

MAR 11 2013

SENATE RESOLUTION

URGING FEDERAL, STATE, AND COUNTY AGENCIES TO RECOGNIZE AND IMPLEMENT NATIVE HAWAIIAN CULTURAL MONITORING PROGRAMS AND URGING THE CREATION OF A LEGISLATIVE COMMITTEE TO PROPOSE AMENDMENTS TO CHAPTER 6E, HAWAII REVISED STATUTES, TO INCLUDE CRITERIA AND GUIDELINES REGARDING NATIVE HAWAIIAN CULTURAL MONITORING.

1 WHEREAS, Native Hawaiian cultural monitoring is not
2 required by any laws relating to pre-construction archaeological
3 surveys and investigations in Hawaii; and
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5 WHEREAS, Native Hawaiian cultural monitoring is not legally
6 required on excavation, demolition, or construction projects in
7 historic and culturally sensitive areas, as identified by the
8 Office of Hawaiian Affairs, the State Historic Preservation
9 Division, or Native Hawaiian organizations, descendants, or
10 cultural practitioners; and
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12 WHEREAS, Native Hawaiian cultural monitoring of
13 construction projects involving excavation sometimes comes about
14 as a result of mitigation agreements, lawsuit settlements, or
15 voluntary agreements between Native Hawaiian organizations and
16 developers, owners, or contractors pursuant to section 106 of
17 the National Historic Preservation Act of 1966; and
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19 WHEREAS, the use of Native Hawaiian cultural monitoring in
20 areas identified to be culturally significant is a necessary
21 activity ensuring protection, preservation, compliance, respect,
22 and culturally appropriate treatment of historic and culturally
23 significant Native Hawaiian resources, artifacts, and iwi
24 kupuna; and
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26 WHEREAS, the use of Native Hawaiian cultural monitoring
27 over the last 25 years has increased and has been successfully
28 integrated into projects involving the United States Department
29 of Defense, federal and state Departments of Transportation,
30 counties, and private industry; now, therefore,
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1 BE IT RESOLVED by the Senate of the Twenty-seventh
2 Legislature of the State of Hawaii, Regular Session of 2013,
3 that this body recognizes the importance and necessity of Native
4 Hawaiian cultural monitoring to respect, honor, protect,
5 preserve, and manage Native Hawaiian historic and cultural
6 resources including iwi kupuna; and
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8 BE IT FURTHER RESOLVED that this body recognizes the
9 increasing implementation and integration of Native Hawaiian
10 cultural monitoring in public and private development projects;
11 and
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13 BE IT FURTHER RESOLVED that Native Hawaiian cultural
14 monitoring be recognized as an essential activity, along with
15 required archaeological inventory surveys, for construction
16 projects in culturally significant areas; and
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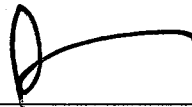
18 BE IT FURTHER RESOLVED that this body urges federal, state,
19 and county agencies to develop and implement Native Hawaiian
20 cultural monitoring programs for all projects in historically
21 sensitive areas in collaboration with developers, contractors,
22 owners, and Native Hawaiian organizations, descendants, and
23 communities; and
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25 BE IT FURTHER RESOLVED that a committee composed of state
26 Senate and House of Representatives members be formed to create
27 a proposed bill for the Regular Session of 2014 to amend chapter
28 6E, Hawaii Revised Statutes, to include, criteria and guidelines
29 pertinent to Native Hawaiian cultural monitoring; and
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31 BE IT FURTHER RESOLVED that certified copies of this
32 Resolution be transmitted to the Chairperson of the United
33 States Advisory Council on Historic Preservation, Governor,
34 Chairperson of the Board of Land and Natural Resources, Chief
35 Executive Officer of the Office of Hawaiian Affairs, President
36 of the Senate, and Speaker of the House of Representatives.
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OFFERED BY: _____



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