

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the House Committee on  
FINANCE

Tuesday, February 28, 2023  
10:00 AM  
State Capitol, Conference Room 308

In consideration of  
HOUSE BILL 1267, HOUSE DRAFT 1  
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

House Bill 1267, House Draft 1 proposes to require the Department of Land and Natural Resources (Department) to develop and implement a management system for Ka'ena Point State Park, Mākuā, and Keawa'ula regions and appropriates funds. **The Department supports this measure.**

There is considerable interest statewide to replicate the destination management system that the Department's State Parks Division (State Parks) pioneered with the Hā'ena, Kaua'i community and implemented under a Governor's Disaster Proclamation in 2018. However, the planning and community engagement process to produce the final EIS and master plan to calibrate and establish visitor limits took over a decade of engagement. Establishing temporal limits and fee-based access for out-of-state visitors requires on site presence and knowledge of visitation patterns. Wai'anapanapa State Park and Diamond Head State Monument, the subsequent park units with reservation and fee-based access, both have on-site private sector parking managers to ensure compliance and monitor and as warranted, adjust the hourly and substantial influx of visitors.

Ka'ena Point State Park (KPSP) has two unique and distinctly different public access patterns and management. The entire park is a cultural landscape and is considered a leina: a culturally significant place on every island where, after death, spirits would jump into the next world. The Mokule'ia section has unlimited hiking and a permit requirement for vehicular access via a controlled gate. Hiking and fishing are the primary activities. The Mākuā/Keawa'ula section has a series of gates and as the bill accurately states, the coastal Mākuā gates have been closed since 2016, eliminating the huge impacts of upwards of 800 people illegally camping on 3-day weekends at a park unit with no restrooms. The Keawa'ula gate is now closed each night through a contract with a security company and currently costs approximately \$100,000 a year for this service. While there is still occasional illegal camping, the impacts have been substantially reduced. Ocean recreation, beach use, and fishing are the dominant recreational activities.

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

LAURA H.E. KAAKUA  
FIRST DEPUTY

M. KALEO MANUEL  
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

Regarding House Bill 1267, House Draft 1, State Parks has been engaged in some preliminary discussion over the years with community and legislators on the need for enhanced management at the Mākua and Keawa‘ula sections of KPSP. However, State Parks does not feel the Hā‘ena advanced reservation model is the best fit at KPSP. For reservation-based access there must be a critical mass of out-of-state visitors that congest the park unit to warrant a reservation and a fee for access – to pay for the staff to manage the access restrictions. These parks may not have patronage numbers that would make this model economically viable.

State Parks could consider, as our special fund revenue and ceiling increases, to contract and pay for additional management services, such as we do now for the gate closing at Keawa‘ula. Capital Improvement Project (CIP) funds in the amount of \$2.15 million dollars was approved for KPSP in both Fiscal Year (FY) 2022 (Act 88, Session Laws of Hawaii 2021) and FY2023 (Act 248, 2022). This is \$4.3 million dollars out of which planning is going to be conducted. Planning, such as is called out in the bill, could be accomplished while implementing the CIP. As such, additional funding is *not* needed to implement this measure.

It is important to note the KPSP has been nominated for a three-year study as to the eligibility of this park unit to be designated as a National Heritage Area. It is anticipated that if so designated, additional resources may become available for enhanced management.

The Department agrees that KPSP and its Mākua and Keawa‘ula sections need updated community-based management planning and implementation and wants to and will conduct the community-based management planning that SECTION 2 requires. However, the Department has a responsibility to all park units and therefore as a matter of policy, does not want a specific park unit to be singled out as a top priority via legislation and respectfully requests that SECTION 2(a) be deleted. All of SECTION 3 should also be deleted. The Department will be able to fulfill the requirements of SECTION 2 without SECTION 2(a) and SECTION 3.

Mahalo for the opportunity to provide testimony in support of this measure with amendments..



## Ka Moku'aina 'O Hawai'i Aha Moku O Pae'Aina

### State of Hawai'i Aha Moku

P. O. Box 621

Honolulu, Hawaii 96809

Testimony of the Hawaii State Aha Moku

Before the House Committee on Finance

Tuesday, February 28, 2023

10:00 A.M.

Conference Room 308 & Videoconference

#### **IN SUPPORT of House Bill 1267 HD 1**

Relating to the Department of Land and Natural Resources

House Bill 1267 HD 1 requires the department of land and natural resources (DLNR) to develop and implement a management system for Ka'ena point state park, Makua, and Keawa'ula regions. It appropriates funds.

