



HCR6 HD1

RECOGNIZING THE HISTORIC SUCCESS OF COMMUNITY STEWARDSHIP UNDER THE TRADITIONAL KONOHIKI FISHING RIGHTS SYSTEM IN SUSTAINING AN ABUNDANT NEARSHORE ENVIRONMENT AND A THRIVING POPULATION AND CULTURE, AND URGING THE STATE TO SUPPORT THE DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF CULTURALLY-GROUNDED, COMMUNITY-DRIVEN FISHERIES MANAGEMENT PROPOSALS TO STEWARD, RESTORE, AND PERPETUATE OUR NEARSHORE RESOURCES AND MAINTAIN AND PROTECT ASSOCIATED CULTURAL TRADITIONS AND VALUES.

Senate Committee on Water and Land
Senate Committee on Hawaiian Affairs

April 18, 2017

1:15 p.m.

Room 225

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HCR6 HD1, which is a measure in OHA's legislative package. **This resolution would express the Legislature's recognition and support of subsistence, kīpuka communities' efforts to guide harvesting and conservation practices in their nearshore waters, consistent with the principles underlying the highly successful konohiki fishing rights resource management system.**

The ahupua'a-based konohiki fishing rights system ensured sufficient abundance in Hawai'i's nearshore waters to sustain a pre-Western contact population of up to a million or more residents. This system allowed hoā'āina ("tenants") and konohiki ("landlords") to directly control harvesting and conservation practices in the coastal waters of their ahupua'a, based on their intimate knowledge of, connection to, and reliance upon the resources of their place.

After the overthrow of the Hawaiian Kingdom, the Hawai'i Territorial government's largely successful effort to abolish the konohiki fishing rights system led to a century of decline in our once abundant nearshore fisheries. The ongoing decline in our nearshore fisheries today may threaten the survival of Hawai'i's few remaining subsistence, kīpuka communities, as well as undermine Hawai'i's economic, ecological, and recreational interests.

Fortunately, many kīpuka, subsistence communities are now seeking to work with the state on local marine management initiatives, to protect and perpetuate traditional practices and subsistence lifestyles dependent upon abundant nearshore resources. These communities possess deep and intimate knowledge of their nearshore areas, informed by generations of daily observation and reliance. As described in this resolution, adopting their management proposals, which seek to guide harvesting and conservation practices in

their local waters, would apply many of the fundamental principles underlying the success of the konohiki fishing rights system, including:

1. Looking to those with the most intimate knowledge of and connection to an area's resources and ecological features, to establish harvesting and conservation guidelines for the area;
2. Incorporating place-based traditions and customs that preserve cultural and community connections to the nearshore area and its resources; and
3. Fostering a continued sense of kuleana in community members, to actively steward and care for the nearshore resources of their place.

Accordingly, state support of these community efforts may have the best chance of successfully restoring and maintaining abundant nearshore fishery resources. Notably, the success of these communities' efforts may also inspire other communities to reconnect and take responsibility for the resources of their place, thereby transforming our nearshore resource management paradigm, and helping to save our ocean environment, our cultural heritage, and a foundation of our islands' economies and local ways of life.

Therefore, OHA urges the Committees to **PASS** HCR6 HD1, and recognize the potential for community-driven fisheries management to once again restore and sustain abundance in our nearshore waters. Mahalo nui for the opportunity to testify on this measure.

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
WATER AND LAND
and
HAWAIIAN AFFAIRS**

**Tuesday, April 18, 2017
1:15 PM
State Capitol, Conference Room 225**

**In consideration of
HOUSE CONCURRENT RESOLUTION 6, HOUSE DRAFT 1,
RECOGNIZING THE HISTORIC SUCCESS OF COMMUNITY STEWARDSHIP UNDER
THE TRADITIONAL KONOHIKI FISHING RIGHTS SYSTEM IN
SUSTAINING AN ABUNDANT NEARSHORE ENVIRONMENT AND A THRIVING
POPULATION AND CULTURE, AND URGING THE STATE TO SUPPORT AND
ADMINISTER THE DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF
CULTURALLY GROUNDED, COMMUNITY-DRIVEN
FISHERIES MANAGEMENT PROPOSALS TO STEWARD, RESTORE, AND
PERPETUATE OUR NEARSHORE RESOURCES AND MAINTAIN AND
PROTECT ASSOCIATED CULTURAL TRADITIONS AND VALUES.**

