

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 24, 2013 12:25 PM
To: waltestimony
Cc: back2daaina@live.com
Subject: Submitted testimony for HCR125 on Mar 25, 2013 08:45AM

HCR125

Submitted on: 3/24/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
joyclynn costa	Aha Moku o Maui Hamaluapoko	Support	No

Comments: I both as an individual but more over as a representative for the Aha Moku o Maui would like to not only support but encourage these types of measures to fulfill the fiduciary responsibility we all have as keiki o kaaina. What came before us created the beauty that attracts all walks of life near and far. Majority of our population started as foreigners not kamaaina people of this land. The beauty created for the 7 generations in their future is the fruits of our harvests today. We must learn to respect and take great care in the legacy they represent and not take for granted the resources we enjoy today. Instead we must learn to live pono for the future of the next 7 generations to come.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 24, 2013 4:36 PM
To: waltestimony
Cc: kamakahonu@gmail.com
Subject: Submitted testimony for HCR125 on Mar 25, 2013 08:45AM

HCR125

Submitted on: 3/24/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mikahala Roy	Individual	Support	No

Comments: I enter full support of HCR 125 and applaud Ms. Clare Apana and all supportive contributors to this legislation. My testimony in support will be sent to the receiving committee separate from this documentation.

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Testimony in Support of HCR 125

Mikahala Roy, Kahu Ahu'ena Heiau, Kamakahonu Hawaii

March 24, 2013

‘Olelo No’eau ~ Hawaiian Proverbs & Poetical Sayings; #19

Ahulau ka Pi’ipi’i i Kakanilua

A slaughter of the Pi’ipi’i at Kakanilua.

In the battle between Kahekili of Maui and Kalani’opuu of Hawaii, on the sand dunes of Wailuku, Maui, there was a great slaughter of Hawai’i warriors who were called the Pi’ipi’i. Any great slaughter might be compared to the slaughter of the Pi’ipi’i.

Of the extraordinary literary collection translated, collected and annotated by Mary Kawena Puku’i, the following words have been offered: “Above all, the proverbs show the love of the Hawaiians for Hawai’i and for their traditions. To know the sayings is to know Hawai’i.”

Listed among the very first of the ‘Olelo No’eau, is the recitation of the Battle of Kakanilua & the slaughter of the Pi’ipi’i. It is noteworthy that such a story is brought forward early in this collection. Yet it is entirely troublesome that this story is absent from the majority of all sources of historical & cultural literature in Hawaii. Additionally, nowhere near the sand dunes on Maui, where the battle took place, is there any plaque or sign to inform the people of the significant history that occurred there. Instead, controversy upon controversy over illegal land sand-mining and cultural genocide exists.

Fortunate are we who listened to oral accounts coming down in our families of the Alapa Warriors, a famed regimen of elite warriors of Ka Mo’i Kalani’opuu of Hawaii Island. My father, the late David Kahelemauna Roy, Jr., Kahu of Ahu’ena Heiau, led an all-‘Oiwī crew of men in the restoration of Ahu’ena Heiau in the mid-1970’s for the people of Hawaii. Carrying forward an unquenchable desire to perpetuate the traditions of the Hawaiian people, he was an educator who participated greatly with his family & in his society sharing what he knew. I was present with him as he testified at an LUC meeting against the Maui Lani Company when their development threatened lands that were a part of the 2,000 acres encompassing the huge Maui battle site.

Future ‘Oiwī, the first people of Hawaii, are who we particularly care about. They must know their Ancestors; they must know their accurate history. There is also the matter of Spiritual Inheritance. Knowledge and processing of the history of ‘Oiwī allows sacred faith keepers of each era to contribute their portions to our Pacific Ancestors and Divine Ones. For ‘Oiwī, divine peace & understanding in their traditions are the fruits that will produce freedom verses encumbrance of Spirit in their worlds to come.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 24, 2013 8:58 PM
To: waltestimony
Cc: Routh@2bolo.com
Subject: Submitted testimony for HCR125 on Mar 25, 2013 08:45AM

HCR125

Submitted on: 3/24/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Routh Bolomet	Individual	Support	No

Comments: I am a kuleana land owner in this area and ask that you support this resolution. Mahalo, r

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 24, 2013 12:04 PM
To: waltestimony
Cc: Steffen.oeser@gmail.com
Subject: *Submitted testimony for HCR125 on Mar 25, 2013 08:45AM*

HCR125

Submitted on: 3/24/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Steffen oeser	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 24, 2013 12:08 PM
To: waltestimony
Cc: tia.pearson@gmail.com
Subject: *Submitted testimony for HCR125 on Mar 25, 2013 08:45AM*

HCR125

Submitted on: 3/24/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
tia pearson	Individual	Support	No

Comments:

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March 24, 2013

Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair
House Committee on Water and Land

Representative Faye P. Hanohano, Chair
Representative Ty J.K. Cullen, Vice Chair
House Committee on Marine Resources and Hawaiian Affairs

Testimony in Opposition to HR 96 and HCR 125 Urging that Upon Verification, the Correct History of the Battle of Kakanilu‘a be Inserted into Archaeological Reports, Cultural Impact Statements, State Historical Preservation Division Records, Public Libraries and Other Pertinent Digital Collections, and Urging Maui County to Ban Sand Mining in the Waikapu Sand Dune Area.

