

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  
AGRICULTURE AND ENVIRONMENT**

**Friday, March 23, 2018  
2:15 PM  
State Capitol, Conference Room 224**

**In consideration of  
SENATE CONCURRENT RESOLUTION 146  
URGING ACTIONS TO RESTORE AND RESERVE THE KAWAINUI-HAMAKUA  
MARSH COMPLEX AND PREPARATION OF A COMPREHENSIVE WETLANDS  
ECOSYSTEM RESTORATION PLAN, A DETAILED WATERBIRD HABITAT  
RESTORATION PLAN, AND A COMPREHENSIVE WETLANDS MANAGEMENT  
PLAN TO PROTECT HAWAII'S FOUR ENDANGERED WATERBIRDS AND  
VISITING MIGRATORY WATERBIRDS IN THE KAWAINUI-HAMAKUA MARSH  
COMPLEX**

The Department of Land & Natural Resources (Department) appreciates the concern and support for the Kawainui-Hamakua Marsh Complex expressed in Senate Concurrent Resolution 146 which urges the Department to prepare a comprehensive wetland ecosystem restoration plan, a detailed waterbird habitat restoration plan, and a comprehensive wetlands management plan for Kawainui and Hamakua; work with the City and County of Honolulu to restore the natural water flow and volume through the marsh, and prioritize removal of the peat matt in Kawainui to prevent flooding; close the marsh to all visitors during waterbird nesting season; terminate the granting of permits or leases within 2,000 feet of Kawainui and Hamakua; prohibit commercial activity within 2,000 feet of Kawainui and Hamakua; and prohibit all restrooms within 2,000 feet of Kawainui and Hamakua. It further urges the Department to work with the Department of Health and the City and County of Honolulu to relocate Kapaa Industrial Park and clean up the contaminated soil in Kapaa Valley. **The Department offers the following concerns and comments about this measure.**

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

**ROBERT K. MASUDA**  
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

Wetland ecosystems play a vital role in nutrient cycling, water quality, endangered species habitat, flood and storm surge control. In Hawaii, approximately 31% of coastal lowland wetlands have been lost due to human impacts, and most of the remaining wetlands are seriously degraded. The 850 acre wetland complex at Kawainui and Hamakua is the largest freshwater wetland in the State. However, its functionality is limited. Years of degradation of the wetlands via sedimentation, invasion of invasive species, and urbanization have drastically altered the wetlands' ecological and wildlife habitat function.

The Department agrees that a comprehensive management plan is critical to restore Kawainui and Hamakua's wetland ecosystems and provide habitat for endangered plants and animals. The Department has such a plan for 80 acres of Kawainui, and is currently expanding the planning to the entire Kawainui and Hamakua wetland. Recovery of our endangered waterbird species - 'Alae Keo'keo (*Fulica alai*), 'Alae 'Ula (*Gallinula chloropus sandvicensis*), A'eo (*Himantopus mexicanus knudseni*) and Koloa Maoli (*Anas wyvilliana*) is a keystone of the plan. Lack of quality wetland ecosystems are a key contributor to the critically low species populations. The planning process will allow the Department to systematically incorporate a progressive approach to large scale wetland restoration. The plan will also guide and direct community organizations who have dedicated their resources to assist the Department in restoration efforts. The Department's effort, including environmental review and permitting, has included community groups and stakeholders that may be undermined by specific recommendations in this measure. The Department believes it important to allow the planning process to be completed so that the years of work, engagement, and consideration will not be lost.

This resolution also urges the Department to remove the peat mat in Kawainui, an extremely costly proposal that was not carried forward in the last planning cycle due to the poor cost/benefit ratio of wildlife habitat benefits vs cost of both removal and maintenance, and the fact that engineers were concerned that such a project could exacerbate urban flooding from the Oneawa Canal in Kailua, which drains Kawainui to the ocean.

Management of the wetland sanctuaries pursuant to open periods for visitors, especially during bird nesting season, is an important part of overall wildlife management and shall be appropriately addressed in the planning process.

The recommendation to terminate the granting of permits or leases, and prohibiting commercial activity within two thousand feet of the state lands and other cost statements are based on a draft long-term management plan that has not yet been finalized. Many of those lands are private property or belong to other agencies. The recommendation to prohibit restrooms within two thousand feet not connected to a waste-water treatment facility is inconsistent with state regulations and alternative treatment methods; additionally, the marsh is surrounded by legal septic systems on residential land on two sides, plus a light industrial park and county transfer station immediately upstream, so broader wastewater management in the area will need to be part of a comprehensive plan.

Kapaa Industrial Park is located on private land and would be extraordinarily expensive to relocate and remediate.

Thank you for the opportunity to comment on this measure.

**SCR-146**

Submitted on: 3/21/2018 9:28:25 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:



**Environmental Caucus**  
of the Democratic Party of Hawai'i

March 21, 2018

To: Senate Committee on Water and Land  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair

Senate Committee on Agriculture and the Environment  
Senator Mike Gabbard, Chair  
Senator Gil Riviere, Vice Chair

Re: SCR 146 – Restore Kawainui-Hamakua Marsh and Wetlands Complex, etc.  
Hearing: Friday, March 23, 2018, 2:15 p.m. Room 224

Position: **STRONG SUPPORT**

Aloha Chairs and Members of the Committees:

The Environmental Caucus of the Democratic Party of Hawai'i is in strong support of SCR 146 to restore and rehabilitate the Kawainui and Hamakua marshes and to improve them as habitats for resident and migratory waterbirds, as well as recognizing them as places of major importance in Hawaiian cultural history.

We believe this Resolution is important to help get the Department of Land and Natural Resources working on ecosystem restoration. This Resolution takes further important steps by addressing commercial uses in the area, and flood-control issues. We recognize that funds are scarce, but these funds will need to be found. Having this Resolution in place is an important step toward mustering State and City resources toward these necessary management measures.

Thank you for the opportunity to testify on this valuable policy statement.

Alan B. Burdick, Chair  
Environmental Caucus  
[Burdick808@gmail.com](mailto:Burdick808@gmail.com)/ 486-1018

SENATE COMMITTEE ON WATER AND LAND  
AND  
COMMITTEE ON AGRICULTURE AND ENVIRONMENT

FRIDAY, MARCH 23, 2018  
2:15 PM  
CONFERENCE ROOM 224  
STATE CAPITOL

TESTIMONY OF  
Benton Kealii Pang, Ph.D., Hawaiian Civic Club of Honolulu and  
Ke One O Kakūhihewa (O'ahu Council – Association of Hawaiian Civic Clubs)

**IN SUPPORT OF**

SCR 146: URGING ACTIONS TO RESTORE AND RESERVE THE KAWAINUI-HĀMĀKUA MARSH COMPLEX AND PREPARATION OF A COMPREHENSIVE WETLANDS ECOSYSTEM RESTORATION PLAN, A DETAILED WATERBIRD HABITAT RESTORATION PLAN, AND A COMPREHENSIVE WETLANDS MANAGEMENT PLAN TO PROTECT HAWAII'S FOUR ENDANGERED WATERBIRDS AND VISITING MIGRATORY WATERBIRDS IN THE KAWAINUI-HĀMĀKUA MARSH COMPLEX

Dear Committee members:

As a member of the Hawaiian Civic Club of Honolulu and Ecosystem chair for the Ke One O Kākuhihewa (O'ahu Council - Association of Hawaiian Civic Clubs), I strongly support SCR 146.

In 2014, the Association of Hawaiian Civic Clubs passed Resolution 14-36 in support of the Kawainui-Hāmākua complex Master Plan Draft. It also urged the Department of Land and Natural Resources to partner with community groups and established curatorship agreements, right of entry permits or lease arrangements to establish Hawaiian cultural and educational sites on the borders of Kawainui Marsh. The resolution is attached to my testimony.

Our club members have spent countless hours in and around Kawainui and Hāmākua marsh; removing invasive species, and enhancing habitat for the endangered ae'o, alae 'ula and alae ke'oke'o. Club members regularly conduct religious cultural protocol at various religious sites surrounding the marsh, most notably 'Ulupō Heiau. Our Hawaiian culture perseveres due to the activities conducted at Kawainui and Hāmākua Marsh.

