

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  
FINANCE**

**Thursday, April 2, 2014  
2:00 P.M.  
State Capitol, Conference Room 308**

**In consideration of  
SENATE BILL 3063, SENATE DRAFT 2, HOUSE DRAFT 1  
RELATING TO DISPOSITION OF LANDS IN WAIPIO VALLEY**

Senate Bill 3063, Senate Draft 2, House Draft 1, proposes to establish a working group and appropriate unspecified general funds for the purchase of land located in Waipi'o Valley, Island of Hawai'i, from the Bernice Pauahi Bishop Museum. **The Department of Land and Natural Resources (Department) supports this bill.**

The Department supports collaborating with the proposed working group members to explore the most beneficial actions for the possible acquisitions. Identification of important natural, cultural, and historic resources for protection is the first step in determining how to strategically manage and protect these resources. Any acquisition of lands or interests in lands would be subject to regular due diligence procedures of the Department, including the approval of the Board of Land and Natural Resources under Section 171-30, Hawaii Revised Statutes (HRS), and the approval of the Attorney General required under Section 107-10, HRS.

Additionally, the Department suggests the following revision to SECTION 3 of the bill to allow greater flexibility and efficiency for the working group:

SECTION 3. [~~The chief executive officer of Kamehameha Schools~~] An owner of lands within Waipio Valley or the [chief executive officer's] designee[7] of an owner of lands within Waipio Valley, if willing, shall chair the working group. If [~~the chief executive officer of Kamehameha Schools or the chief executive officer's designee~~] an owner of lands within Waipio Valley or the designee of an owner of lands within Waipio Valley is not willing to chair the working group, the chairperson of

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

**JESSIE K. SOUKI**  
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

the board of land and natural resources or the chairperson's designee shall chair the working group.

Thank you for the opportunity to provide comments.



***Pōhāhā I Ka Lani***  
*P.O. Box 412*  
*Kurtistown, HI 96760*  
[pohahaikalani@gmail.com](mailto:pohahaikalani@gmail.com)  
[www.pohahaikalani.com](http://www.pohahaikalani.com)

TO: House Committee on Finance  
Hearing on Wednesday, April 2, 2014 at 2:00 p.m.  
Conference Room 308  
State Capitol  
415 South Beretania Street

FROM: Jesse Keone Potter  
President  
Pōhāhā I Ka Lani  
P.O. Box 412  
Kurtistown, HI 96760

RE: Senate Bill 3063: Relating to Disposition of Lands in Waipi'o Valley

Aloha mai kakou,

Mahalo for this opportunity once again to testify on behalf of Pōhāhā I Ka Lani in regards to SB 3063 relating to the disposition of lands in Waipi'o Valley on Hawai'i Island. We deeply appreciate the removal of the appropriation of funds for purchase of land in Waipi'o Valley in the House Committee on Ocean, Marine Resources, and Hawaiian Affairs.

Once again, we agree that the preservation of Waipi'o Valley as a significant cultural and historical place with abundant natural resources is vital. However, the process of deciding the vision for Waipi'o Valley and the potential means to achieve it should stem from those who know Waipi'o best and have the most vested interests there. **We oppose SB 3063 Relating to Disposition of Lands in Waipi'o Valley unless significant amendments are made to ensure a community based vision and action plan is established to address the issues of community input, public access, and current vested interests.** Unless significant amendments properly addressing these issues are made, we request SB 3063 be deferred this legislative session. Deferring the bill would allow proper gathering of community

input through a more balanced working group or a multi-stage process.

To allow a working group without input from all current Waipi'o Valley land owners, Bishop Museum lessee's in the valley, the surrounding communities, and the educational/cultural/community organizations working to preserve and restore the valley would be disingenuous and a further destruction of public trust. The allotment of the President of the Waipi'o Taro Farmer Association, one Waipi'o Valley landowner, and others selected by the chair of the working group does not ensure proper representation a community based voice and vision. The Waipi'o Taro Farmer's Association is only one organization in the valley that does not represent all taro farmers, more than one landowner in Waipi'o will be affected, and the possibility of additional members of the working group is no guarantee. Once again this SB 3063 has already generated mistrust in the community, and still does so even with appropriation of funds removed.