Monday, March 25, 2013, 8:45 a.m., in Conference Room 325

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a major utility company. LURF's mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF and its members include *kama'aina* companies who support historic preservation and the value of conserving and developing historic and cultural areas for the public good; and LURF members have provided leadership in preserving, restoring, and maintaining historic and cultural properties to ensure the administration of such properties in a spirit of stewardship and trusteeship for future generations, and to conduct activities, programs, plans, and projects in a manner consistent with the preservation and enhancement of such historic and cultural properties.

While LURF appreciates the intent of these resolutions and the possibility that they may be well-intended, LURF must **oppose HR 96 and HCR 125**, because, among other things, the resolutions:

- (1) Will circumvent and interfere with the existing State and Maui County laws and processes for land use designations, historic preservation, burials and sand mining;

- (2) May have unjustified and unintended (or intended) consequences of interfering with Maui County's "Home Rule," its regulatory review process and the implementation of its various land use plans and designations for certain areas in Central Maui for urban development, including the area of the planned Waiale Master Planned Community Project ("Waiale project"). The County of Maui's regulatory review process will provide further opportunities for further research, discussion, review, and decision-making; and
- (3) Are premature and based on unverified information regarding the specific location of the Battle of Kakanilu'a, and are inconsistent with the results of recent full archaeological surveys and studies, an accepted Cultural Impact Statement, review by the SHPD and other government reviews of the area of the planned Waiale project.

HR 96 and HCR 125. These resolutions urge that upon verification of the facts, that the correct history of the Battle of Kakanilu'a be inserted into archaeological reports, cultural impact statements, State Historical Preservation Division ("SHPD") records, public libraries and other pertinent digital collections; urge Maui County to preserve the remaining sand dunes in the Waikapu sand dune area and to refuse to grant grading permits that involve removing sand in parcel TMK (2) 3-8-007:101 of the Waikapu sand dune area; and urge the Maui County Council to keep the remaining Waikapu sand dune area as park and preservation land.

LURF's Position. While LURF supports the intent to correctly and accurately report the history of the Hawaiian people and to recognize and preserve significant battle areas in the history of Hawaii, it respectfully requests that your Committees **hold HR 96 and HCR 125**, because it is believed that the resolutions may actually have the effect of circumventing the existing State laws and rules and regulations relating to historic preservation and the County of Maui's "Home Rule" planning and land use regulatory process, particularly the Maui county zoning process for the Waiale project. LURF's specific objections include, among other things, the following:

- (1) **HR 96 and HCR 125 are inconsistent with, and circumvent the existing processes under State and Maui County laws relating to historic preservation, burials, sand mining and land use designations.** The proposed resolutions are inconsistent with Chapter 6E of the Hawaii Revised Statutes ("HRS"), including the specific process for the State to designate privately owned properties to the Hawaii Register of Historic Places, the specific State process for addressing burial sites; and is inconsistent with Maui County's "Home Rule" authority to regulate by planning or zoning ordinances and regulations the protection, enhancement, preservation, and use of historic properties or burial sites. The proposed resolutions are also inconsistent with the current Maui County plans, regulatory processes and ordinances, including, but not limited to the *Maui County General Plan 2050*, *Countywide Plan (2010)* and the *Maui Island Plan (2012)* and the process for updating the *Wailuku-Kahului Community Plan (2002)*. Instead of proposing these resolutions, the proponents should address these issues through the proper governmental regulatory review processes.

- (2) **HR 96 and HCR 125 will interfere with the County of Maui’s “Home Rule” implementation of its land use plans, designations and regulatory review process.** After review of full archaeological surveys and studies and a Cultural Impact Statement relating to a portion of the area addressed in these resolutions, the State Land Use Commission (“LUC”) recently approved a land use boundary amendment for the Waiale project, which designates certain areas in Central Maui for urban development. The Maui County Administration, Planning Department and Council have also approved similar land uses for the Waiale project area in its Maui Island Plan (2012), and will be involved in the future land use regulatory review and zoning process to implement the State land use designation and Maui Island Plan. It is believed that these legislative resolutions will interfere with this County of Maui “Home Rule” regulatory process. LURF believes that the issues raised in these resolutions should be further researched, discussed and reviewed in Maui County’s the future land use regulatory review and zoning process.
- (3) **HR 96 and HCR 125 are premature, and not based on verified information.** LURF understands the historical significance of the Battle of Kakanilu’a, however, there has been no historical verification of the exact location of the Battle of Kakanilu’a, despite full archaeological surveys and studies by experts and a Cultural Impact Statement relating to the Waiale project; and reviews by the SHPD, the LUC, other state agencies and the County of Maui Planning Department.

Thank you for the opportunity to present testimony in opposition to this measure.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 25, 2013 8:30 AM
To: waltestimony
Cc: gm@hawaiiin.com
Subject: Submitted testimony for HCR125 on Mar 25, 2013 08:45AM

HCR125

Submitted on: 3/25/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
John Bond	Individual	Support	No

Comments: I SUPPORT THE CORRECT HISTORY OF THE BATTLE OF KAKANILU'A BE INSERTED INTO ARCHEOLOGICAL REPORTS, CULTURAL IMPACT STATEMENTS, STATE HISTORICAL PRESERVATION DIVISION RECORDS, PUBLIC LIBRARIES, AND OTHER PERTINENT DIGITAL COLLECTIONS, AND URGING MAUI COUNTY TO BAN SAND MINING IN THE WAIKAPU SAND DUNE AREA.

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