Please pass this measure and ensure the protection of Kawainui, the endangered species inhabiting the wetland, and its cultural traditions, for generations to come.

Sincerely,



# *ASSOCIATION OF HAWAIIAN CIVIC CLUBS*

## *A RESOLUTION*

14 - 36

### **URGING SUPPORT FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES' (DLNR) KAWAINUI - HĀMĀKUA COMPLEX MASTER PLAN DRAFT IN KAILUA, OAHU**

WHEREAS, Kawainui Marsh and the Kailua ahupua'a are at the center of the former caldera of Ko'olau shield volcano which erupted over two million years ago; and today the remnants of this volcano define the geological landmarks of Kailua, such as the Ko'olau Mountains and Mt. Olomana; and over 10,000 years ago, Kawainui and Ka'elepulu were inland ocean bays similar to Kāne'ohe Bay today; and

WHEREAS, the first Polynesians coming from the Marquesas and Tahiti arrived on the shores of Kawainui lagoon circa A.D. 450-1000; and Kawainui was engineered into a 450-acre fishpond (loko i'a) by the Kanaka Maoli who also constructed 'auwai and lo'i kalo in Kawainui and along the streams from Maunawili and Kapa'a valleys thus developing an economic subsistence that supported a large population in the Kailua ahupua'a; and

WHEREAS, the Kailua ahupua'a was a favored place of Hawaiian ali'i nui such as the voyaging chiefs Paumakua, Kauluakalana, and Olopana during the 16<sup>th</sup> century, for the Kailua ruling chiefs Kākuhihewa, Kūali'i, and Peleioholani, and later by visiting chiefs Kahekili and Kamehameha I, and which became the political and residential seat of power for the ali'i 'aimoku of O'ahu; and

WHEREAS, Olopana constructed Pahukini and Holomakani Heiau in Kailua, Kūali'i may have reconstructed Ulupō Heiau as a luakini, Kākuhihewa built the royal court of Pāmoa on the 'Alele plain in Kailua, and Kamehameha I worked in the fishponds and lo'i kalo of Kawainui and Ka'elepulu after his battles on O'ahu in 1795; and

WHEREAS, Kawainui and the Kailua ahupua'a have a rich history of mo'olelo, mele (300 chants), and hula with notable figures and features such as: Hauwahine, the mo'o spiritual guardian of Kawainui; Olomana, the giant warrior chief; the legendary menehune who constructed Ulupō Heiau as a māpele; the Mākālei, the fish attracting wood for fertility associated with Haumea and Kahinihini'ula; and lepo'ai'ia, the edible mud dug by Kamehameha's warriors in Kawainui in 1795 and later by Princesses Bernice Pauahi Bishop and Likelike Cleghorn in 1872; and

WHEREAS, Kawainui and adjacent Hāmākua Marsh/Pu'uoehu are centrally located within the ahupua'a of Kailua; and Kawainui is the largest existing natural wetlands in the Hawaiian Islands, encompassing almost 1,000 acres; and agricultural pursuits were expanded with terraces

constructed along the slopes of Kūkanono, Ulumawao, Kapa‘a, and into Maunawili valley prior to Western contact; and these agricultural pursuits were continued into the historic period with rice cultivation, truck farming, and cattle raising; and the State of Hawaii now owns the entirety of Kawainui Marsh from the levee to Kalaniana‘ole Highway (north-south), and from Kapa‘a Quarry Road to the Kūkanono slope (east-west) including Ulupō Heiau and the hillside of Pu‘uoehu; and

WHEREAS, the cultural, historical, and archaeological significance of Kawainui has been recognized with the determination that Kawainui is eligible for listing on the National Register of Historic Places; and that Ulupō Heiau in 1972 is listed on the National and Hawai‘i Registers of Historic Places; and that Kawainui Marsh (977 acres) and the adjacent Hāmākua wetlands (23 acres) were recognized as a significant natural and cultural landscape and designated by the Ramsar Convention as a Ramsar Wetlands of International Importance in 2005, making it among the 39 in the United States and 2,000 globally; and

WHEREAS, Kawainui is a valuable habitat for all four of Hawai‘i’s endemic, endangered waterbirds, the Hawaiian coot (‘ālae ke‘oke‘o), the Hawaiian gallinule, (‘ālae ‘ula), the Hawaiian stilt (ae‘o, kukuluae‘o), the Hawaiian duck (kōloa maoli) and other aquatic animals; and the water quality and control of the alien invasive vegetation in Kawainui is critical to maintaining the waterbird habitat; and the delicate ecological balance is being threatened by non-point source pollution coming from storm drains, the Kapa‘a landfill, potential development of the adjacent private and business properties in Kailua, and proposed “rich-man estates” in Maunawili; and

WHEREAS, the Kailua Hawaiian Civic Club and ‘Ahahui Mālama I Ka Lōkahi are the co-curators for Ulupō Heiau and are helping State Parks/DLNR to restore and maintain this wahi pana for cultural, ecological, and educational purposes; and ‘Ahahui Mālama I Ka Lōkahi is the curator for the Nā Pōhaku o Hauwahine site within the Kawainui State Park Reserve and has executed a memorandum of agreement with the Division of Forestry and Wildlife to provide cultural, educational, and restoration programs in the Kawainui and Hāmākua wetlands; and

WHEREAS, In 2010 in Keauhou, Hawai‘i, the Association of Hawaiian Civic Clubs ratified and adopted the Kailua Hawaiian Civic Club resolution titled, “Urging the DLNR to Include in its Updating and Revision of the 1994 Kawainui Marsh Master Plan the Establishment of a Kawainui Hawaiian Cultural and Environmental Center Conceptual Landscape Plan, and

WHEREAS, the present Helber Hastert and Fee/DLNR Kawainui-Hamakua Complex Master Plan Draft now calls for an official Hawaiian presence in Kawainui and Kailua at five proposed Hawaiian cultural sites on the borders of Kawainui for Hawaiian cultural practitioners and volunteers to protect, conserve, restore, and maintain these sacred places by providing educational programs to ensure that these efforts continue into the next generations; and

WHEREAS, these proposed sites are located at and for the following purposes:

- 1) Wai‘auia on the Kawainui side of entry into Kailua town, to establish a Hawaiian

studies center and iwi kūpuna burial preserve. This site will be under the proposed kuleana of Hika'alani, Kailua Kau a Ho'oilo, and Hālau Mōhala 'Ilima.

2) Ulupō Heiau and the implementation of the Cultural Resource Management Landscape Plan developed by the Kailua Hawaiian Civic Club and 'Ahahui Mālama I Ka Lōkahi to continue the ethnobotanical restoration and maintenance of this most sacred site with connecting trails for service and educational activities.

3) The establishment of a Kawainui-Hāmākua Educational Center at the Nā Pōhaku Section of the Kawainui State Park Reserve by collaborating with State Parks, 'Ahahui Mālama I Ka Lōkahi, and other Hawaiian organizations to continue the lowland native forest restoration, sustainable Hawaiian farming, and other cultural practices on this 48 acre site.

4) The establishment of the Hawaiian Cultural and Environmental Complex (HCEC) in the Kapa'a Section of Kawainui Marsh to conduct cultural and scientific research, and to perpetuate Hawaiian cultural practices in hālau hula, wood and stone crafts, fiber crafts, traditional food preparation, mahi'ai (plant and fish farming), lua (Hawaiian martial arts), and Hawaiian spirituality. This would become a Hawaiian malae similar to the sacred New Zealand Maori marae where family and visiting groups can share and learn through these experiences.