The trust of the community has already been breached by the top-down approach this bill has taken. We are unaware of any efforts to gather input from the whole community and vested interests in Waipi'o prior to the bill being written and through it's entire journey from the Senate to the House. Representatives and Senators representing the Hamakua District should have brought the intent of SB 3063 to the entire community prior to it's creation.

There are many different possible solutions to the current issues facing Waipi'o Valley. Our organization, many individuals and other organizations would be more than willing to participate in the process of setting forth a community based action plan for Waipi'o Valley. Let us create this vision for Waipi'o so the this wahi pana can be cultivated in a pono way to re-establish public trust.

Pōhāhā I Ka Lani is a 501(c)(3) non-profit organization founded in 2009 whose purpose is to work for the preservation and restoration of indigenous Hawaiian culture. Our current Kāhuli program is rooted directly in Waipi'o Valley, gathering K-12, university, and community groups to contribute to the environment restoration of the land and promote Hawaiian cultural practices and history in this culturally significant place. We manage and restore 6.2 acres in the Nāpo'opo'o area, including the historic Tea House and the furthestmost parcel towards Hi'ilawe waterfall.

Once again, we look forward to taking part in the discussion relating to the future of sacred Waipi'o Valley.

Me ke ha'aha'a a me mahalo (With humility and gratitude)

**finance1**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 1:20 PM  
**To:** FINTestimony  
**Cc:** danamalina@yahoo.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana Keawe	Restore Hawa'i	Oppose	No

Comments: We OPPOSE SB 3063, There was no public notice or testimony/input for SB 3063 from the residents of Waipi'o and the general population of Hawai'i Island. Please DO NOT pass SB 3063. There is strong public outcry in opposition to SB 3063. We do however agree, that our 'aina/lands need to be stewarded properly... but, the people/residents of Hawai'i Island need to be included in the process and offered the opportunity to have a say in how it is properly done... Lets work together. Mahalo, Dana Keawe/Restore Hawai'i

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**finance1**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 10:57 AM  
**To:** FINTestimony  
**Cc:** dardegirl@yahoo.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darde Gamayo	Individual	Oppose	No

Comments: For the PONO of Waipi'o! Let it be known that MAJORITY of the Waipi'o Valley Community does not know about this bill that is being fast forwarded through the legislature. How can you all approve this without reaching out to the community of the PLACE affected. As a lessee and citizen I am familiar to how Legislation takes action within the committees'. It makes me am sad to hear of this action being taken. Myself, as well as a majority of landowners and lessees of the Waipi'o Valley community were 1)not aware that an action to purchase land for the state was in effect, 2) Information of action was shared with Taro Farmers Association, who are not involved with many landowners 3) Many landowners already have in place a cultural program which has been in existence since land was transferred to them to malama, some over 5(five) generations. Last week Saturday, we were informed that there would be a hearing pertaining to this bill at Honokaa High School's Cafeteria. When we all arrived, it turned out to be Abercrombie's Political Campaign for Governor, very disappointing to the individual and association who mislead us. I am witness to many actions taken by DLNR which has distinctly impacted our native people and their way of lifestyle. Once a bill such as this takes effect, significant sacred sites and especially Waipi'o Valley community will be negatively impacted. The lifestyle of the "Corporate" mentality will be forced upon the community and Waipi'o Valley will be no more. Buildings will be erected to accommodate tourists, structures will be erected to accommodate disadvantaged, and roads will now be PAVED. I am witness to a multitude of visitors, local and non- local, trampling on sacred sites, trashing the 'aina with rubbish, eroding the 'aina with their vehicles, and this is just the beginning of the list. DLNR does not have the manpower nor will they ever have enough to manage this sacred place which should be left to the natives of the area and not to management committees such as yours, a majority who does not even know how to huki kalo or live the Waipi'o lifestyle!! I Plead with you to not take action in passing this bill. Let our Waipi'o Community be heard!