House Concurrent Resolution 6, House Draft 1, urges the Department of Land and Natural Resources (Department) to support culturally grounded, community driven, fishery management proposals that would restore nearshore resources and protect cultural traditions and values. **The Department supports this measure to recognize and further the implementation of community based management of fishery and cultural resources.**

The Department is authorized under Section 188-22.6, Hawaii Revised Statutes (HRS) to establish community based subsistence fishing areas and Section 188-53, HRS, to establish fisheries management areas, public fishing areas, and other managed areas. Through these and other statutes, the Department establishes a variety of managed fishing areas with community input into these areas incorporated as a standard part of the Chapter 91, HRS, rule-making process.

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

The Department encourages the public to get in involved in the Department's efforts to manage our shared natural resources, regardless if this measure passes. The Department already supports community involvement in the rule process.

Thank you for the opportunity to comment of this measure.



**Conservation Council
for Hawai'i**

Hawai'i's voice for wildlife

Kō Hawai'i leo no nā holoholona lōhiu



Testimony Submitted to the Senate Committee on Water and Land
And Senate Committee on Hawaiian Affairs
By the Conservation Council for Hawai'i
Hearing: Tuesday, April 18, 2017, 1:15 pm
Room 225

Support for HCR 6 RECOGNIZING THE HISTORIC SUCCESS OF COMMUNITY STEWARDSHIP UNDER THE TRADITIONAL KONOHIKI FISHING RIGHTS SYSTEM IN SUSTAINING AN ABUNDANT NEARSHORE ENVIRONMENT AND A THRIVING POPULATION AND CULTURE, AND URGING THE STATE TO SUPPORT AND ADMINISTER THE DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF CULTURALLY-GROUNDED, COMMUNITY-DRIVEN FISHERIES MANAGEMENT PROPOSALS TO STEWARD, RESTORE, AND PERPETUATE OUR NEARSHORE RESOURCES AND MAINTAIN AND PROTECT ASSOCIATED CULTURAL TRADITIONS AND VALUES.

Chair Rhoads, Chair Shimabukuro, Vice Chair Gabbard, Vice Chair Galuteria, and Members of the Committees,

Aloha. The Conservation Council for Hawai'i supports HCR 6 HD 1. Effective natural resource protection and management requires partnerships between communities, stakeholders, and government. Community stewardship of ocean resources has been successful historically, and we should encourage similar management strategies in this modern era. We are off to a good start with the programs at Ha'ena, Kaua'i, Ka'upulehu, Hawai'i, and now Mo'omoni, Moloka'i.

Please support community stewardship of fisheries by adopting HCR 6 HD 1. Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler

Marjorie Ziegler



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Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



From: mailinglist@capitol.hawaii.gov
Sent: Saturday, April 15, 2017 12:52 PM
To: WTL Testimony
Cc: makaala@hawaiian.net
Subject: Submitted testimony for HCR6 on Apr 18, 2017 13:15PM

HCR6

Submitted on: 4/15/2017

Testimony for WTL/HWN on Apr 18, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Makaala Kaaumoana	Hanalei Watershed Hui	Support	No

Comments: The Hanalei Watershed Hui strongly supports this legislation and asks for your positive vote. Our organization utilizes this methodology to address issues of concern in our community and has over two decades of experience to evidence its value. Mahalo, Makaala Kaaumoana, Executive Director

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Testimony Before The
Senate Committee on Hawaiian Affairs
Senate Committee on Water and Land
IN SUPPORT OF HCR 6
Tuesday April 18, 2017, 1:15a, Room 225

Aloha Chairs Rhoads and Shimabukuro, Vice Chairs Galuteria, Gabbard and Committee Members:

My name is Kevin Chang, I am the Executive Director of Kua'āina Ulu 'Auamo (or KUA) and this is our testimony in support of HCR 6.

