

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**

**Wednesday, February 26, 2014  
11:15 A.M.  
State Capitol, Conference Room 308**

**In consideration of  
HOUSE BILL 2357  
RELATING TO HAWAIIAN KONOHIKI MANAGEMENT**

House Bill 2357 proposes to authorize the Aha Moku Advisory Committee (AMAC) to provide advice on establishing and applying traditional konohiki management practices to restore fishery food stocks and environmental well-being, in consultation with fishery communities. **The Department (Department) of Land and Natural Resources appreciates the intent of this measure but believes the bill is unnecessary and offers the following comments,**

Under Act 288, Session Laws of Hawaii 2012, AMAC may provide advice on the following:

- 1) Integrating indigenous resource management practices with western practices in each moku;
- 2) Identifying a comprehensive set of indigenous practices for natural resource management;
- 3) Fostering the understanding and practical use of native Hawaiian knowledge, methodology, and expertise;
- 4) Sustaining the State's marine, land, cultural, agricultural, and natural resources;
- 5) Providing community education and fostering cultural awareness on the benefits of the aha moku system;
- 6) Fostering protection and conservation of the State's natural resources; and,
- 7) Developing an administrative structure that oversees the aha moku system.

There is nothing under the current mandates that preclude the consideration of previously used konohiki management practices.

Since AMAC became operational in July 2013, it has strived alongside the Department to address these mandates, and the issue of konohiki management rights arose during an AMAC meeting in Kalaupapa, Molokai. However, priority during the last nine months has been on

**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

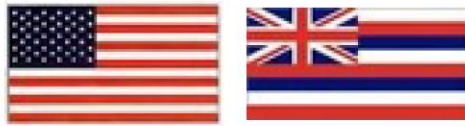
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

organizational development of AMAC and individual aha moku committees on each island statewide. Without a solid structure in place, implementation of the mandates under Act 288 will not be effectuated without proper adequate resources to operate.

The current priority for the Department is to secure funds for AMAC to continue to operate as the Legislature provided no funding for Fiscal Year 2013-14 after its establishment. Current operational funds were given to the Department by the Office of Hawaiian Affairs in the amount of \$76,550, but those funds will run out by the end of February 2014.

Until AMAC is able to continue to operate and funding is secured for the rest of this fiscal year, as well as for the next fiscal year, it is premature and unnecessary for amendments to Act 288 to be made at this time.

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Unity, Equality, Aloha for all



To: FIN

For hearing Wednesday, February 26, 2014

Re: HB2357 RELATING TO HAWAIIAN KONOHIKI MANAGEMENT.

Authorizes the Aha Moku Advisory Committee to provide advice on establishing and applying traditional konohiki management practices to restore fishery food stocks and environmental well-being, in consultation with fishery communities.

Testimony recommending amendment or defeat

Section 1(d)(8) as proposed adds new language saying that the aha moku advisory committee may provide advice on

"Establishing and applying traditional Hawaiian konohiki management practices to restore fishery food stocks and environmental well-being in consultation with members of fishery communities who engage in traditional Hawaiian fishery sustainability practices."

I would point out that Section 1(d)(1) also makes clear that the aha moku advisory committee is given the responsibility of "Integrating indigenous resource management practices with western management practices in each moku" in the course of developing the advice it will give.

The language proposed for part (8) explicitly restricts consultation to be "with members of fishery communities who engage in traditional Hawaiian fishery sustainability practices." But that would contradict the part (1) objective of "Integrating indigenous resource management practices with western management practices."

This committee must choose whether the primary goal is to serve a political purpose of racial separatism and glorification of a single ancient approach to fishery management and sustainability, or whether the primary goal is to utilize all available knowledge, both ancient and modern, of all ethnic groups, to serve the purpose of long-term ecological sustainability and productivity of the fishery.

Either this bill should be defeated or else the proposed language of the new part (8) should be amended to say

"Establishing, applying, and integrating traditional Hawaiian konohiki management practices and modern fishery management practices of all ethnic groups to restore fishery food stocks and environmental well-being in consultation with members of all fishery communities who engage in traditional or modern fishery sustainability practices."

**LATE TESTIMONY**

**Testimony of Leimana DaMate  
Aha Moku Advisory Committee**

Before the House Committee on Finance  
Wednesday, February 26, 2014  
11:15 A.M.  
State Capitol, Conference Room 308

**In Support of  
H.B. 2357 with Amendments**

**RELATING TO HAWAIIAN KONOHIKI MANAGEMENT**

House Bill 2357 authorizes the Aha Moku Advisory Committee (Committee) to provide advice on establishing and applying traditional konohiki management practices to restore fishery food stocks and environmental well-being, in consultation with fishery communities.

Since original habitation in ancient times, indigenous Hawaiians have understood that their survival depended on the conditions of the areas they lived in. Understandably then, a strict and effective resource management foundation had to be established for determining the behavior in which the people of the islands gather food from the land and the ocean. Centuries of observation and practice not only honed practitioner's efficiency in gathering but insured, through judicious maintenance, well-stocked areas at all times. And since those earliest times, people relied on the konohiki- the ones who were wise in the ways of the land and the ocean, who came with knowledge from their ancestors, who continued teaching, assessing, and learning generationally in an unbroken line of distinguished performance outcomes unmatched by resource management methodology in Hawai'i today.