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**finance1**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 11:43 AM  
**To:** FINTestimony  
**Cc:** ohanawoods@yahoo.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patrick Coito	Individual	Oppose	No

Comments: My question is why the state is trying to buy this land and have DLNR take care of it. DLNR cannot take care of what they have now and don't have the manpower to do it. DLNR have fenced of a lot of places for every reason they can find, but end results is an area over grown with invasive plants. The state should focus on our children in school, our homeless and hungry people and veterans who fought for the freedom we have now. Use our state dollars wisely and leave WAIPIO alone.

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**finance1**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 2:09 PM  
**To:** FINTestimony  
**Cc:** ttravis12@mac.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thomas Travis	Individual	Comments Only	No

Comments: I oppose this Bill. No change of ownership should be authorized until after a period of community input and an understanding of what possible consequences such a change of ownership should have.

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Gloria-Ann Muraki  
76-6186 Plumeria Road  
Cell Phone: 808 989 2532  
Email: lolay1@hawaii.rr.com

# Transmittal

To: HOUSE OF REPRESENTATIVES  
Fax: (800)535-3859  
THE TWENTY-SEVENTH LEGISLATURE  
REGULAR SESSION OF 2014  
COMMITTEE ON FINANCE

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From: Gloria Muraki Date: 4/1/2014

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Re: TESTIMONY RE SB 3063, SD2, HD1 Pages: 2  
(HSCR1156-14)

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CC:

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Urgent     For Review     Please Comment     Please Reply     Please Recycle

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Notes:

Thank You,

*Gloria-Ann Muraki*

Gloria-Ann Muraki,  
Landowner

Testifier's name with position/title and organization;

Gloria-Ann Muraki, landowner of Waipio Valley Property

- The Committee(s) to which the comments are directed;  
Committee on Finance
- The date and time of the hearing; and  
April 02, 2014 at 2:00 p.m.
- Measure number.  
SB 3063, SD2, HD1  
(HSCR1156-14)

Testimony:

It is with deep regret that Committees within legislature FAST FORWARD Bills such as SB 3063, SD2, HD1, without reaching out to the community of the PLACE affected. As a landowner, not being familiar to how Legislation takes action within the committees' nucleus, I am saddened of the action being taken. Myself, as well as a majority of landowners and lessees of the Waipi'o Valley community were 1)not aware that an action to purchase land for the state was in effect, 2) Information of action was shared with Taro Farmers Association, who are not involved with many landowners 3) Many landowners already have in place a cultural program which has been in existence since land was transferred to them to malama, some over 5(five) generations. Last week Saturday, we were informed that there would be a hearing pertaining to this bill at Honokaa High School's Cafeteria. When we all arrived, it turned out to be Abercrombie's Political Campaign for Governor, very disappointing to the individual and association who mislead us. I personally am witness to many actions taken by DLNR which has distinctly impacted our native people and their way of lifestyle. Once a bill such as this takes effect, significant sacred sites and especially Waipi'o Valley community will be negatively impacted. The lifestyle of the "Corporate" mentality will be forced upon the community and Waipi'o Valley will be no more. Buildings will be erected to accommodate tourists, structures will be erected to accommodate disadvantaged, and roads will now be PAVED. I am witness to a multitude of visitors, local and non-local, trampling on sacred sites, trashing the 'aina with rubbish, eroding the 'aina with their vehicles, and this is a minute list. DLNR does not have the manpower nor will they ever have enough to manage this sacred place which should be left to the natives of the area and not to management committees such as yours, a majority who does not even know how to huki kalo or live the Waipi'o lifestyle!! I Plead with you to not take action in passing this bill. Let our Waipi'o Community be heard!