5) The establishment of the proposed Kalāheo/Kawainui Gateway Park in the Kalāheo Section of the State Park Reserve with an ecological wetland educational focus on the estuary of Kawainui. This site is ideal to conduct way-finding, voyaging, and wa'a activities with Kailua area schools and canoe clubs; it is also an ideal site for disadvantaged youth programs on O'ahu to engage in sustainable food and wetland projects; and

NOW, THEREFORE BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 55<sup>th</sup> annual convention at Waikōloa, Hawai'i this 1st day of November 2014, that the AHCC Urges Support for the Department of Land and Natural Resources' (DLNR) Kawainui-Hāmākua Master Plan Complex Draft in Kailua, O'ahu; and

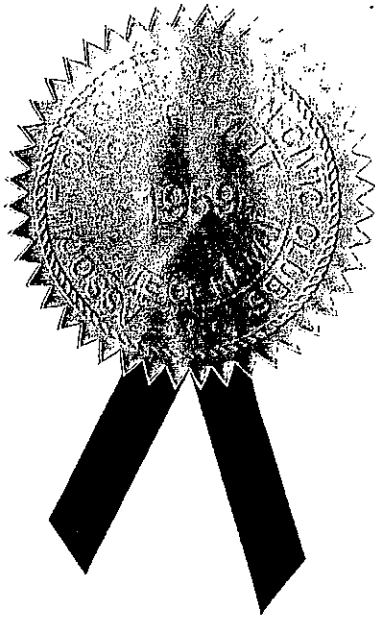
BE IT FURTHER RESOLVED, that the AHCC urges support of DLNR's partnering with the Kailua Hawaiian Civic Club, 'Ahahui Mālama I Ka Lōkahi, Hika'alani, Hālau Mōhala 'Ilima, 'Alele, and Hui Kanaka 'Ōiwi through curatorship agreements, right of entry permits or lease arrangements to establish the five proposed Hawaiian Culture and Educational sites on the borders of Kawainui Marsh with connecting trails to these sites; and

BE IT FURTHER RESOLVED, that the AHCC urges support of the efforts of the Kailua Hawaiian Civic Club, 'Ahahui Mālama I ka Lōkahi, Hika'alani, Hālau Mōhala 'Ilima, 'Alele, and Hui Kanaka 'Ōiwi to seek funding grants and monies through OHA and other financial foundations to establish and maintain these cultural sites; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be given to the Governor



of Hawaii, State Senate President, State Speaker of the House, State Senate Committee CEon Hawaiian Affairs, State House Committee on Hawaiian Affairs, Office of Hawaiian Affairs Chair of the Board of Trustees, All County Mayors, the Department of Land and Natural Resources chair, Divisions of Forestry and Wildlife, Division of State Parks, Helber Hastert and Fee Planners, Harold K.L. Castle Foundation, AMERON, and Kapa'a Industrial Park and that this information be included in the Association's newsletter, Nūhou I Ka Makani and on its internet website.



The undersigned hereby certifies that the foregoing Resolution was duly adopted on the 1<sup>st</sup> day of November 2014, at the 55<sup>th</sup> Annual Convention of the Association of Hawaiian Civic Clubs at Waikōloa, South Kohala, Hawai'i.

A handwritten signature in black ink, appearing to read 'Soulée L.K.O. Stroud', written over a horizontal line.

Soulee L.K.O. Stroud, President

Testimony Opposing SCR146

Relating to Restoring and Reserving the Kawainui-Hamakua Marsh Complex  
Senate Committees on Water and Land and on Agriculture and Environment  
Friday, March 23, 2018, 2:15 p.m. Conference Room 224

URGING ACTIONS TO RESTORE AND RESERVE THE KAWAINUI-HAMAKUA MARSH  
COMPLEX AND PREPARATION OF A COMPREHENSIVE WETLANDS ECOSYSTEM  
RESTORATION PLAN, A DETAILED WATERBIRD HABITAT RESTORATION PLAN, AND  
A COMPREHENSIVE WETLANDS MANAGEMENT PLAN TO PROTECT HAWAII'S  
FOUR ENDANGERED WATERBIRDS AND VISITING MIGRATORY WATERBIRDS IN  
THE KAWAINUI-HAMAKUA MARSH COMPLEX

Aloha Chairs Rhoads and Gabbard, Vice Chairs, and Committee Members,

The Kailua Hawaiian Civic Club is a 501(c)(3) non-profit organization dedicated to the perpetuation of our Hawaiian people, culture, and natural resources. We have held fast to the same threefold mission in the six decades of our existence; we strive to: 1- advance the appreciation, study, and practice of Hawaiian culture, 2- enrich the lives of Hawaiians and our Kailua community, and 3- mālama the lands, waters, and wahi pana of our ahupua‘a.

Our civic club is one of several native Hawaiian organizations in Kailua (‘Ahahui Mālama i ka Lōkahi, Hika‘alani, Kini Kailua, Alele, and Hālau Mōhala ‘Ilima) that have worked long and hard with the DLNR and the HHF planners to arrive at what, after more than five years of community meetings, discussion, debate, and vetting, is currently the Kawainui-Hāmākua Master Plan Project DEIS.

We write in opposition to SCR146 because it flouts this process and urges a “solution” to problems that have already been studied, addressed, and – in our opinion – resolved. SCR146 does not reflect a careful reading of the current Master Plan DEIS; its ignorance strikes us as willful. The Master Plan DEIS carefully and thoroughly addresses the “development” issues (Ramsar qualification, 6f land-use requirements, tourism, visitor counts, buildings, restrooms, parking lots, privatization, commercialization, traffic, homeless, water quality, bird habitats, management, and enforcement) that continue to concern so many members of our quick-to-react, slow-to-listen community. We have, in fact recommended that all of our civic club members and partner organizations share the letter/response section of the DEIS with their own families and associates: it addresses point-by-point, in clear and convincing fashion, the realities of the plan as opposed to its SCR146 boogie-man doppelgänger. We recommend the same to you.

We especially appreciate the DEIS inclusion of our Article XII rights under the State Constitution, as well as its support of native Hawaiian cultural practices and resources as stipulated in the DSP and DOFAW core-value statements. We also appreciate, and would like to reiterate, the DEIS mention of the unanimous approval, by the Association of Hawaiian Civic

Clubs, of our own club's resolution in support of the Draft Master Plan. This is not small potatoes; it represents the 58-club, 600-member voice of native Hawaiians from all over our islands and the continental U.S. In this, the Year of the Hawaiian, we find ourselves face to face with a resolution that would effectively bar us, as Hawaiians, from our rights to access our lands and practice our culture in the very heart of our ahupua'a.

We have a saying which, in its simplest form, tells us "huli ka lima i lalo, 'ai ka waha." When we turn our hands down in work, we will have food to eat. The Kailua Hawaiian Civic Club tries very hard to be a hands-down organization: we hold almost all of our monthly meetings at Ulupō Heiau on the east bank of Kawainui, and these meetings are almost always dedicated to the work of clearing, weeding, planting, tending, pruning, and – above all – honoring that sacred place. The food we eat is quite often the taro of Ulupō's now-thriving lo'i, but even more significantly, it is the reward of knowing that we have helped to reclaim a place that feeds our souls. It causes us great pain, therefore, when we have to defend our efforts against the mostly spurious accusations of people we have never seen at Ulupō, people who do not know how its mud feels between their fingers and toes, people who do not turn their hands down in any other manner than to type nonsense into senate resolutions.

Me ka 'oia'i'o,

A handwritten signature in black ink that reads "Kihei de Silva". The signature is written in a cursive, fluid style with some loops and flourishes.

Kihei de Silva

2nd Vice President, Kailua Hawaiian Civic Club

[desilvak009@gmail.com](mailto:desilvak009@gmail.com)

<http://kailuahawaiiancivicclub.org/index.html>

## Testimony of Hālau Mōhala ‘Ilima on SCR146

URGING ACTIONS TO RESTORE AND RESERVE THE KAWAINUI-HAMAKUA MARSH COMPLEX AND PREPARATION OF A COMPREHENSIVE WETLANDS ECOSYSTEM RESTORATION PLAN, A DETAILED WATERBIRD HABITAT RESTORATION PLAN, AND A COMPREHENSIVE WETLANDS MANAGEMENT PLAN TO PROTECT HAWAII’S FOUR ENDANGERED WATERBIRDS AND VISITING MIGRATORY WATERBIRDS IN THE KAWAINUI-HAMAKUA MARSH COMPLEX.