KUA works to empower communities to improve their quality of life through caring for their environmental heritage together to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being. We employ a community-driven approach that currently supports three statewide networks: more than 31 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 38 fishpond projects and practitioners called the Hui Mālama Loko I'a, and a new and growing group of Limu practitioners called the Limu Hui.

KUA strongly supports HCR 6 which supports subsistence, kīpuka communities' efforts to guide harvesting and conservation practices in their nearshore waters, consistent with the principles underlying the highly successful konohiki fishing rights resource management system.

This bill recognizes long standing efforts and voices of rural and Native Hawaiian communities across our state including participants in our networks. It also recognizes that the Native Hawaiian community did not just thrive off the fat of the land but played a strong traditional role in its caretaking and development. A community stewardship ethic was and should be a part of citizenship, especially in our island home.

Indigenous people and local communities throughout the world hold similar sentiments especially in deep rural regions where subsistence and traditional management and values continue to be a part of life. This was evident at the 2016 World Conservation Congress- hosted by Hawai'i. Community-based natural resource management has returned as part of a deep and evolving global best practice in cultural and natural resource management. At that event WCC members unanimously voted in support of Motion 65 applauding and supporting further progress on community based natural resource management initiatives in the State of Hawai'i (see attached Motion 65).

Professor Carlos Andrade's thoughts on the konohiki in his book "Hā'ena: Through the Eyes of the Ancestors," are prescient in these times

“In pre-European times, all segments of island society were entirely interdependent. Sources of livelihood and the resources available for use by the people were all contained within the environs of the island. By today’s standards these resources were very basic but they were sufficient for the ancestors to have a full and meaningful life as long as they fulfilled their mutual responsibilities to each other and the *‘āina*. *Konohiki* therefore had to possess a wide array of skills. They had to know all the *waiwai* (assets) contained within each *ahupua‘a*- hydrologic, biologic and geologic. They had to know the state of the soil, plants, and animals on land and sea, and guide decisions on their use. Most important, *konohiki* had to know how to deal with human beings.

In traditional society, *konohiki* were bridges connecting the governing and the governed...”

Much is debated about DLNR and our State’s capacity and whether it is, has or can be the appropriate mechanism to bring people together, to resolve issues of difference and move forward for the betterment of our cultural and natural resources, community well-being and prosperity. Some who prefer the status-quo or oppose more or less rules often do not outright oppose community stewardship but doubt the capacity of our state to be an accountable partner. Their common response is to favor a rights only approach that overlooks real substantive corollary responsibilities.

This resolution will signal the legislature’s support of a step toward building a contemporary bridge between citizens and their government again through community-driven fisheries management approaches.

It also acknowledges a potential often overlooked matter in the contemporary and centralized governance issues of our time: the ability of our community, the governed to be the solutions they seek in governance. Why would we want to see such potential go to waste?

I urge the Committees to **PASS** this resolution.

Mahalo for your service to our community and this opportunity to testify.

Aloha ‘Āina Momona.

WCC-2016-Res-065-EN

Community Based Natural Resource Management in the State of Hawai'i

NOTING that decentralised management enables local people to address unique social, political, and ecological problems and to find solutions ideal to their situation;

FURTHER NOTING that community based natural resources management (CBNRM) projects are beneficial for the environment and partnerships between wildlife and communities;

RECOGNISING the contemporary importance of indigenous Hawaiian principles such as kuleana (the indivisibility of rights and responsibilities) and aloha 'āina (the love of the land which feeds) to the well-being of Hawai'i and the world;

FURTHER RECOGNISING that the indigenous people of Hawai'i developed a culture of environmental interdependence, achieving an abundance of resources that sustained a population near current levels;

FURTHER RECOGNISING that the State of Hawai'i's adoption of CBNRM projects and indigenous Hawaiian resource management knowledge, principles, and practices furthers the spirit of reconciliation expressed in the United States' formal apology resolution in 1993 to Native Hawaiians on behalf of the people of the United States for the overthrow of the Kingdom of Hawaii on January 17, 1893 with the participation of agents and citizens of the United States, and the deprivation of the rights of Native Hawaiians to self-determination;

