makaala@hawaiian.net](mailto:makaala@hawaiian.net)  
Submitted on: 2/6/2012

Comments:

Barbara "Makaala" Kaaumoana  
POB 1205 Kilauea, HI 96754  
808-828-1205 phone  
808-431-4444 fax  
[makaala@hawaiian.net](mailto:makaala@hawaiian.net)

February 8, 2012

**HB 2806 Testimony in Opposition**

Aloha Chair Hanohano, Vice Chair Lee and Members of the Hawaiian Affairs Committee,

I have been involved in the process of the proposed Aha Kiole since 2006. The concept originated, we were told at the first Wespac Puwalu, by a plan put forward by John Kaimikaua.

The idea was to provide cultural perspective, knowledge and guidance in matters of resource management. The original structure and purpose would have provided place based information and authority. Wespac's intent and plan was to use the kiole structure to forward its agenda to limit fishery and near shore impediments (rules) to its "slash and burn" commercial fishing practices. Many were misled by the very clever manipulation of our kupuna and organizations such as the Association of Hawaiian Civic Clubs. Several attempts to pass legislation establishing the Aha Moku Council failed and when it eventually passed, it was not signed by the Governor. It was expensive in time and money.

This proposal, HB 2806, is to place the Aha Moku Council under the BLNR Chair. Since the current Chair, William Aila, was a vocal opponent of the earlier proposals, it might seem that something is new. Chair Aila thinks he can manage this council and that previous influences and pressures have changed. What happens when we have a different Chair? The Council will exist and revert to its true course.

**The faces may have changed but the purpose and plan has not.**

The structure of this proposal in HB 2806 seeks to repeat the hewa "top down" proposals of the past. What is needed for true, respectful, place based management of our resources is a bottom-up, open, transparent selection process, open and transparent meetings that follow sunshine laws, and a VERY carefully defined set of responsibilities that DO NOT add any steps to the Chapter 91 and other processes currently in place.

A better approach might be to add an Aha Kiole rep to the BLNR (or have the Aha rep replace the current Hawaiian rep). The Aha Kiole would be responsible for reviewing the issues going before the Board, and the Aha rep on the Board would be responsible for voting according to the Aha's wishes.

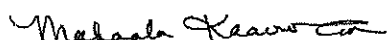
It is vital for the people of the place to choose their representatives. The Aha Kiole must not represent another hoop for us to jump through to do the work many are doing in the community.

As William Aila himself said in 2008, "...the Aha Kiole concept was created by WESPAC, to be manipulated by WESPAC, for the benefit of WESPAC and not Hawaiians!" There is little evidence this has changed.

Suggestions for improvement of this bill include:

- Aha Kiole names to Governor must come from many sources.
- Selection/election of council members must be from nominations provided by a wide array of community organizations including halau, watershed groups, community associations, etc
- Transparency of selection of aha ahupua'a and aha moku representatives.
- Transparency and sunshine process of all aha kiole council meetings and documents
- Non duplicative consultation process for those communities already working with DLNR on other levels

Me ka pono,



Makaala Kaaumoana

**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 06, 2012 4:01 PM  
**To:** HAWtestimony  
**Cc:** MolokaiMAN@basicisp.net  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: George Peabody  
Organization: <http://www.MolokaiAdvertiserNews.com>  
E-mail: [MolokaiMAN@basicisp.net](mailto:MolokaiMAN@basicisp.net)  
Submitted on: 2/6/2012

**Comments:**

Despite the clearly worded intent of this legislation in the past and with this current effort, many people are using it as an excuse or method to take control of businesses and personal activities under color of law as if the Aha Kiole system returns Molokai to pre-Capt. Cook era tribal rules.

This is a dangerous and race based legislation that invites a lot of problems. STOP it.

**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 06, 2012 6:32 PM  
**To:** HAWtestimony  
**Cc:** Kitty@mac.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM  
**Attachments:** HB2806 testimony.pdf

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Kitty M. Simonds  
Organization: Maunalua Hawaiian Civic Club  
E-mail: [Kitty@mac.com](mailto:Kitty@mac.com)  
Submitted on: 2/6/2012

Comments:



'Ōpelu ha'alili i ke kai.