**finance8-Danyl**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 12:05 PM  
**To:** FINTestimony  
**Cc:** katc31999@gmail.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katarina Culina	Individual	Oppose	No

Comments: Aloha, Please do not support this bill; an attempt to adversely affect community without giving it a proper voice. Please take care of the people of Hawaii. Mahalo! Katarina Culina P.O. Box 2142 Pahoia, HI, 96778

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**finance1**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 12:58 PM  
**To:** FINTestimony  
**Cc:** rfreitasjr@hotmail.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Freitas Jr.	Individual	Oppose	No

Comments: I totally oppose this bill and study. This is totally unnecessary and an attempt by DLNR and private companies to take control of Waipi'o Valley, its water and its resources. There is NO Treaty of Annexation and the Fake State of Hawaii as well as DLNR will be facing war Crimes for their blatant theft and destruction of our lands and resources.

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## STRONG OPPOSITION TO SB 3063.

Aloha. My name is Dr. Kū Kahakalau. For the past 20+years my family and I have resided at the Waipi'o Valley Lookout and educated students of all ages in and through Waipi'o. As a native Hawaiian family of educators and cultural practitioners, with a personal relation to Waipi'o Valley, we strongly oppose SB 3063 and ask that it be deferred this legislative session so that new legislation can be drafted, which assures that paramount concerns, including public access issues, water rights and water management, and other environmental issues, protection of cultural and religious sites, acknowledgment of current vested interests of various groups of stakeholders, and other problems relating to Waipi'o Valley have been adequately researched and investigated by those with intricate knowledge of the valley.

While we understand the need for changes in current land management, setting up a Honolulu-based working group tasked to make a hasty decision, is simply unacceptable and defies every aspect of the democratic process, which calls for the people to be involved in government decision making. This process is even more flawed when it concern a place like Waipi'o, with its unparalleled history, its unmatched treasures, its unbroken traditions of taro farming and maintaining a uniquely Hawaiian lifestyle. In fact, in her book *Nā Kua'āina*, Dr. Davianna McGregor identifies Waipi'o as one of the last functioning cultural kīpuka on Hawai'i Island, vital for the regeneration of cultural knowledge and practices throughout Hawai'i.

SB 3063, as is, specifies only to create provisions for lands currently owned by Bishop Museum (about 70% of the valley). However, anyone connected with Waipi'o knows that the many issues (land, water, sacred sites, taro production, access, wild animals etc.) that need to be studied and solved are not isolated to Bishop Museum lands, but affect all of Waipi'o Valley. Therefore we beg that no decisions about the future of this sacred valley are made until thorough studies have been completed, which involve local residents at a very high level and include input from those the decisions will actually affect.

We know you are well aware that the Waipi'o, Kukuihaele, Hāmākua/Waipio communities only very recently have found out about this proposed legislation, which is another reason we ask that this bill be deferred, so that the surrounding communities can way in before hasty decisions are made.

As a family of Hawaiian practitioners, with genealogical ties to Waipi'o, who have spent the last two decades raising our two daughters in the valley and sharing its rich history, traditions and cultural assets with thousands of students from near and far, we strongly oppose SB 3063 as is and ask you to please fund thorough environmental and cultural impact assessments, which are grounded in community input and provide measures to assure that this most sacred valley and its unique resources are protected into the future. Mahalo nui.

TO: House Committee on Finance  
Hearing on Wednesday, April 2, 2014 at 2:00 p.m.  
Conference Room 308  
State Capitol  
415 South Beretania Street

FROM: Kulia Kauhi Tolentino-Potter  
P.O. Box 412  
Kurtistown, HI 96760

RE: Senate Bill 3063: Relating to Disposition of Lands in Waipi'o Valley

Aloha mai kakou,

Mahalo for this opportunity once again to testify in regards to SB 3063 relating to the disposition of lands in Waipi'o Valley on Hawai'i Island. I, as a current Bishop Museum lessee, deeply appreciate the removal of the appropriation of funds for purchase of land in Waipi'o Valley in the House Committee on Ocean, Marine Resources, and Hawaiian Affairs.