One of the purposes of Act 288, Hawaii Session Laws 2012, is to "formally recognize the Aha Moku System, a system of best practices that is based upon the indigenous resource management practices of moku 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." The Act also specifies that advice may be provided on:

- 1) Integrating indigenous resource management practices with western practices in each moku;
- 2) Identifying a comprehensive set of indigenous practices for natural resource management;
- 3) Fostering the understanding and practical use of native Hawaiian knowledge, methodology, and expertise;
- 4) Sustaining the State's marine, land, cultural, agricultural, and natural resources;
- 5) Providing community education and fostering cultural awareness on the benefits of the aha moku system;

- 6) Fostering protection and conservation of the State's natural resources; and,
- 7) Developing an administrative structure that oversees the aha moku system.

During a Committee meeting in Kalaupapa in September, 2013, the issue of konohiki management was discussed. There was general consensus that this issue would be pursued. However, since the Committee became officially situated within DLNR in July, 2013, it has focused on organizational development within the islands, moku and ahupua'a. A further challenge is that the Committee was not funded for FY 2013-14. Current operational funds were provided by the Office of Hawaiian Affairs in the amount of \$76,500 for the fiscal year, but those funds will be exhausted by the middle of March, 2014.

The Committee supports this bill but feels that it cannot move forward until the very foundation of its existence can be secured through funding that is critically needed to continue its existence.

Thank you for the opportunity to testify.

Leimana DaMate, Executive Director  
Aha Moku Advisory Committee  
Phone: 808-587-1498

Memorandum

**LATE TESTIMONY**

To: Representative Sylvia Luke, Chair  
House Committee on Finance

From: Leimana DaMate, Executive Director  
Aha Moku Advisory Committee

Date: February 26, 2014

Re: H.B. 2357 – Relating to Hawaiian Konohiki Management

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Appropriations Amendment to H.B. 2357

**\$100,000**

<b>Description</b>	<b>Estimated Cost</b>
Air Travel	\$16,500
Lodging	\$ 8,875
Ground Transportation	\$ 5,565
Recorder	\$40,000
Per Diem	\$25,500
Miscellaneous	\$ 3,560
<b>Total</b>	<b>\$100,000</b>

Justification

In order to implement a strong Konohiki Management System for the State of Hawaii, it will be necessary to address all of the existing and proposed konohiki management practices that have either been in place, or are being reinstated in the 43 traditional moku statewide. Not all of the moku are inhabited, but those areas are usually maintained by neighboring ahupua'a. We propose a task force to research these areas and report back to the legislature by the start of the 2015 legislative session. Listed below are anticipated costs for this project.

Task Force: Comprised of 6 to include the following – Aha Moku (2), DLNR (1), Dept. of Agriculture (1), Richardson Law School (1) and Recorder (1).

Air Travel: Each of the 8 islands will have to be researched.

Round-trip air travel for 6 people from Oahu to all islands is estimated to be \$300 per person. To travel to Niihau, the cost will be \$2100 for the helicopter round trip. Total anticipated cost will be \$16,500.

Lodging: Time spent on each island is dependent on the number of moku on that island. Based on room rates on each island, we averaged the cost to be \$150 per night per room. The time spent on each island, and cost is:

<b>Island</b>	<b>No. Moku</b>	<b>No. Days Needed on Each Island</b>	<b>Estimated Lodging Cost Per Day</b>	<b>Estimated Total</b>
Maui	12	14	150.00	2100.00
*Lana'i	2	2	375.00	750.00
Moloka'i	5	6	150.00	900.00
O'ahu	6	6	150.00	900.00
Kaua'i	5	6	150.00	900.00
Hawai'i	6	10	150.00	1500.00
**Niihau	2	3	100.00	600.00
<b>Totals</b>	<b>38</b>	<b>47</b>	<b>1225.00</b>	<b>8875.00</b>

\*Lana'i lodging will be local Plantation Houses which are cheaper than the existing hotels there.

\*\* There are no hotels on Niihau so lodging will need to be arranged with the residents. The cost would include food that needs to be taken with the group, including enough to feed the host family they will be staying with.

#### Ground Transportation

<b>Island</b>	<b>No. Moku</b>	<b>No. Days Needed on Each Island</b>	<b>Estimated Ground Trans Cost Per Day</b>	<b>Estimated Total</b>
Maui	12	14	135.00	1890.00
*Lana'i	2	2	150.00	300.00
Moloka'i	5	6	135.00	810.00
O'ahu	6	6	135.00	810.00
Kaua'i	5	6	135.00	810.00
Hawai'i	6	10	135.00	945.00
**Niihau	2	3	n/a	n/a
<b>Totals</b>	<b>38</b>	<b>47</b>	<b>825.00</b>	<b>5565.00</b>

Recorder: A recorder will need to be contracted to take notes and record data and interviews with konohiki native Hawaiian practitioners

Estimated Contract Cost: \$40,000



Per Diem: Per Diem costs per day is based on the States Per Diem Rates of \$90 per night spent. Per Diem is for meals and expenses.

Total: (6 pax x 47 days = 282 days. 282 days x \$90/day = \$25,380)

Miscellaneous Expenses: These expenses include printing of handouts, office supplies needed such as easel boards, recorders, and unanticipated expenses.

Total: \$3560