FURTHER RECOGNISING that Article XII Section 7 of the Hawai'i Constitution protects Native Hawaiian customary and traditional rights, and supports land and marine laws and programmes that empower community input and CBNRM;

AWARE that Hawaii's voyaging canoe Hōkūle'a is sailing around the globe, bringing the message of Mālama Honua (Care for the Earth) from Hawai'i to the world;

RECALLING that past IUCN Resolutions, 5.077 *Promoting Locally Managed Marine Areas as a socially inclusive approach to meeting area-based conservation and Marine Protected Area targets* and 5.092 *Promoting and supporting community resource management and conservation as a foundation for sustainable development* (Jeju, 2012) support indigenous co-governance and CBNRM as a foundation for sustainable development;

COMMENDING the State of Hawai'i for passage of the milestone 2015 Community Based Subsistence Fishing Area (CBSFA) rules for Hā'ena, Kaua'i; and

CELEBRATING Hawai'i's application of CBNRM principles as an example for the United States and the world;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. REQUESTS IUCN, its Commissions and Members, to recognise and promote CBNRM principles that support the conservation and sustainable use of natural resources by the local community, through adopting and applying local and traditional knowledge, and through customary institutions and regulations;
2. CALLS UPON the Director General to send notice of support of CBNRM to the Governor of the State of Hawai'i, its Department of Land and Natural Resources, Hawai'i Legislators and Congressional delegation, the Office of Hawaiian Affairs, and all County Mayors and Councils;

3. CALLS UPON the Director General, Commissions and Members, to encourage and support communities in the State of Hawai'i who wish to pursue CBSFA designations and rules;
4. CALLS UPON IUCN, its Commissions and Members, to encourage the State of Hawai'i to increase its support of CBNRM and indigenous Hawaiian principles in conservation by providing adequate funds and administrative resources to support communities seeking to implement CBNRM; and
5. RECOMMENDS that IUCN, its Commissions and Members, significantly strengthen institutional frameworks to promote collaboration and co-governance or co-management in a spirit of partnership with communities among government at all levels in the State of Hawai'i.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, April 13, 2017 4:26 PM
To: WTL Testimony
Cc: tika_bean@hotmail.com
Subject: *Submitted testimony for HCR6 on Apr 18, 2017 13:15PM*

HCR6

Submitted on: 4/13/2017

Testimony for WTL/HWN on Apr 18, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Erica Scott	Individual	Support	No

Comments:

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Submitted By	Organization	Testifier Position	Present at Hearing
Don Aweau	Individual	Support	No

Comments:

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Sent: Saturday, April 15, 2017 9:41 AM
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HCR6

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Submitted By	Organization	Testifier Position	Present at Hearing
Kilia Purdy-Avelino	Individual	Support	No

Comments: I support CBSFA, Konohiki management in order for our fisheries to replenish its resources.

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HCR6

Submitted on: 4/15/2017

Testimony for WTL/HWN on Apr 18, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Aulii Dudoit	Individual	Support	No

Comments: I strongly SUPPORT HCR6 HD1 which is a resolution that seeks to support subsistence, kīpuka communities' efforts to guide harvesting and conservation practices in their nearshore waters, consistent with the principles underlying the highly successful konohiki fishing rights resource management system. Many subsistence community members and long-time fishers have voiced the critical need for better fisheries management now, to save our remaining stocks from irreparable collapse. Unfortunately, the Western, top-down model of fisheries management has clearly failed to conserve and sustain our vital ocean resources. The historical success of the traditional konohiki fishing rights system demonstrates that community-driven, place-based management approaches may give us the best chance of successfully saving our nearshore fisheries from the numerous threats they currently face. This resolution will signal the legislature's support of restoring such community-driven fisheries management approaches to government agencies and communities alike. I urge the Committee to PASS this resolution.

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HCR6

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Testimony for WTL/HWN on Apr 18, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

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Subject: Submitted testimony for HCR6 on Apr 18, 2017 13:15PM

HCR6

Submitted on: 4/17/2017

Testimony for WTL/HWN on Apr 18, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Donna K Santos	Individual	Support	No

Comments: I am a Native Hawaiian from Kaua'i and I strongly SUPPORT HCR6, HD1 and ask the committee to PASS this resolution.

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