Once again, I agree that the preservation of Waipi'o Valley as a significant cultural and historical place with abundant natural resources is vital. However, the process of deciding the vision for Waipi'o Valley and the potential means to achieve it should stem from those who know Waipi'o best and have the most vested interests there. **I oppose SB 3063 Relating to Disposition of Lands in Waipi'o Valley unless significant amendments are made to ensure a community based vision and action plan is established to address the issues of community input, public access, and current vested interests.** Unless significant amendments properly addressing these issues are made, I request SB 3063 be deferred this legislative session. Deferring the bill would allow proper gathering of community input through a more balanced working group or a multi-stage process.

To allow a working group without input from all current Waipi'o Valley land owners, Bishop Museum lessee's in the valley, the surrounding communities, and the educational/cultural/community organizations working to preserve and restore the valley would be disingenuous and a further destruction of public trust. The allotment of the President of the Waipi'o Taro Farmer Association, one Waipi'o Valley landowner, and others selected by the chair of the working group does not ensure proper representation a community based voice and vision. The Waipi'o Taro Farmer's Association is only one organization which does not represent all taro farmers in the valley; more than one landowner in Waipi'o will be affected; and the possibility of additional members of the working group is no guarantee. Once again this SB 3063 has already generated mistrust in the community, and still does so even with appropriation of funds removed.

The trust of the community has already been breached by the top-down approach this bill has taken. I am unaware of any efforts to gather input from the whole community and vested interests in Waipi'o prior to the bill being written and through it's entire journey from the Senate to the House. Representatives and Senators representing the Hamakua District should have brought the intent of SB 3063 to the entire community prior to it's creation.

There are many different possible solutions to the current issues facing Waipi'o Valley. Many individuals, including myself, and community organizations would be more than willing to participate in the process of setting forth a community based action plan for Waipi'o Valley. Let us create this

vision for Waipi'o so the this wahi pana can be cultivated in a pono way to re-establish public trust.

Once again, I look forward to taking part in the discussion relating to the future of sacred Waipi'o Valley.

Me ke ha'aha'a a me mahalo (With humility and gratitude)

**finance1**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 12:34 PM  
**To:** FINTestimony  
**Cc:** ponosize@hotmail.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pono Kealoha	Individual	Oppose	No

Comments: HELL NO!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 4:01 PM  
**To:** FINTestimony  
**Cc:** kahiwal@cs.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Clarence Ching	Individual	Oppose	No

Comments: Is this the so-called "states" land to dispose of? And have Hawai'i residents who live, love and work in the area of the valley been consulted and approve of this bill? And what of those who are descendants of those high chiefs who lived and governed from the valley - Have they been consulted? Assuming that the answer to all of these questions is "No!" - please "file" this bill.

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House Committee on Finance  
Wednesday, April 2, 2014 at 2:00 p.m.  
Conference Room 308

**LATE**

FROM: Blair D. Collis  
President & CEO  
Bernice Pauahi Bishop Museum  
1525 Bernice Street  
Honolulu, Hawai'i 96817

RE: Senate Bill 3063, SD2, HD1: Relating to Disposition of Lands in Waipio Valley

Thank you for this opportunity to testify on behalf of Bishop Museum with respect to SB 3063, SD2, HD1 relating to the disposition of lands in Waipio Valley. We acknowledge the cultural and historical importance of Waipio Valley and seeking the best stewardship of an invaluable resource is always at the forefront of Bishop Museum's mission.

The purpose of this bill is to make an appropriation for the purchase of land in Waipio Valley. We thank the legislature for taking up this important issue. We wish to work collaboratively with legislators involved in crafting this measure and to contribute positively to the ongoing discussion about the feasibility of the state acquiring Waipio Valley lands.

**We support the intent of SB 3063, SD2, HD1 and note that our request to be a part of the ongoing conversation about the specific details should this bill move forward has been addressed by adding us to the working group.**

Bishop Museum was founded in 1889 by Charles Reed Bishop in honor of his late wife, Princess Bernice Pauahi Bishop, the last descendant of the royal Kamehameha family. Bishop Museum is designated the State Museum of Cultural and Natural History and is a non-profit organization with the mission to engage people in the presentation, exploration and preservation of Hawaii's cultural heritage and natural history.

