

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD STE 555
KAPOLEI HI 96707

**Testimony of
WILLIAM AILA, JR
Chairperson**

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

**Monday, January 27, 2014
9:30 am
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 1618
RELATING TO THE COMPOSITION OF THE
BOARD OF LAND AND NATURAL RESOURCES**

House Bill 1618 proposes to provide that the Board of Land and Natural Resources has a board member with expertise in native Hawaiian traditional and customary practices. **The Department of Land and Natural Resources (Department) supports this measure and has submitted its own bill on this matter (House Bill 2324).**

Currently, nearly all of the boards and commissions under the Department require a member with a background in native Hawaiian traditional and customary practices. Last session, legislation was enacted requiring such expertise for the Natural Area Reserves System Commission. The remaining Department boards and commissions that need such expertise are the Board of Land and Natural Resources and the Endangered Species Recovery Committee.

As the Department is obligated under the Hawaii Constitution and Hawaii statutory and case law to preserve and protect the exercise of traditional and customary native Hawaiian rights, it would provide great value to have a member on the Board of Land and Natural Resources to have expertise in this area to provide guidance on natural resource protection and management decisions.

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

ESTHER KIA'AINA
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



HB1618
**RELATING TO THE COMPOSITION OF THE BOARD OF LAND AND NATURAL
RESOURCES**

House Committee on Water and Land and
House Committee on Ocean, Marine Resources, & Hawaiian Affairs

January 27, 2014

9:30 a.m.

Room 325

The Office of Hawaiian Affairs (OHA) **STRONGLY SUPPORTS** HB1618, which is a bill in OHA's 2014 Legislative Package. HB1618 would require at least one member of the Board of Land and Natural Resources (BLNR) to be an expert in Native Hawaiian traditional and customary practices. **Ensuring that a member of the BLNR is an expert in Native Hawaiian traditional and customary practices will help the BLNR to better administer our lands and resources with respect to Native Hawaiian issues and concerns, including traditional and customary cultural practices, the public land trust, and the recognition of Native Hawaiian cultural values that are intrinsically tied to the 'āina.**

The BLNR administers important programs that carry out the state's responsibility to conserve and manage our natural, water, and land resources on behalf of the people and environment of Hawai'i.¹ In addition, the BLNR frequently makes critical decisions that impact Native Hawaiians and their cultural practices, which are protected by Article XII, Section 7 of the Hawai'i State Constitution.² While many BLNR members possess specific expertise in a number of matters relating to natural resource management, water conservation, and land use controls, BLNR members do not necessarily have specific expertise relating to the cultural value and significance of the lands and resources they administer, or of their specific fiduciary and constitutional duties relating to Native Hawaiians and the public land trust.

Finally, OHA notes that HB1618 does not increase the number of members on the BLNR. Rather, HB1618 maintains the current composition of BLNR—seven members.

Therefore, OHA urges the committee to **PASS** HB1618. Mahalo for the opportunity to testify on this important measure.

¹ Hawai'i Revised Statutes (H.R.S.) § 171-4 (2005).

² HAW. CONST., art. XII, § 7 (1978).

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 24, 2014 7:14 PM
To: waltestimony
Cc: lynhowe1946@yahoo.com
Subject: *Submitted testimony for HB1618 on Jan 27, 2014 09:30AM*

HB1618

Submitted on: 1/24/2014

Testimony for WAL/OMH on Jan 27, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lyn Howe	Individual	Support	No

Comments:

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Cc: joe96817@gmail.com
Subject: Submitted testimony for HB1618 on Jan 27, 2014 09:30AM

HB1618

Submitted on: 1/25/2014

Testimony for WAL/OMH on Jan 27, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kuhio Lewis	Individual	Support	No

Comments: Adding a member to the BLNR that is an expert in Native Hawaiian traditional and customary practices will ensure that at least one member will have a sufficient background to provide input on issues relating to Native Hawaiians and Native Hawaiian rights. Additionally, adding a member with this expertise has the potential for increased mitigation over adverse impacts to Native Hawaiian traditional and cultural practices, for the identification and preservation of cultural sites and resources, and generally for the improvement of the overall effectiveness of the BLNR.