### Hearing

Senate Committee on Agriculture and Environment

Senate Committee on Water and Land

Friday, March 23, 2018, 2:15PM, Conference Room 224

March 22, 2018

Aloha Chair and Vice-Chair Gabbard, Chair Rhoads, Vice-Chair Riviere, and Committee Members,

Mahalo for the opportunity to submit testimony on behalf of Hālau Mōhala ‘Ilima in **strong opposition** of SCR146, urging actions to limit the restoration of almost 1,000-acres of Kawainui, Hamakua, and the surrounding land, to virtually eliminate the permanent presence of kanaka maoli at Kawainui, to ignore the history of the area, and to protect the native endangered water birds while disregarding and dismissing the native endangered Hawaiian people, the descendants of the original people of this land.

I am Māpuana de Silva, a 67-year resident of Ka‘ōhāo, Kailua, O‘ahu, the current president of the Kailua Hawaiian Civic Club, and the founder of Hālau Mōhala ‘Ilima (HMI), a school of traditional hula and oli that, like me, is Kailua-grounded and Kailua-strong. I opened my school in 1976 and immediately started learning about my “one hānau” (birth land) so that I would be tied to this ‘āina, and so that my family and students would also know and belong to this storied place, this wahi pana.

Our family has been caring for Ulupō Heiau since 1981, and we have been working on helping to develop a Master Plan for Kawainui and the surrounding areas since 1982. It has been a long and difficult process, but very much a democratic process. We have had discussions, visions, arguments, debates, meetings, and site visits, but this resolution completely ignores that process and all the work that we has been done over the last 35 years. This resolution advances a single argument to protect the birds. We acknowledge that the birds need to be protected but they can be protected with the inclusion of everything proposed in the Kawainui Draft Master Plan. They do not have to be protected at the expense of losing everything else that is included in the current Kawainui Draft Master Plan.

All of this is detailed in the current Kawainui Draft Master Plan. All of the concerns of this resolution have been effectively addressed in the Kawainui Draft Master Plan. All of the concerns from the community-at-large that have been brought to the attention of DLNR and the planners, HHF, have been answered and addressed in the letters and their responses that are included in the appendix of the Kawainui Draft Master Plan. The writers of this resolution have either ignored those parts of the Kawainui Draft Master Plan or have not read them.

Anyone who has attended any of the meetings that have been held during the process of Drafting the Master Plan for Kawainui would understand, if they were paying attention, that much of the land surrounding Kawainui was purchased using federal funds that come under the 6f designation. That means that the state is required to provide access, education, viewing areas, recreation areas, and bathroom facilities for the public. We may not like this, but it is a requirement, so we have to figure out how to do that and still have enough area of the almost 1,000-acres to provide protection for the endangered birds and protected areas for them to nest. We do not need to give up the entire area to them in order to protect them and their habitat. We native Hawaiians co-existed with these birds before and we will do it again.

Lastly, if read, the Master Plan can educate the authors of this resolution in the history and uses of the areas in and around Kawainui beginning with pre-contact time. We, kanaka maoli, have cared for Kawainui and the surrounding areas. We have lived and farmed on the banks of Kawainui from ma kai to the ma uka lands in Maunawili Valley. We have fished and farmed in and around Kawainui. Our ancestors built the largest center of cultural learning and practice in all of Hawai'i on the edge of Kawainui where the most talented were sent to be trained. It is time to restore that cultural excellence and education and training to Kailua. The endangered water birds will be a part of that, they will be a part of the Master Plan for all of Kawainui and Hamakua, but they do not have to be the ONLY thing that happens at Kawainui. It is our inherent right to be at Kawainui, to practice our culture there on a daily and permanent basis, and to ensure that our keiki for generations to come will have a place to do the same. This resolution threatens all of this, it threatens our presence, it threatens our ability to properly educate our keiki at Kawainui, it threatens our ability to care for, clean, restore, revitalize, and recommit to Kawainui.

E kū i ta hoe uli! We will hold fast to our steering paddles and never give up our rights. We will never give up on our keiki.

‘O au iho nō me ka ha‘aha‘a,  
Māpuana de Silva

**SCR-146**

Submitted on: 3/22/2018 10:52:38 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lani-Kailua Outdoor Circle	Testifying for The Lani-Kailua Outdoor Circle	Support	No

Comments:

Aloha,

For decades, the Lani-Kailua Outdoor Circle has been dedicated to the preservation and protection of the Kawainui-Hamakua Marsh as a wetland and wild life habitat, and as a historically significant cultural site, under federal protection as an "Historic District" under the National Historic Preservation Act.

We urge the committee to please support SCR 146 and the proposals therein. We feel it is critical that they be included as part of Hawaii's sustainability planning, and land and water management planning moving forward. The marsh is the living sponge, fed by streams, that supports Kailua's aquifer and is an integral part of the proper functioning of Kailua's watershed.

We all have a duty to protect it and foster its stewardship for future generations.

Thank you,

The Lani-Kailua Outdoor Circle

Diane Harding, President

Testimony in Opposition to SCR146  
Relating to Restoring and Reserving the Kawainui-Hamakua Marsh Complex  
Senate Committees on Water and Land and on Agriculture and Environment  
Friday, March 23, 2018, 2:15 p.m. Conference Room 224

URGING ACTIONS TO RESTORE AND RESERVE THE KAWAINUI-HAMAKUA MARSH  
COMPLEX AND PREPARATION OF A COMPREHENSIVE WETLANDS ECOSYSTEM  
RESTORATION PLAN, A DETAILED WATERBIRD HABITAT RESTORATION PLAN, AND  
A COMPREHENSIVE WETLANDS MANAGEMENT PLAN TO PROTECT HAWAII'S  
FOUR ENDANGERED WATERBIRDS AND VISITING MIGRATORY WATERBIRDS IN  
THE KAWAINUI-HAMAKUA MARSH COMPLEX

Aloha Chairs Rhoads and Gabbard, Vice Chairs, and Committee Members,

Founded in 2010, Hika‘alani is a 501c3 non-profit organization dedicated to the restoration of indigenous land-use, culture, and identity in Kailua, O‘ahu. We are educators, scholars, and practitioners of Hawaiian culture with deep-rooted ties to our Kailua home. We are currently based at Ulupō Heiau State Park where, as the DLNR-sanctioned curators of those 11 acres, we have removed invasive vegetation, replanted natives, rebuilt walls, restored more than 20 lo‘i kalo for non-commercial community consumption, and conducted educational programs for O‘ahu students and educators in elementary, secondary, and post-secondary schools. In 2017, we hosted 3,000 service learners from more than 25 schools and community organizations. Because of our program’s success, we are expecting close to 5,000 in 2018, and as a measure of the growing recognition with which our work is received, we point to the part played by Hika‘alani in the Department of Education’s HĀ summit (held earlier this month at Windward Community College) where members of our team gave both the keynote address and served as site-visit hosts.

May we state unequivocally, at the outset of this letter, that the overwhelming majority of these 3,000 service learners (and the projected 5,000 for 2018) either walk to Ulupō from their schools or are bused, by prior arrangement, to the Kailua United Methodist Church parking lot that is located above and Kailua-town side of Ulupō. We do not invade the Kūkanono subdivision; nor do we create parking and traffic problems; nor do we contribute to the degradation of the natural environment at Kawainui. These are some of the 10,000 monthly visitors that SCR146 is so alarmed over. They are not tourist invaders or bird habitat trampers. They are the ones who are weeding, restoring lo‘i, learning about kalo, practicing stewardship, and listening to old mele and mo‘olelo of Kailua. We have koloa in our lo‘i – parents and ducklings – and we have ae‘o in our hand-made bird pond. Our partner organizations will tell you the same about their service learners at Nā Pōhaku and their hula students at Wai‘auia: all told, we teach, share, and mālama ‘āina with perhaps 50% of those supposedly dangerous invaders and trampers.

