



**Department of Land and Natural Resources  
Aha Moku Advisory Committee  
State of Hawaii  
Post Office Box 621  
Honolulu, Hawaii 96809**

**Testimony of  
LESLIE KULOLIO  
Chair**

**Before the Senate Committees on  
HAWAIIAN AFFAIRS  
And  
WATER, LAND AND AGRICULTURE**

**Monday, February 01, 2016  
1:30 PM  
Conference Room 016**

**In consideration of  
SENATE BILL 2761  
RELATING TO NATIVE HAWAIIAN BURIALS**

Senate Bill 2761 proposes to establish a temporary iwi reinterment working group to create a process to reinter Native Hawaiian remains in the possession of the State, whose provenience is unknown, or in other special circumstances, on the island of Kahoolawe. The proposed bill states that the working group shall determine the cost of such a reinterment process, and monitoring and stewardship of the burial area. **While we acknowledge the intent of this bill and recognize the concern for our kupuna iwi, the Aha Moku respectfully opposes this bill for the following reasons.**

The Aha Moku was created by this Legislature to advise the Chairperson of the Board of Land and Natural Resources on issues related to land and natural resource management through the Aha Moku System. But specifically it was mandated to bring the voices of the people forward in respect to the Aha Moku System. This includes working with the mukupuni (islands), moku (large districts on each island), and the ahupua'a (specific smaller districts within the moku).

Kupuna Iwi is sacred to the Hawaiian people and are the ancestors of existing families today. Burial Councils for each island were created by statute specifically to address the preferential remedy of leaving iwi in place when found, and if that proves to be an impossibility then a reinterment is to be at the closest location where ancestors will not be disturbed.

Further, other concerns were brought forward by kupuna in respect to this bill including:

- No family is comfortable with having kupuna iwi put on an island that is not their own;
- Kahoolawe is still unstable due to unexploded ordinances rampant on the island; and,
- The make-up of the proposed working group does not, nor can it, represent every ahupuaa where unknown kupuna iwi may come from.



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Finally, as the Po'o of Kahoolawe, Moku O Kanaloa, I must state the generational families of Honuaula Moku, cannot abandon the traditional protocol of first taking the cultural kuleana of the island by spiritually hosting kupuna iwi from other places when it is not known if Kahoolawe is the site where other ahupuaa families want their sacred ancestors to be, a place so far away from them.

Thank you for the opportunity to offer testimony on this bill, but we must oppose SB 2761.

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committees on  
HAWAIIAN AFFAIRS  
and  
WATER, LAND, AND AGRICULTURE**

**Monday, February 01, 2016  
1:30 PM  
Conference Room 016**

**In consideration of  
SENATE BILL 2761  
RELATING TO NATIVE HAWAIIAN BURIALS**

Senate Bill 2761 proposes to establish an iwi reinterment working group administratively attached to the Department of Land and Natural Resources (Department). This working group would be charged with creating a process to select and reinter Native Hawaiian remains in the possession of the State, whose provenience is unknown, or in other special circumstances, on the Island of Kaho'olawe, as well as estimating the annual costs of such a reinterment process, including the costs of reinterment and monitoring and stewardship of the burial area. **While we appreciate the intent of this bill in caring for iwi kupuna, the Department respectfully opposes this bill for the following reasons.**

The Department is concerned that the creation of the iwi reinterment working group would create a financial burden on the Department, as this bill does not provide an appropriation to offset any costs incurred.

Furthermore, the Department believes that this bill is unnecessary.

- State policy as set forth both in statute and regulation establishes that burials only be relocated when there is no prudent way to leave them in place, and when relocation cannot be avoided, reinterment should be at the closest location where it is reasonable to believe they will not be disturbed in the future. Relocation of iwi kupuna to another island runs contrary to this clear statutory mandate.
- Unlike the situation two decades ago, the State of Hawaii is no longer in possession of a large number of iwi kupuna.
- The Department has reliable information on the original provenience of all iwi kupuna in its possession. At the worst, the State knows original provenience to at least the level of the moku.

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
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



## Association of Hawaiian Civic Clubs

P. O. Box 1135

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### SB 2761 RELATING TO NATIVE HAWAIIAN BURIALS

#### SENATE COMMITTEES ON HAWAIIAN AFFAIRS AND WATER, LAND & AGRICULTURE

Monday, 2/02/16; 1:30pm; Room 016

Aloha Madam Chair Shimabukuro, Chairman Gabbard and members of the joint Senate Committees on Hawaiian Affairs and Water, Land and Agriculture. The Association of Hawaiian Civic Clubs supports this measure that creates a working group to create a process on the reinterment of unknown Native Hawaiian remains in the possession of the State.

While the bill speaks to the costs, reinterment, monitoring and stewardship of the burial area, it does not mention cultural rituals that may appropriate. **We ask that the bill be amended to include culturally appropriate care and wrapping of the iwi and accompanying rituals.** The costs of this amendment would have to be included in the working group's budget.

Thank you for the opportunity to support this bill and we look forward to being a part of the working group.

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