Bernice Pauahi Bishop Museum • 1525 Bernice Street • Honolulu • Hawai'i • 96817

[www.bishopmuseum.org](http://www.bishopmuseum.org)



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, April 01, 2014 5:34 PM  
**To:** FINTestimony  
**Cc:** loribeach@hawaiiintel.net  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Lori Beach	Individual	Comments Only	No

Comments: Aloha, My name is Beach. I strongly oppose SB 3063 and ask that it be deferred this legislative session so that new legislation can be drafted, which assures that paramount concerns, including public access issues, water rights and water management, and other environmental issues, protection of cultural and religious sites, acknowledgment of current vested interests of various groups of stakeholders, and other problems relating to Waipi'o Valley have been adequately researched and investigated by those with intricate knowledge of the valley. While we understand the need for changes in current land management, setting up a Honolulu-based working group tasked to make a hasty decision, is simply unacceptable and defies every aspect of the democratic process, which calls for the people to be involved in government decision making. This process is even more flawed when it concern a place like Waipi'o, with its unparalleled history, its unmatched treasures, its unbroken traditions of taro farming and maintaining a uniquely Hawaiian lifestyle. In fact, in her book Nā Kua'āina, Dr. Davianna McGregor identifies Waipi'o as one of the last functioning cultural kīpuka on Hawai'i Island, vital for the regeneration of cultural knowledge and practices throughout Hawai'i. SB 3063, as is, specifies only to create provisions for lands currently owned by Bishop Museum (about 70% of the valley). However, anyone connected with Waipi'o knows that the many issues (land, water, sacred sites, taro production, access, wild animals etc.) that need to be studied and solved are not isolated to Bishop Museum lands, but affect all of Waipi'o Valley. Therefore we beg that no decisions about the future of this sacred valley are made until thorough studies have been completed, which involve local residents at a very high level and include input from those the decisions will actually affect. We know you are well aware that the Waipi'o, Kukuihaele, Hāmākua/Waipio communities only very recently have found out about this proposed legislation, which is another reason we ask that this bill be deferred, so that the surrounding communities can way in before hasty decisions are made. I strongly oppose SB 3063 as is and ask you to please fund thorough environmental and cultural impact assessments, which are grounded in community input and provide measures to assure that this most sacred valley and its unique resources are protected into the future. Mahalo nui.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**To:** FINTestimony  
**Cc:** noe.n.mel@gmail.com  
**Subject:** Submitted testimony for SB3063 on Apr 2, 2014 14:00PM  
**Attachments:** Waipi'o.pages

**SB3063**

Submitted on: 4/1/2014

Testimony for FIN on Apr 2, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
KANOE	Individual	Oppose	No

Comments:

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Senate Committee on Finance  
Wednesday, April 2, 2014 at 2:00 P.M.  
Conference Room 308  
State Capitol  
415 South Beretania Street



FROM:  
Dean Pua Kekoolani  
Trustee  
Kekoolani Family Trust  
5027 Klump Avenue  
North Hollywood, CA 91601

RE: Senate Bill 3063: Relating to Disposition of Lands in Waipio Valley

My name is Dean Kekoolani. I appreciate the opportunity to testify and voice with respect to SB 3063 relating to the disposition of lands in Waipio Valley. The purpose of this bill is to make an appropriation for the purchase of land in Waipio Valley. As a land owner in Waipio Valley, I welcome the legislature's responsiveness to the need for the preservation and management of vital resources. But I strongly oppose SB 3063 and ask that it be deferred this legislative session.

Anyone familiar with the valley understands that it is currently in disarray. That something needs to be done is no longer in dispute. The need for intervention is clear to all. Also, it is evident that the Bishop Museum is unable to provide proper stewardship over its extensive property holdings, thereby adversely impacting the valley and its occupants, especially other land owners. For these reasons, we are grateful to the Legislature for its willingness to intervene. We support its readiness to use state authority to promote order and sustainability to Waipio Valley.