But we are getting ahead of ourselves. Hika‘alani is one of several native Hawaiian organizations in Kailua (including: ‘Ahahui Mālama i ka Lōkahi, Hika‘alani, Hui Kawainui-Kailua Ka Wai Ola, Kini Kailua, Alele, and Hālau Mōhala ‘Ilima) that have worked with the DLNR and the HHH planners, with the Windward YMCA, with the Kailua canoe clubs, and with Kailua school administrators and athletic directors to arrive at what, after more than five years of community discussion, debate, and vetting, is currently the Kawainui-Hāmākua Master Plan Project DEIS. And this plan is in the middle of yet another phase of review and response before it moves into final form. This is process; it’s the path we’re supposed to follow in order to get somewhere better – not to everything we want, but to something we’ve had a voice in.

We are fundamentally opposed to SCR 146 because it completely circumvents this process, ignores our work and voice, and offers, instead, a white-paper “solution” to issues that have already been carefully weighed, studied, addressed, and – in our opinion – resolved. SCR 146 gives little evidence of a careful reading of the current Master Plan DEIS; even its reference to the “Kawainui-Hamakua Marsh Complex” is inaccurate – an old name that has long since been changed in response to community criticism. The framing of its “save the native birds but not the native people” in terms of the Ramsar Convention is equally offensive as it completely ignores the Ramsar commitment to indigenous culture and wise-use policies that support restrooms, visitor facilities, and education centers in Ramsar sites around the world. One need only to google the Brockholes Nature Reserve in Lancashire, England for a look at visitor center (with many toilets) that floats on the wetland to which it is dedicated. Closer to home, one need only to review the 6F requirements for lands purchased with federal money to understand that several large areas of Kawainui Marsh must provide public access and recreational use – management of these areas requires more careful navigation than SCR146’s “lock-out” provides.

But again, we are getting ahead of ourselves. The Master Plan DEIS carefully and thoroughly addresses the “development” issues (Ramsar qualification, 6f land-use requirements, tourism, visitor counts, buildings, restrooms, parking lots, privatization, commercialization, traffic, homeless, water quality, bird habitats, management, and enforcement) that continue to concern the authors of SCR146 and its quick-to-react, slow-to-listen, read-almost-nothing supporters. We have recommended that all of our members and those of our partner organizations share the letter/response section of the DEIS with their own families and associates: it addresses point-by-point, in clear and convincing fashion, the realities of the plan as opposed to its willfully ignorant SCR 146 counterpart. We recommend the same to you.

We offer below a list of the groups we’ve worked with this year:

- Schools: Kailua Intermediate School, Trinity Christian School, Kalāheo High School, Ka‘ōhāo Charter School, Hui Mālama o ke Kai Charter School, Kamehameha Schools, Punahou School, ‘Iolani, Semester at Sea, Windward Community College, University of Hawai‘i, Hawai‘i Pacific University
- Youth Groups: Kailua Mustangs, Windward YMCA, Boy Scouts of America
- Community & Cultural groups: Kailua Hawaiian Civic Club, Ka Lei Papahi o



Kakuhihewa, Hālau Mōhala ‘Ilima, Board and Stone in Every Home, Pacific American Foundation, Paepae o He‘eia, Hale Kealoha ‘Ai Pono, Hui Mālama i ke Ala ‘Ūlili, Ho‘okua‘āina, Kailua Canoe Club, and Mālama Honua Huaka‘i.

- Women’s Community Correctional Center
- Restoration specialist groups Kupu, NALU, and Dawson.
- First Nations’ Futures Program: Papa Mau cohort

A more thorough documentation of our work can be found on the Hika‘alani facebook page (<https://www.facebook.com/hikaalani96734/timeline>) and Hika‘alani website (<http://hikaalani.website/index.html>). We offer these links and the summary above in order to provide evidence of Ulupō as a successful model for the Hawaiian cultural presence that we envision for all of Kawainui. In essence, we see Kawainui itself as an again-thriving fishpond and food-provider around which are clustered marae of specific, specialized purpose.

*Marae*, as we understand it, refers to a sacred enclosure that consists of an open, ceremonial space (marae ākea) and a cluster of hale that serves the cultural needs of the kānaka honua (native people) of that place. The largest hale at a marae is meant to gather its people in the embrace of their ancestors; it is, in fact, a physical manifestation of those ancestors. The smaller, auxiliary spaces (sometimes attached to the hale nui, sometimes free-standing) include cooking, instructional, caretaker, and restroom facilities. Often, but not always – a marae is also home to a pā ilina or urupā, a burial ground.

A marae, as we understand it, is defined by place and presence. A marae is a place designed by its people to bind its people to who they are. It is a place of refuge, continuity, and regeneration for these people. It is a place where they are most uncompromisingly present. Their marae is central to their cultural identity, especially when their identity is threatened by those who would discredit and marginalize them. It cannot be a marae if it is defined for them by others. Nor can it be a marae if its use is regulated for them by others.

*Marae* is a Maori word. Its specific Hawaiian language equivalent is *malae* (a cleared space), but its more accurate connotative equivalents include *pu‘uhonua* (place of refuge), *kīpuka* (oasis of continuity in a landscape of change), and *piko* (center, nexus, connection point). We envision each of the proposed Hawaiian educating/sharing/practicing centers at Kawainui – the gathering place below the transfer station, the canoe facility below Kalāheo School, the center for performance and literary excellence at Wai‘auia, and the garden-temple at Ulupō – as marae, pu‘uhonua, kīpuka, and piko, each with its own cluster of hard and soft spaces, each facing and serving the largest and most inspiring of our marae ākea: Kawainui itself. We’ll negotiate long-term leases for them. We’ll pay for them, build them, staff them, and maintain them. Together these places of regeneration will embrace us, and we them. They will allow for the fullest expression and transmission of who we are.

The Kawainui-Hāmākua Master Plan Project DEIS of December 2017 – though not a complete expression of our desire for a permanent and thriving Hawaiian cultural presence at Kawainui –

was produced with Hawaiian community input, does accommodate our vision of a “permanent, thriving presence,” does credit us with leadership and integrity, and definitely gives us the opportunity to pursue our vision in our own generation. For this we are most grateful.

SC146, on the other hand, would make us tourists in our own homeland, would put us on one side of the fence and the birds on the other, would – in this Year of the Hawaiian – silence our voices, pull our hands from the mud, and quash our Article XII rights of access and traditional/customary practice. For this we are deeply offended.

‘O au nō me ka ha‘aha‘a,

Tanya Pi‘ilani Alston  
President of the Board of Directors, Hika‘alani  
tanyaalston@me.com

**To: Committees on Water and Land and Agriculture and Environment**

**From: Hui Kawainui-Kailua Ka Wai Ola and other related Kailua Hawaiian organizations.**

**Date: Friday, March 23, 2018**

**Place: Conference Room 224, State Capitol**

**Re: Opposition to S.C.R. 146**

URGING ACTIONS TO RESTORE AND RESERVE THE KAWAINUI-HAMAKUA MARSH COMPLEX AND PREPARATION OF A COMPREHENSIVE WETLANDS ECOSYSTEM RESTORATION PLAN. A DETAILED WATERBIRD HABITAT RESTORATION PLAN, AND A COMPREHENSIVE WETLANDS MANAGEMENT PLAN TO PROTECT HAWAII'S FOUR ENDANGERED WATERBIRDS AND VISITING MIGRATORY WATERBIRDS IN THE KAWAINUI-HAMAKUA MARSH COMPLEX.

Aloha Chairs and Members of Respectful Committees,

I, Charles Pe'ape'a Makawalu Kekuewa Burrows, an environmental educator and Hawaiian naturalist, have been involved for the past 40 years in the protection, conservation and restoration of Kawainui Marsh along with various Hawaiian and Kailua community organizations. Currently, I am the chair of Hui Kawainui-Kailua Ka Wai Ola, an environmental working group, that is committed to protect and restore the living waters and ecosystems of Kawainui Marsh.