#### **The Hawaii State Aha Moku (Aha Moku) strongly supports this measure.**

Known for its exceptional beauty, cultural and historical significance, Ka'ena, Makua and Keawa'ula Ahupua'a in the Moku of Waianae are held in reverence by the communities and Native Hawaiian generational families of those places. For the Hawaiian communities, these lands are known for their *la'au* (medicinal), historical *lua* (warrior training) and endemic and indigenous plants and wildlife. The mo'olelo (histories) of these ahupua'a are significant. Ka'ena is also particularly revered as a *Leina a ka'uhane*, a place where when one dies, their spirit leaps into the nether world.

DLNR has done their best to manage this state park with their limited capacities such as closing the park at night. However, because these places have no communities living in them, illegal driving on the beaches, unmanaged camping, illegal drug activities, dangerous accretions of needles, drug paraphernalia and human waste, the residents of Waianae do not often go to these places.

Additionally, tourism will grow significantly as the pandemic is better managed. The anticipated growth of 10,000,000 visitors by 2025 to Ka'ena, Keawaula and Makua is daunting. We need a better plan to better protect our natural and cultural resources, and to protect the sacredness of these places. The people of Waianae need to be able to utilize their traditional gathering and fishing practices safely. These include fishing at night, a practice that Waianae was once known for by generational families. Continuous illegal activities do not recognize or practice resource sustainability.

The concerns of the Public Trust including the generational and lineal descendants of the kanaka maoli of Ka'ena, Makua and Keawa'ula are carefully stated in HB 1267 HD 1. The solutions that will finally protect our lands, waters, marine resources lay in the requirement of the DLNR to develop and implement an improved management system for Ka'ena, Keawa'ula and Makua to make these places thriving and safe now and for future generations. We ask this committee to adopt HB 1267 HD 1.

Respectfully,

Leimana DaMate, Luna Alaka'i/Executive Director

Hawaii State Aha Moku

808-640-1214, Leimana.k.damate@hawaii.gov

*Pae'Aina: Moku O Keawe, Moku O Piilani, Moku O Kanaloa, Nana'i Kaula, Moloka'i Pule O'o, Moku O Kakuhihewa,  
Manokalanipo, Ka'Aina O Kawelonakala*

**HB-1267-HD-1**

Submitted on: 2/27/2023 6:37:02 AM

Testimony for FIN on 2/28/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Zeb Jones	Hydroponics Alternatives LLC	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita, Vice Chair Kitagawa, and Committee Members:

I submit this testimony in SUPPORT of HB1267, HD1 – but in its original form WITH an appropriation to the Department of Land and Natural Resources (DLNR) to effectively manage the Ka`ena Point State Park, Makua and Keawa`ula cultural and recreationally significant regions along the O`ahu’s Leeward Coast.

The Leeward Coast is tired of becoming O`ahu’s “dumping ground” for every social problem that always seems to impact our cultural sites and WITHOUT sufficient financial assistance to clean-up the areas that most desperately need it. Ka`ena Point State Park, Makua and Keawa`ula are three (3) such areas. This bill’s original intent was to provide sufficient funding so that DLNR could devote resources -- presumably either on its own OR in association with community groups -- to keeping these areas accessible to Hawaiian cultural practitioners and the public. However, without: 1) ANY funding or direction to DLNR to make these 3 key areas priorities, and 2) changing the effective date to sometime in the year 3000, I’m curious WHY your Committee on Finance is even hearing this bill?

For these above reasons, I urge your Committee to please a) restore this bill to original form; and b) provide funding some time in 2024 or 2025 at the last to SUPPORT and implement HB1267, HD1.

Mahalo for this opportunity to present this testimony supporting HB1267, HD1 – in its original form.