**TESTIMONY IN SUPPORT OF HB2806  
RELATING TO NATIVE HAWAIIANS**

Hearing, Wednesday, February 8, 2012, Conference Room 329, State Capitol

Representative Faye P. Hanohano, Chair  
Representative Chris Lee, Vice Chair  
Members, Committee on Hawaiian Affairs

From: Kitty M. Simonds, President Maunaloa Hawaiian Civic Club

Aloha,

The Maunaloa Hawaiian Civic Club testifies in support of HB 2806, Relating to Native Hawaiians. The Association of Hawaiian Civic Clubs has supported the Aha Moku system since 2006 when the first Aha Ki`ole/Aha Moku resolution was heard and supported at their annual convention.

The bill begins integration of aha moku system into governmental policy so that a framework for the Hawaiian perspective and traditional methods of resource management can be implemented. It formally recognizes the aha moku system, 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, the specific resources located within those areas, and the methodology necessary to sustain resources and the community. It establishes the aha moku advisory committee within the department of land and natural resources to serve in an advisory capacity to the chairperson of the board of land and natural resources. The committee will consist of eight members appointed by the governor from a list of nominations submitted by the aha moku councils of each island.

The aha moku advisory committee will support and help facilitate the communities' participation in natural resources management based on traditional practices, cultural and other resources to protect and conserve the resources of the State of Hawaii. The committee's annual report to the legislature will include recommendations and actions taken on those recommendations by the Department of Land and Natural Resources.

The measure is consistent with "The Hawaii 2050 Sustainability Plan" and the Hawaii Ocean Resources Management Plan.

Maunaloa Hawaiian Civic Club  
P.O. Box 240388, Aina Haina Station  
Honolulu, Hawaii 96824

The Maunalua Hawaiian Civic Club believes that adoption of the principles of the Aha Moku system of natural resource management can increase the health and condition of our natural resources. Stannard (1989) assessed the population of Hawaii at 800,000, in 1778, at the time of discovery. The land and sea provided 100% of the nutritional needs of the people. We now have 1.2 million people in the State of Hawai'i and we import 80% of our food and 85% of our fish. It is evident that changes in our values, governance and the way resources are managed should be improved. We believe that this is a necessary step in the right direction.

Maunalua Hawaiian Civic Club  
P.O. Box 240388, Aina Haina Station  
Honolulu, Hawai'i 96824

**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 06, 2012 10:00 PM  
**To:** HAWtestimony  
**Cc:** puna\_moku@hotmail.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Cheryl Lovell-Obatake  
Organization: Individual  
E-mail: [puna\\_moku@hotmail.com](mailto:puna_moku@hotmail.com)  
Submitted on: 2/6/2012

Comments:

Kauai General Plan 2000 County of Kauai <http://www.kauai.gov/Portals/0/planning/Ch3.PDF>  
Caring for Land, Water & Culture.

Nawiliwili Bay Watershed/NBWC 1999  
<http://www.hawaii.edu/environment/ainakumuwai/index.htm>

Phase III. Native Hawaiian Access Rights Projects  
[http://hawaii.gov/dbedt/czm/initiative/gathering/phase3\\_final\\_report.pdf](http://hawaii.gov/dbedt/czm/initiative/gathering/phase3_final_report.pdf)

The above links are the reasons I support HB 2806.

Mahalo in advance,  
Cheryl Lovell-Obatake  
Nawiliwili, Puna Moku, Kauai

**clee1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 07, 2012 8:01 AM  
**To:** HAW/testimony  
**Cc:** crystalkpaul@yahoo.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Crystal Kia Paul  
Organization: Individual  
E-mail: [crystalkpaul@yahoo.com](mailto:crystalkpaul@yahoo.com)  
Submitted on: 2/7/2012

Comments:



**clee1 - Lina**

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**From:** Terrie Hayes [terriehayes@gmail.com]  
**Sent:** Tuesday, February 07, 2012 9:12 AM  
**To:** HAWtestimony  
**Cc:** Sharon Pomroy; DaMate, Leimana  
**Subject:** HB2806 testimony

Aloha,

I am Llewelyn Kaohelauii, Moku for Kauai Kona district. I am in support of HB2806. I have been involved with the fisheries all my life, born here on Kauai.