I am testifying in opposition to S.C.R. 146 for these reasons:

1. The proposed Kawainui-Hamakua Joint Complex Master Plan has completed its Environmental Impact Statements (EIS) and is in the process of being reviewed and approved by the Board of Land and Natural Resources. The Division of Forestry and Wildlife would then implement the Master Plan's detailed and comprehensive wetland ecosystems restoration, waterbird habitat restoration and wetlands management plans not only to protect and conserve Hawai'i's endemic wetland birds, aquatic animal and plant life but also to protect the sacred cultural resources of this wahi pana.
2. An Important and essential component of the Kawainui-Hamakua Joint Complex Master Plan has been the partnership involvement of the various non-profit 501C3 Kailua Hawaiian organizations interactions with the governmental city, state and federal agencies for many years in the protection, conservation and restoration of the natural and cultural resources of these sacred elements which goes back to when the first Kanaka Maoli canoes entered these waters and shorelines over a thousand years ago. Let us remember that Kawainui, Hamakua and Kaelepulu were lagoon sites that were converted into Loko ia or fish ponds in ancient times and kalo was grown in areas fed by spring waters and streams. Eventually in historic times it became rice fields and is presently a degraded alien weed infested wetlands.
3. The Kailua Hawaiian organizations, such as, the Kailua Hawaiian Civic Club, 'Ahahui Malama I Ka Lokahi, Hika 'Alani and Hui Kawainui-Kailua Ka Wai Ola in working with DLNR-DOFAW and State Parks as ecological and cultural curators in conservation and restoration have also been conducting educational programs for Kailua school and community groups as well as local

residents and visitors in Hawaii and those from afar. They also continue their Hawaiian cultural and spiritual traditional practices at their sacred site, such as, Ulupo Heiau.

4. In collaborating with the State DLNR it is essential to have Hawaiian cultural facilities to educate and perpetuate native Hawaiian indigenous cultural arts, crafts, music, dance, language, mo'olelo, voyaging, food growing and preparation associated with the natural resources of Kawainui and Hamakua wetlands. The plans, design and construction of these facilities will incorporate the latest LEED architectural innovations that are environmental friendly and sustainable. This includes sewage disposal connected to the city's sewage system and/or composting toilets.

5. We of the Hawaiian organizations and others who support a Hawaiian presence in Kawainui-Hamakua have always considered these wetlands and sacred sites to be the "cultural kipuka" that should extend into Maunawili Valley and other areas of the Kailua 'Ahupua'a. Hui Maunawili-Kawainui composed of the Kailua Hawaiian organizations, Maunawili residents and Kailua Hawaiian descendants are in the process with the Trust for Public Lands to acquire as much as a thousand acres of land holdings from the Honolulu Rapid Transit (HRT)/Weinberg Foundation and other private land owners in Maunawili Valley. Support and approval for the Kawainui-Hamakua Joint Complex Master Plan will ensure the Hawaiian organizations to extend its working and educational programs and relationship with the governmental agencies into Maunawili Valley and the Kailua 'Ahupua'a.

Me Ka ha'aha'a,

Charles P.M.K. Burrows, Ed.D.

Hui Kawainui-Kailua Ka Wai Ola, Chair

Ph: (808) 372-7594 Email: <chuckkb@gmail.com>

**SCR-146**

Submitted on: 3/21/2018 9:29:14 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Bond	Testifying for Kanehili Cultural Hui	Support	No

Comments:

Aloha Chairs and WTL/AEN Committees,

SCR 146 requests DLNR to prepare a comprehensive e wetlands ecosystem restoration plan, a detailed waterbird habitat restoration plan and a comprehensive wetlands management plant to protect Hawaii's 4 endangered waterbirds and visiting migratory waterbirds.

These studies are needed because the DLNR Kawainui-Hamakua Master Plan Project seeks to allow 10,000 visitors a month into the Kawainui-Hamakua Marsh Complex 12 months a year and the construction of approximately 15 buildings and restrooms with septic leach fields within the marsh riparian area.

Kawainui marsh is a degraded wetland and has been so for many years. Restoration of the wetland, riparian areas, increasing habitat should come before opening up the complex to thousands of people and construction of numerous buildings and septic systems.

Aloha

John M. Bond

kanehili Cultural Hui

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March 22, 2018

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Dear Senators of the Committee on Agriculture and Environment,

The Outdoor Circle testifies in **SUPPORT** of SCR 146 on Kawainui Marsh.

We desire for the Department of Land and Natural Resources (DNLR) to protect Hawai'i's four endangered waterbirds and visiting migratory waterbirds in the Kawainui-Hamakua Marsh Complex by preparing a comprehensive wetlands ecosystem restoration plan, a detailed waterbird habitat restoration plan and a comprehensive wetlands management plan. Part of these plans will necessitate the DNLR and City and County of Honolulu working in concert to restore the natural water flow and volume through the Kawainui-Hamakua Marsh Complex and prioritize the removal of the central peat mat in Kawainui Marsh to prevent future flooding of the downstream Coconut Grove residential area in Kailua.

Some specific points that this SCR addresses we also support, including that we urge that the DLNR close the Kawainui-Hamakua Marsh Complex to all visitors during the endangered Hawaiian wetland birds' and migratory wetland birds' nesting season, terminate the granting of month-to-month permits or long leases for use of state land within 2,000 feet of Kawainui-Hamakua Marsh Complex, prohibit commercial activity on state land in or within 2,000 feet of the Kawainui-Hamakua Marsh Complex, prohibit all restrooms within 2,000 feet of the Kawainui-Hamakua Marsh Complex and on adjacent state land mauka of the wetlands that are not connected to a City and County of Honolulu wastewater treatment facility, and finally, to direct the DLNR, Department of Health, and City & County of Honolulu to work together to relocate the Kapa'a Industrial Park out of the Kawainui-Hamakua Marsh Complex watershed followed by clean up the contaminated soil in Kapa'a Valley so that the Class One waters of the Kawainui-Hamakua wetlands are no longer polluted from this source.

Thank you for your consideration of this testimony and working to protect and restore this unique resource.

Winston Welch, Executive Director

Helping to keep Hawai'i  
clean, green, and beautiful  
since 1912

**SCR-146**

Submitted on: 3/22/2018 10:07:54 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steve Mechler	Testifying for LaniKailua Outdoor Circle	Support	No

Comments:

**SCR-146**

Submitted on: 3/20/2018 5:05:28 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Erica Scott	Individual	Support	No

Comments:



**SCR-146**

Submitted on: 3/21/2018 6:39:09 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael D Kelso	Individual	Support	No

Comments:

Ladies and Gentleman

I strongly support SCR146 to enhance, preserve and maintain these wetlands. I also urge you to limit the ability of any organization to commercialize this natural habitat and to support the sound administration and care of it in perpetuity.

Thank you,

Mike Kelso

Kailua, HI

**SCR-146**

Submitted on: 3/20/2018 3:58:54 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimomi Khan	Individual	Support	No

Comments:

March 21, 2018  
To: WTL/AEN

I support SCR146.

It is past the time to stand up for preserving and protecting our natural resources.

In the 1960's an effort was made to develop Kawainui Marsh. Forward thinking members of the community defeated this effort to exploit this resource. They held a strong desire preserve this critical asset for future generations.

The Marsh has been neglected for many years. Uncontrolled development upstream has contributed a large amount runoff that has filled the upper reaches of the marsh. Water flow has been greatly reduced. Recently, the Kapaa industrial area has been enlarged contributing even more pollutants to the ecosystem.

Now the new master plan for the Kawainui-Hamakua Marsh Complex proposes even more stress to the ecosystem.

It is time to stop the madness. It is time to recognize we live on an island with finite resources that are being depleted with no view to the future.

It is time for former governor Abercrombie's "New Day" to end. It has been a long day of exploiting our resources.

It is time to standup as was done over 50 years ago.

SCR146 is **our** "New Day".

We are the stewards of the land. We need to protect what remains and repair what we can.

We need to create a "New Way". Start the change. Support SCR 146 and follow it with action to implement this change of direction.

Thank you,  
Vernon Hinsvark

**SCR-146**

Submitted on: 3/21/2018 3:02:52 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Moriyasu	Individual	Support	No

Comments:

Thank you for scheduling the hearing on SCR146. Please support this action to restore and protect Oahu's vanishing but ecologically vital wetlands and waterbird habitat.

**SCR-146**

Submitted on: 3/21/2018 4:04:19 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
bob ress	Individual	Support	No

Comments:

We need this resolution and actions it will bring about. Please pass and start the restoration of this waterway for the protection of wildlife, culture, and the safety of homes surrounding it.