But the bill currently under consideration is a hasty piece of legislation that cannot possibly achieve the stated goal of preserving the natural, cultural and historic resources of Waipio Valley. This is abundantly clear to anyone who is actually from Waipio Valley in contradistinction to those who might wish to solve its many complicated problems remote-control from downtown Honolulu.

Anyone with direct local experience understands that there is no quick fix to the current problems. The many decades of neglect have led to a chaotic situation—bordering on lawlessness—which has done irreparable harm. The damage to natural, cultural and historic resources is so deep and so vast that just taking an inventory would qualify as a project in and of itself. Of course, without such an assessment it is not possible to understand the problems. And you cannot solve problems you do not understand.

Nobody would deny that the need for a plan of action and for solutions is urgent. But blindly rushing forward for the sake of appearing timely and responsive is counter-productive. The necessary understanding cannot be expected to spontaneously emerge in Honolulu committee meetings and hearings. Such understanding requires gathering input from local stakeholders on the Big Island in community-based outreach. It requires engaging people who live the problems, pulling in knowledge from area experts, and examining existing data before commissioning new studies and formulating a plan of action. And this takes time.

But the logic and language of SB 3063 is about rushing forward. It promotes a hasty and superficial approach. I draw your attention to Report No. 2175 by the Committee on Water and Land. It amends the measure to establish a working group that is to develop a final action plan before prior to the 2015 Regular Session. We are to believe that this working group will be able to make a plan that "explores and identifies natural, cultural and historic resources for protection" in that amount of time. This plan of action will effect more than the Bishop Museum's land. It will effect all landowners and other local stakeholders. What kind of methodology will this plan be based on given the brevity of deliberation and the remarkable lack of input by the local community? Who exactly will execute this plan? Who will be deciding the future of Waipio Valley (because

that's what this is about)? Experts selected by a Honolulu legislative committee?

My family's land in Waipio Valley comes from my ancestor chief Oponui, who received it from Kamehameha the Great as reward for his military service during the wars of conquest. My great-great-grandfather George Alike Hussey Sr. and my great-grandfather George Alike Hussey Jr. earned their living by growing taro there during the 19<sup>th</sup> century. My great-grandmother Ellarene Kapapahaleonaalii Kaawa Hussey, called Tutu Papa'i, had a poi factory in the valley. She also kept a little house at the mouth of the river where it meets the ocean, next to the ruins of the Paakalana heiau. She had her own little boat she used to travel up and down the river. Many of my deceased ancestors, including the Husseys, are buried in the family cemetery on our Waipio land. The iwi kupuna brings me comfort and peace when I return from the Mainland to work in the taro lo'i on our land. The entire valley is a deeply historic and spiritual for all Hawaiians, but for me that is more so since it is a highly personal place. It is a sacred place.

It is sad to me that people such as myself, and other land owning families, many with deep historic pre-contact ties to the aina, were not advised or consulted about this legislation. We received no notices. The government has my mailing address and manages to find me when taxes are due. But it did not reach out to me to tell me about this piece of major legislation which will have a profound effect on my family and my valley. I had to find out through someone on Facebook.

To argue that this about the Bishop Museum's land only is to play with language. This plan effects everyone in the valley. I and others should have been brought in long ago.

The State of Hawaii and County of Hawaii already own nearly 1/3 of Waipio Valley, according to the DLNR. So why is it only now that a plan of action needed? Why has the State of Hawaii and County of Hawaii not provided proper stewardship over their own land all this time? Why has it waited until now?

The State of Hawaii has waited this long and it should not rush forward simply because a land acquisition is now on the table. Before expanding its holdings it should have taken care of whatever it already had. This is an opportunity to correct past mistakes.

I strongly oppose SB 3063 and ask that it be deferred this legislative session so that new legislation can be drafted, which assures that paramount concerns relating to Waipi'o Valley have been adequately researched and investigated by those with intricate local knowledge of the valley.

Thank you.