The current lack of fish off the southshore is of grave concern to me. The DLNR has failed in protecting this once plentiful resource.

I have been involved with the Aha Kiole/ Moku since it's beginning, we need this collective knowledge to protect our endangered resources.

Please pass HB 2806 now and release the funds so we can save our aina for future generations.

Mahalo, Llewelyn Kaohelauii

**cleel - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 07, 2012 2:25 PM  
**To:** HAWtestimony  
**Cc:** Info@schha.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Mike Kahikina, Legislation Committee Chair  
Organization: SCHHA  
E-mail: [Info@schha.com](mailto:Info@schha.com)  
Submitted on: 2/7/2012

Comments:

**cleef1 - Lina**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 07, 2012 2:47 PM  
**To:** HAWtestimony  
**Cc:** Kawaihapai@hawaii.rr.com  
**Subject:** Testimony for HB2806 on 2/8/2012 8:30:00 AM  
**Attachments:** Kawaihapai Ohana-HB 2806.doc

Testimony for HAW 2/8/2012 8:30:00 AM HB2806

Conference room: 329  
Testifier position: Oppose  
Testifier will be present: Yes  
Submitted by: Thomas T Shirai Jr  
Organization:  
E-mail: [Kawaihapai@hawaii.rr.com](mailto:Kawaihapai@hawaii.rr.com)  
Submitted on: 2/7/2012

Comments:

Aloha,  
The Kawaihapai Ohana testimony opposing HB 2806 is attached. Mahalo.

*Kawaihapai Ohana*  
Thomas T Shirai Jr – *Po'o*  
P O Box 601  
Waialua, HI 96791  
Email: [Kawaihapai@hawaii.rr.com](mailto:Kawaihapai@hawaii.rr.com)

February 7, 2012

COMMITTEE ON HAWAIIAN AFFAIRS (HAW)  
Rep Faye P Hanohano, Chair  
Rep Chris Lee, Vice Chair

Notice of Hearing

DATE: Wednesday, February 8, 2012  
TIME: 8:30AM  
PLACE: Conference Room 329

RE: Testimony OPPOSING HB 2806 (Relating to Native Hawaiians)

*Aloha Chair Hanohano, Vice Chair Lee & Committee Members,*  
My name is Thomas T Shirai Jr and testifying as *Po'o* of the *Kawaihapai Ohana*. The *Kawaihapai Ohana* is recognized by *The Department of Interior (DOI)* thru their *Office of Hawaiian Relations* (<http://www.doi.gov/ohr/nativehawaiians/list.cfm>) as a *Native Hawaiian Organization (NHO)*. This list also contains our mission statement which includes acknowledgement and honoring our *Kupuna* which is included in this measure. At our state level, the *Office of Hawaiian Affairs (OHA)* recognizes the *Kawaihapai Ohana* as a *Native Hawaiian Organization (NHO)* and listed as such.

The *Ahupua'a of Kawaihapai* is situated on the *Northwest Coastline of Waialua Moku* here on the *Island of Oahu*.

The *Kawaihapai Ohana* opposes HB 2806 because it impedes on established *kuleana* with applicable entities needed to address cultural and community concerns of a specific geographical area which includes *State Boards & Commissions* such as *Island Burial Councils* and *The Environmental Council* or *City & County* entities such as *Neighborhood Boards* here on *Oahu*.

An example of this here in *Waialua Moku* is ongoing restorations for *Ka'ena State Park* and the *Ka'ena Natural Area Reserve (NAR)*. The *Mokule'ia Community Association (MCA)* along with support from the *North Shore Neighborhood Board 27* able to coordinate participation the *US Army 25<sup>th</sup> Infantry Division* stationed at *Schofield Barracks* to successfully remove numerous derelict vehicles and trash debris resulting in large tonnage from the *Ahupua'a of Ka'ena*. This was accomplished thru usage of the Army's *Chinook Helicopters*, *flatbed trucks* and about a *garrison* working alongside our community members.