**SCR-146**

Submitted on: 3/21/2018 8:03:50 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
CAROLE IACOVELLI	Individual	Support	No

Comments:

Please pass SCR 146 to protect Kawinui Marsh. It is a treasure of birds and natural wetlands that needs more care and conservation before we know if it can have increased strain of visitors and building that may impact the natural environment. Thank you for your consideration.

Carole Iacovelli of Kailua, Hawaii

**SCR-146**

Submitted on: 3/21/2018 8:51:45 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Matson	Individual	Support	No

Comments:

**SCR-146**

Submitted on: 3/21/2018 9:17:10 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
LeonardLepine	Individual	Support	No

Comments:

I strongly support SCR146. I strongly oppose The DLNR Kawanui-Hamakua master plan project as published on Dec. 8, 2017 and presented at a public meeting on Jan 12, 2018. The DLNR plan promotes the the large scale development of the marsh at the expense of habitat for endangered species. Leonard Lepine, Kailua resident.





Juliet A. F. Begley  
3931 Gail Street  
Honolulu, Hawai'i 96815

March 21, 2018

Senator Karl Rhodes, Chair  
Senator Mike Gabbard, Vice Chair  
Committee on Water and Land

Senator Mike Gabbard, Chair  
Senator Gil Riviere  
Committee on Ag and Development

Support for SCR 146:

"Urging actions to restore and reserve the Kawainui-Hamakua Marsh Complex and preparation of a comprehensive wetlands ecosystems restoration plan, a detailed water bird habitat restoration plan, and a comprehensive wetlands management plan to protect Hawaii's four endangered water birds and visiting migratory water birds in the Kawainui-Hamakua March Complex."

Dear Senators of the Committees on Water and Land , and Ag and Development:

The DLNR needs to prepare a comprehensive wetlands ecosystem restoration plan - that incorporates a detailed water bird habitat restoration plan to protect our four endangered Hawaiian waterbirds; the Hawaiian stilt, the Hawaiian coot, the Hawaiian Moorhen and the Hawaiian duck.

Please support SCR146.

Sincerely,

Juliet Begley

**SCR-146**

Submitted on: 3/21/2018 10:06:38 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pauline Mac Neil	Individual	Support	No

Comments:

Testimony: Resolution S.C.R.146

When archaeologist Earl Neller investigated Kawainui Marsh in 1982 he found surface artifacts including adze fragments and a large grinding stone. The proposed Kawainui-Hamakua Master Plan anticipates close to 10,000 visitors a month having access to 6+ miles of interior pedestrian trails, footpaths and maintenance roads. A comprehensive management plan that would include the protection of surface artifacts as well as ground nesting endangered waterbirds is needed.

Kawainui marsh is a transition zone between terrestrial and aquatic ecosystems. It receives water from Kapa'a Stream, an approximately two mile-long, Class 2 inland stream, now on the 2004 Clean Water Act 303(d) list of impaired waters for elevated turbidity, total suspended solids, nutrients, (TN and TP), and metals, Clean water is necessary for healthy ecosystems, and measures to limit pollutants entering the wetland from adjacent upland areas are needed.

In 1966 the US Army Corp of Engineers initiated a large flood-control project in Kawainui Marsh to protect the Kailua community. In a January 1988 storm, heavy rains overtopped the levee wall, flooding the low-lying adjacent neighborhood. The ultimate cause of the flooding was determined to be a surface vegetative mat that had reduced the ability of the marsh to moderate heavy flows from tributary streams. The levee height was subsequently increased, and in 1997 a concrete flood-wall was installed, but the vegetative mat remains and is increasing in area. In addition to becoming a future flooding threat, the mat is now "choking" the wetland by depleting its waters of the oxygen essential to aquatic species. Kawainui is in urgent need of a comprehensive wetlands ecosystem restoration plan.

S.C.R. No. 146 addresses all of the above concerns.

Please support it as a tool in the State's sustainability planning, and land and water management. Residents, visitors and future generations will benefit from your forward thinking.

Mahalo

Pauline Mac Neil

Kailua, HI 96734

**SCR-146**

Submitted on: 3/21/2018 10:06:40 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Levani	Individual	Support	No

Comments:

I am testifying in support of SCR146. Kawainui Hamakua Marsh is a fragile ecosystem. The intention of this resolution--to create a comprehensive wetlands mangagement plan is essential to for protection and sustainability of endangered birds and their habitat.

Thank you for your consideration.

Sincerely,

Levani Lipton

**SCR-146**

Submitted on: 3/21/2018 11:57:47 PM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Harding	Individual	Support	No

Comments:

Aloha,

I strongly support SCR 146, regarding the Kawainui-Hamakua Marsh Complex.

As the largest remaining wetland in Hawai'i, and a vital part of our Kailua aquifer, it is critical that we all work to preserve and restore it for future generations, by developing a comprehensive wetlands ecosystem restoration plan, as well as make every effort possible to ensure it is not degraded any further.

I urge that the committee give the resolution its full support.

Thank you,

Diane Harding

167 Ainoni Street

Kailua, HI 96734

**SCR-146**

Submitted on: 3/22/2018 6:50:51 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robin Kaye	Individual	Support	No

Comments:

**SCR-146**

Submitted on: 3/22/2018 7:19:07 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa Parsons	Individual	Support	No

Comments:

Senators,

This fragile and most precious resource is at extreme risk for further encroachment of development. Water is life and without free flowing water, the at risk habitat will suffer greatly.

While development plans indicate the "only use" will be dryland areas, these "dryland" areas used to be wetlands until encroachment was allowed. Each time structures are placed, the water recedes. There are only 700 acres left of this jewel. Please protect it.

DLNR and the developers indicate currently are 3,000 people/month on the land, but that is underreported as full size tour buses are already making stops for tourists. The damage to the wetlands is in danger. DLNR estimated at the most recent public meeting, the number of people on the land would be as high as **16,000/month**. (current 3K, 3-4K for education, 3-5K for cultural purposes, and 6K tourists). Currently development plans (as presented in the recent public meeting) indicated **fifty-two building structures**.

I provide restoration efforts every week (4-10 hours/week) for the past 4 years. I see what CAN happen with RESTORATION and PRESERVATION efforts. The current Master Plan proposal presented indicated a \$67M price tag for development but ZERO dollars for preservation of habitat for native birds or removal of the suffocating peat mat.

I urge you to support this SRC and I thank you for the opportunity to present testimony in support of this resolution.

**SCR-146**

Submitted on: 3/22/2018 9:29:44 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cynthia Rubinstein	Individual	Support	No

Comments:

This is the VERY LEAST that can be done to try to Protect these Wetlands.

The entire project is harmful and should NOT be pursued, so this is, Really,

THE VERY LEAST thing anyone can do. Like everything, the real question is who will enforce this?



**SCR-146**

Submitted on: 3/22/2018 10:05:20 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sally kaye	Individual	Support	No

Comments:

**SCR-146**

Submitted on: 3/22/2018 9:47:59 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary K Foti	Individual	Support	No

Comments:

I strongly support SCR 146. As a long time resident of Kailua I realize how important Kawainui-Hamakua Marsh is to our community, both as an essential watershed and an aesthetic component of what makes Windward Oahu so beautiful. It needs a restoration plan and a management plan, as well as a water bird habitat restoration plan. These goals are paramount. Please pass this resolution. Mahalo, Mollie Foti

**SCR-146**

Submitted on: 3/22/2018 11:26:07 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Annette Kaohelaulii	Individual	Support	No

Comments:

Aloha Senators,

My name is Annette Kaohelaulii and I am a resident of Kailua, on Oahu.

I am writing in support of Senate Concurrent Resolution 146 as I have long been concerned about the fate of the Kawainui-Hamakkua Marsh Complex. Over the years I attended numerous community meetings because I think it is imperative that this precious natural resource be protected and preserved forever.

I agree that a detailed comprehensive wetlands ecosystem restoration plan, a detailed waterbird habitat restoration plan and a comprehensive wetlands management plan need to be put in place as soon as possible in order to protect the endangered waterbirds and to preserve this valuable natural resource.