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Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai'i 96807

Testimony of President Soulee Stroud

JOINT HOUSE COMMITTEES ON WATER AND LAND
AND
OCEAN MARINE RESOURCES AND HAWAIIAN AFFAIRS

**HB 1618 RELATING TO THE COMPOSITION OF THE
BOARD OF LAND AND NATURAL RESOURCES**

Monday, 1/27/14; 9:30AM; Room 325

Aloha Madam Chair Evans and Madam Chair Hanohano and members of the joint committees on Water and Land and Ocean Marine Resources and Hawaiian Affairs.

I am Soulee Stroud, here on behalf of the Association of Hawaiian Civic Clubs in support of this bill to include a member on the Board of Land and Natural Resources with expertise in Native Hawaiian traditional and customary cultural practices and values.

The Hawaiian Civic Club since inception in 1918 has held the protection and preservation of the Native Hawaiian culture, as well as traditional and customary practices as a major priority and all clubs agree to this premise upon being chartered. A need for a BLNR member who has demonstrated expertise in *na mea Hawaii* is long overdue.

Of all the State agencies that are guided by commissions and authorities, it seems that the BLNR handles the majority of sensitive and controversial Native Hawaiian issues. It has been the BLNR that has consistently made difficult decisions on issues that impact the Native Hawaiian community and the AHCC has sometimes disagreed with those decisions.

However, today we are pleased to agree to HB 1618. We have already heard that the voluntary training being offered by the Office of Hawaiian Affairs regarding Native Hawaiian issues on land and water, traditional and

customary practices, laws and other issues is having an effect on the cultural understanding of decision makers. Adding an expert as envisioned by this bill can only serve to bring greater appreciation and value to BLNR decisions with respect to Hawaii's native culture.

Thank you for the opportunity to testify in support of this bill.

Contact: jalna.keala2@hawaiiantel.net

HAWAIIAN AFFAIRS CAUCUS

Democratic Party of Hawaii
e-mail: mkhan@hawaiiantel.net or raytanv@aol.com

January 26, 2014

**LEGISLATIVE TESTIMONY
IN SUPPORT OF
HB1618, RELATING TO THE COMPOSITION OF THE BOARD OF LAND AND
NATURAL RESOURCES**

Hearing, January 27, 2014, 9:30 a.m., Room 325

Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair
Members of the Committee on Water & Land

Representative Faye P. Hanohano, Chair
Representative Ty J. K. Cullen, Vice Chair
Members of the Committee on Ocean Marine Resources & Hawaiian Affairs

Aloha mai kākou

The Hawaiian Affairs Caucus of the Democratic Party of Hawai'i urges your committees to fully support the provisions of HB1618 that would require that at least one member of the Board of Land and Natural Resources (BLNR), other than the member appointed for having a background in conservation and natural resources, have demonstrated expertise in native Hawaiian traditional and customary practices.

The BLNR jurisdiction encompasses over 1.3 million acres of State lands, beaches, and coastal waters. These lands are largely comprised of former Hawaiian Kingdom crown and government lands to which Native Hawaiians have never relinquished their claims.

The lands that BLNR has jurisdiction over include vast areas where Native Hawaiians exercise their constitutionally protected traditional and customary practices. Hence, it is important and respectful to empower their mana'o via a BLNR voting member knowledgeable of native Hawaiian traditional and customary practices.

We urge your passage of HB 1618, Relating to the Composition of the Board Of Land And Natural Resources.

Respectfully

/s/ via on-line testimony

DAVIS PRICE
Chair

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From: mailinglist@capitol.hawaii.gov
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To: waltestimony
Cc: jeannine@hawaii.rr.com
Subject: *Submitted testimony for HB1618 on Jan 27, 2014 09:30AM*

HB1618

Submitted on: 1/26/2014

Testimony for WAL/OMH on Jan 27, 2014 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Support	No

Comments:

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