*Kawaihapai Ohana*  
*Page 2*  
*SB 2806 – Oppose*

Since that time at 15 years ago, our localized entities such as *Friends of Ka'ena* have continued our *Kuleana* collaborating with legislators at all levels representing our geographical area and entities such as *Department of Land & Natural Resources (DLNR)* thru the *Ka'ena Point Advisory Group (KPAG)* to achieve our optimum of *Malama Ka'ena*.

Although HB 2806 intent is noted as previously stated it's not needed especially in regards to our State's economy. Funding *DOCARE* is more appropriate because part of *Malama Aina* today is enforcement of rules and regulations.

I would like to share another experience to substantiate opposition to *HB 2806* here in *Waialua Moku*. Approximately 10-15 years ago *Hawaiian Electric Company (HECO)* gave a presentation at the *North Shore Neighborhood Board 27's* meeting and it was standing room only. Their were concerned constituents not from our geographical area who voiced concerned and in reply to them a longtime board member welcomed the input but emphasized we (*North Shore Neighborhood Board 27*) are capable and able to make our own decision. This has been a stellar in our continued community and cultural participation. Part of effectiveness is simplicity.

Thank you for the opportunity to provide testimony opposing *HB 2806*. *Malama Aina*.

*Thomas T Shirai Jr*  
*Kawaihapai Ohana – Po'o*

*Honolulu Advertiser*  
*Letter to Editor*  
*August 20, 2004*

Don't build Ka'ena Point road

We are writing in response to the letters by Mr. Hans Kealoha Wedemeyer (June 24) and Mr. Bradley A. Coates (July 6) advocating that a road be built around Ka'ena Point. We would like to make several points in opposition to this recommendation:

From the Office of State Planning Land Use Division's Subregional Land Use Plan: Mokule'ia to Ka'ena: "All shorefront lands from the western end of the Crozier Drive urban district to Ka'ena, all foothills mauka to the top of the cliffs, and all lands westward from Dillingham (Kawaihapai) airfield. These lands would be used for park purposes, forest recreation, or preserved for their natural values and wildland and scenic qualities. ... Uses in this zone should be compatible with the wildland character. Any structures or clearings should be related to enhancing outdoor recreation uses in a natural or wildland setting. Urban uses would not be compatible in this zone and should not be expanded. A paved highway around Ka'ena Point would not be allowed."

The Central O'ahu/North Shore Regional Plan also states that a paved highway around Ka'ena Point would not be allowed.

From the North Shore Sustainable Communities Plan: "Protect the natural resources of Ka'ena Point from potentially damaging vehicular traffic and roadway development."

From the Wai'anae Sustainable Communities Plan: "Preservation of lands north of Kepuhi Point as open-space lands." In addition, while the plan acknowledges the need for another access road, it never suggests a road around Ka'ena Point as an option.

Ka'ena Point is culturally sacred to the Hawaiian people as the place where souls leave this world and enter the next. There are many cultural remains in the cliff-sides and down toward the beach. To build a road in this area would amount to sacrilege and desecration.

Ka'ena Point is a federally recognized and protected natural reserve and, as such, is part of the the Hawai'i Natural Areas Reserve System. It is also a state park. Any road would endanger the area's ecosystem.

In the 2000 legislative session (SCR 160), it was determined by the Department of Transportation that it would cost at least \$500 million to build such a road around Ka'ena Point. Four years later, the cost probably would be at least a third higher. Bottom line: It could cost at least half the entire state operating budget to build such a road.

There is an entire community on the other side of Ka'ena Point that both letter writers have failed to take into consideration with their support of this idea. They never asked the Mokule'ia community what we think of this idea, which would have a major impact on our agricultural, conservation and open-land policies, as well as our country lifestyle and quality of life. For all the foregoing reasons, we strongly oppose the recommendation for a road around Ka'ena Point, and we will be monitoring this issue very carefully in the future.

Mike Dailey, Vicky and Kimo Lyman, Kathleen M. Pahinui, Lloyd O'Sullivan, Stewart King and Thomas Shirai

Mokule'ia residents