The other points in the resolution will further enhance the protection of the marsh and restore it to its natural state. It is critical that the watershed be considered first and foremost, and if it requires relocation of present short or long term leases in order to accomplish the restoration, so be it. The Kawainui-Hamakkua Marsh Complex is a world class resource that needs to be restored as soon as possible.

**SCR-146**

Submitted on: 3/22/2018 11:33:11 AM

Testimony for WTL on 3/23/2018 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maya Saffery	Individual	Oppose	No

Comments:

22 March 2018

**TESTIMONY IN OPPOSITION TO SCR146**

URGING ACTIONS TO RESTORE AND RESERVE THE KAWAINUI-HAMAKUA MARSH COMPLEX AND PREPARATION OF A COMPREHENSIVE WETLANDS ECOSYSTEM RESTORATION PLAN, A DETAILED WATERBIRD HABITAT RESTORATION PLAN, AND A COMPREHENSIVE WETLANDS MANAGEMENT PLAN TO PROTECT HAWAII'S FOUR ENDANGERED WATERBIRDS AND VISITING MIGRATORY WATERBIRDS IN THE KAWAINUI-HAMAKUA MARSH COMPLEX

Aloha e Chairs Rhoads and Gabbard, Vice Chairs, and Committee Members,

I thank you for this opportunity to provide my testimony in opposition to **SCR146**.

My name is Maya L. Kawailanaokeawaiki Saffery, and I was born and raised in the Ko'olaupoko district of O'ahu in the ahupua'a of Kailua on the 'ili 'Ä• ina of Kamakalepo in the back of the valley of Maunawili. I offer my testimony as a practitioner of traditional hula who received my training and continues to practice my culture within the ahupua'a of Kailua, a Hawaiian language curriculum developer from the University of Hawai'i at MÄ• noa whose research focuses on the importance of place to the education of Hawai'i's children, and as a kupa (Native) of Kailua who is calling out to those who will listen, "Mai kuhi hewa ... ola mau nÄ• 'Ä• iwi o Kailua; make no mistake ... the Natives of Kailua are still here."

As a tenured faculty member at the University of Hawai'i at MÄ• noa working as Curriculum Specialist for Kawaihuelani Center for Hawaiian Language within Hawai'inuiÄ• kea School of Hawaiian Knowledge, I strive to engage students in culturally grounded curricula and pedagogies that honor and nurture the kanaka-'Ä• ina (person-land) relationship. Not only do I believe that this approach is essential for the education of Hawaiian students, but 'Ä• ina-based/conscious education can also benefit all students. By grounding our curriculum and pedagogy in the study of place, we are able to offer our students learning experiences that connect to where they come from, who they are, and how they see the world. Students develop deeper relationships with the places they call home, thus motivating them to become more actively engaged in

the protection and stewardship of their own environments and the empowerment of their own communities. The most important outcome that I want all participants in my curricula to understand and truly believe by the end is:

**Ola ka 'Ā• ina i ke kanaka a ola ke kanaka i ka 'Ā• ina. Pono kekahi i kekahi.**

The land lives/survives because of the people and the people live/survive because of the land. We need each other.

I am looking forward to upcoming opportunities that the Kawainui-HĀ• mĀ• kua Master Plan will offer educators like myself to develop curriculum grounded in this understanding about Kailua for Kailua students and families who we know will benefit greatly from engaging directly with the places being restored, managed, and cared for as part of the master plan. This same understanding inspired the participation of many Native Hawaiian organizations of Kailua in the development and vetting of the Kawainui-HĀ• mĀ• kua Master Plan, many of which I am a member. We believe that the proposing agency (Division of Forestry and Wildlife, DLNR) and consultants (HHF Planners) heard our voices and have incorporated them into this plan, which reflects this core understanding.

On the contrary, SCR146 lumps our community into the vague, fear-inducing term “visitor.” The children, families, and schools of Kailua are not “visitors.” We are members of this community who are longing to return to our sacred and significant places to renew relationships with each other and our places and collectively heal as a community. The oral histories of our ancestors from four and five centuries past further corroborated by written accounts in primary source materials describe Kailua as a place where a strong, enduring relationship between people, places, and cultural practices created a strong, thriving community who had the knowledge and skills to produce and maintain the resources needed to grow and support their families over the generations. However, after over a century of colonization, marginalization, and disenfranchisement of our people, homelands, and knowledge systems, our Kailua community made up of Native and settler is disconnected from the keepers of this cultural knowledge as well as from the places that are necessary to practicing, perpetuating, and passing on this knowledge from generation to generation. This fractured relationship between people, places, and practices in Kailua leaves us without the necessary knowledge or skills to contribute to the promotion, preservation, or restoration of the rich natural and cultural resources that were once abundant in Kailua and supported a thriving, self-sustaining community. These are the people we hope to serve through the educational and cultural components of the Kawainui-HĀ• mĀ• kua Master Plan—kama'Ā• ina of Kailua, Kailua school students and teachers, Kailua cultural practitioners, Hawai'i's families—not the foreign visitors and tour groups that SCR146 attempts to group us in with. We are not the same. We are not visitors. This is our 'Ā• ina (that which feeds us), our kulĀ• iwi (the plain where the bones of our ancestors are laid to rest), our one hĀ• nau (our birth sands), our home.

On May 30, 2017, Hika‘alani, one of the Hawaiian non-profit organizations that currently engages in ‘Āina restoration and education efforts along the banks of Kawainui at the base Ulupāheiau held a community input meeting where they invited educators, parents, students, and cultural practitioners from our own community to discuss the state of ‘Āina-based cultural education in Kailua. The forty-eight participants spoke of the harsh realities for our students, especially Hawaiians in Kailua using phrases like “Hawaiians are invisible in Kailua,” “as Hawaiians who are here, there’s no place to go,” “we need an identity aside from a tourist destination,” and “we need the ‘Āina, we need a safe place.”

The Kawainui-Hāmau Master Plan Project will help to facilitate the kind of engagement our community is calling for by providing space for Kānaka of Kailua to have a permanent, prolonged presence throughout our ahupua‘a from Ulupāheiau to Wai‘auia and Mokulana, Kahanaiki to Nāpāhaku o Hauwahine, Kapa‘a to Kalāheo, Hāmau to Pu‘uoeahu. Our Hawaiian cultural practices belong with our people, practiced and lived on the land and water where they were first engendered so that they can continue to be renewed and implemented in our contemporary time for the growing and sustaining of a thriving community.

SCR146 disregards this call from our people. It views Kawainui and Hāmau through a Western lens that calls for these lands to be left to the care of “experts” and “scientists,” to be surrounded by a fence and separated from all human interaction in order to preserve its natural resources. This perspective is completely antithetical to the worldview of Native Hawaiians. We know that we come from the land itself. We believe that the land, the sea, the sky, and all creatures that exist in the universe are all our kāpuna as much as our human grandparents are. The kuleana that comes with this familial connection to our land requires us to develop and sustain meaningful, reciprocal relationships with our places, which means we must be physically present and engaged with our environment—telling and retelling mo‘olelo on the exact sites where the events took place; reciting the mo‘okā‘auhau (genealogies) of Kailua and its people in the presence of the kāpuna of Kailua, both seen and unseen; dancing hula at and about wahi pana of Kailua from Konahuanui to Mokulua; cultivating our land and feeding our people from the land; and educating the next generation of kama‘Āina of Kailua about their homeland so that the practices of their kāpuna will truly be living and not just words on a sign, placard, or brochure about some past people who no longer exist.

In the end, SCR146 and other plans like it will only serve to further fracture the kanaka-‘Āina relationship in Kailua while the Kawainui-Hāmau Master Plan will allow our community a permanent, visible Hawaiian cultural presence in Kailua so that there is no mistake that we are still here and have always been here. Mai kuhi hewa ... ola mau nā ‘Āiwi o Kailua; make no mistake ... the natives of Kailua are still here.

For all these reasons, I strongly urge you to oppose **SCR146**

Mahalo nui,

Maya Saffery

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