Zeb Jones

Hydroponics Alternatives LLC

PO Box 1472/ Wai`anae, HI 96792 / Email: [zebbe3442@gmail.com](mailto:zebbe3442@gmail.com)



# PROTECTORS OF PARADISE

## Testimony of MICAH DOANE

Founder of PROTECTORS OF PARADISE

Hawai'i State Parks Ka'ena Point State Park – Mākua & Keawa'ula Section, Curator  
Aha Moku Representative  
Lineal Descendant of Mākua

Before the COMMITTEE ON FINANCE

Tuesday, February 28, 2023, 10:00am – State Capitol, Conference Room 308

In consideration of

*HB1267 RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES. Requires the Department of Land and Natural Resources to develop and implement a management system for Ka'ena Point State Park, Mākua and Keawa'ula Regions.*

### **POSITION: SUPPORT WITHOUT RESERVATION**

HB1267 proposes to create a management system for Ka'ena Point State Park, Mākua and Keawa'ula Regions that is unique and tailored to the specific criteria and needs of the area. **We strongly support this measure without reservation.**

The Leeward Coastline, home to the largest population of Native Hawaiians, has much deep rooted, rich, cultural history, many of which dates back to some of the first people here on this island. Due to limited resources and isolated locations, preserving the 'Āina and the culture of these areas has been an ongoing challenge and struggle. Ka'ena Point State Park, Mākua and Keawa'ula regions have been subject to desecration for decades.

Metaphorically speaking, if we were to compare the 'Āina to a person, it could be viewed as an individual who holds great mana and beauty and is admired for all that it possesses. Yet, it has been exploited, mistreated, and neglected for far too long. Its natural resources and cultural significance are being raped and ignored at the same time. How much longer will we continue to allow it to be taken for granted and advantage of? It is our kuleana to prioritize the implementation of solutions to ensure that the desecration and abuse comes to an end. That would be a good *start*. A major concern is that these places are being put on the map via social media, travel, film, tourism industries, etc., without the proper infrastructure in place to support this influx of visitors from all over the world. This imbalance has directly affected and has had many negative impacts on the 'Āina, Leeward communities and its people.

Emphasis and priority needs to be placed on the preservation and sustainability of Mākua and Keawa'ula to ensure that the life of this land, through the values and teachings of the Hawaiian culture, will flourish and harmoniously live through its people in connection with the 'Āina from Mauka to Makai. Many solutions have been presented in these regards, but have yet to be implemented due to lack of resources and proper support.

We staunchly believe that this bill will help provide sustainable protection and perpetuation of the 'Āina, culture, and its people—by prioritizing the specific regions of Mākua and Keawa'ula of Ka'ena Point State Park and creating a management system in collaboration with community stakeholders, this process can begin.

If one were to visit a museum where the world's most beautiful and precious gemstones were on display, the failure to have the necessary safeguards and protection in place would surely result in a loss with the possibility of

the gems being stolen and never found again. In the Hawaiian culture, the 'Āina is not only our gem, it is our lifeline, and it is our kuleana to ensure that it is not lost and that the mana it possesses continues to thrive for future generations to come.

Mahalo nui loa for respectfully taking these concerns into consideration and the willingness to work with and support the local community so that solutions and balance can be obtained in the most pono fashion.

Mālama pono,

A handwritten signature in black ink, appearing to read "Micah Doane". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Micah Doane

Founder of Protectors of Paradise

Hawai'i State Parks Ka'ena Point State Park – Mākua & Keawa'ula Section, Curator

Aha Moku Representative

Lineal Descendant of Mākua

**HB-1267-HD-1**

Submitted on: 2/27/2023 6:28:24 AM

Testimony for FIN on 2/28/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nancy Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita, Vice Chair Kitagawa, and Committee Members:

I submit this testimony in SUPPORT of HB1267, HD1 – but in its original form WITH an appropriation to the Department of Land and Natural Resources (DLNR) to effectively manage the Ka`ena Point State Park, Makua and Keawa`ula cultural and recreationally significant regions along the O`ahu’s Leeward Coast.

The Leeward Coast is tired of becoming O`ahu’s “dumping ground” for every social problem that always seems to impact our cultural sites and WITHOUT sufficient financial assistance to clean-up the areas that most desperately need it. Ka`ena Point State Park, Makua and Keawa`ula are three (3) such areas. This bill’s original intent was to provide sufficient funding so that DLNR could devote resources -- presumably either on its own OR in association with community groups -- to keeping these areas accessible to Hawaiian cultural practitioners and the public. However, without: 1) ANY funding or direction to DLNR to make these 3 key areas priorities, and 2) changing the effective date to sometime in the year 3000, I’m curious WHY your Committee on Finance is even hearing this bill?

For these above reasons, I urge your Committee to please a) restore this bill to original form; and b) provide funding some time in 2024 or 2025 at the last to SUPPORT and implement HB1267, HD1.

Mahalo for this opportunity to present this testimony supporting HB1267, HD1 – in its original form.

Nancy A. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: [nancyhydroalt@gmail.com](mailto:nancyhydroalt@gmail.com)