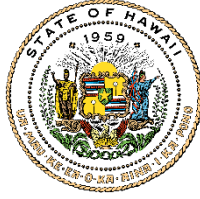
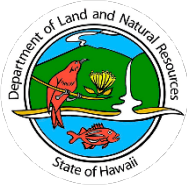


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

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DAWN N.S. CHANG
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DEAN D. UYENO
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BOATING AND OCEAN RECREATION
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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

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
WATER & LAND

Thursday, March 14, 2024
10:00 AM
State Capitol, Conference Room 430

In consideration of
SENATE BILL 1258, SENATE DRAFT 2
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

Senate Bill 1258, Senate Draft 2 proposes to require the Department of Land and Natural Resources (Department) to develop and implement a management system for the Ka'ena Point State Park, Mākua, and Keawa'ula regions. **The Department provides the following comments and amendments.**

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 Emergency Proclamation in 2018. However, the planning and community engagement process to produce the final Environmental Impact Survey and master plan to calibrate and establish visitor limits took over a decade of community engagement and roughly \$800,000 in planning services – which is why it is so effective now.

Establishing a successful temporal capacity and fee-based access for out-of-state visitors requires on-site presence and knowledge of a consistent flow of visitation patterns. In addition to the Hā'ena State Park reservation and fee collection model, which is now managed by our community non-profit partner: Hui Maka'ainana O Makana - Wai'anapanapa State Park, Diamond Head State Monument and 'Āao Valley State Monument require reservation and fee-based access for out of state visitors. These 3 additional park units have on-site private sector parking managers to ensure compliance, monitor as warranted an adjust the hourly and substantial influx of visitors. Also, via contracts with NIC Hawaii, the fees are now all collected through the NIC payment portal and then disbursed to the parking and entry vendor per the contract and the balance is revenue deposited into the State Parks special fund.

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. There are State Parks Interpretive Technicians on site 5 days a week to educate and monitor public behavior. Hiking and fishing are the primary activities.

The Mākua/Keawa'ula section has a series of gates and as the bill accurately states, the coastal Mākua gates have been closed since 2016, eliminating the huge impacts of upwards of 800 people illegally camping on weekends at a park unit with no restrooms. The Keawa'ula gate is now closed each night through a contract with a security company that costs approximately \$100,000 a year. While there is still illegal camping, the impacts have been substantially reduced by prohibiting vehicle shoreline access at Mākua and managed gate closures at Keawa'ula. Ocean recreation, beach use, and fishing are the dominant recreational activities.

Regarding Senate Bill 1258, Senate Draft 2, State Parks has been engaged in some preliminary discussion over the years with community, 'Aha Moku and legislators on the need for enhanced management at the Mākua and Keawa'ula sections of KPSP. However, State Parks does not agree that the Hā'ena advanced reservation model is the best fit at KPSP. For reservation-based access to be successful and effective there must be a critical mass of out-of-state visitors that congest the park, impacting or limiting local resident access, to warrant a reservation and a fee-based access. Out of state patronage fees must offset the cost for private sector or community staff to manage the access restrictions.

As always, assigned law enforcement to remote park units to enforce rules and behavior will reduce the need for a costly planning effort. We cannot plan the public into compliance. However, in the 2022 Legislative Session, 11 new Interpretive Technician position were approved for DSP. We are in the process of redescribing these into Specialists for better recruitment and retention potential.

Two of these positions that will be assigned to the Mākua/Keawa'ula portion of Ka'ena State Park and will support stewardship and visitor education – and be able to contact law enforce as the need arises.

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, SLH 2022). This is \$4.3 million dollars out of which planning is going to be conducted. Planning, such as is called out in this bill, can be accomplished while implementing the CIP.

The breakdown is:

FY 2022 (\$2,150,000)	FY 2023 (\$2,150,000)
Outreach and Planning: \$450,000	Design: \$300,000
Design: \$500,000	Construction: \$1,850,000
Construction: \$1,200,000	

Based on the testimony above, the Department offers the following amendment to the bill:

SECTION 2. (a) The department of land and natural resources shall develop and implement an improved management system [~~similar to the system used at Haena state park, which has been deemed successful,~~] for the Ka'ena Point State Park, the Makua, and Keawaula [regions] sections that is unique and tailored to address the specific public access and natural and cultural resource needs of these [areas] two significant and undeveloped portions of Ka'ena Point State Park.

(b) In the development and implementation of the management system for the Kaena point state park, Makua, and Keawaula [regions] sections, the department of land and natural resources shall:

(1) Collaborate collectively with community stakeholders and cultural [~~practioners~~] practitioners, of the affected areas;

(2) Work with other departmental divisions, city and county of Honolulu, department of transportation, and [~~all~~] other parties having jurisdiction over the encompassed land and marine areas;

(3) Ensure the sustainability and success of the management system by working with outside partners, including local non-profit organizations, in [the same] a similar manner as has previously been done with other state park management systems; and

(4) Maintain the current limited access requirements in place at the Kaena point state park, Makua, and Keawaula regions due to misuse and the lack of staffing for both enforcement and management until the department and community stakeholders determines that proper measures have been employed to address and resolve these issues.

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.

Mahalo for the opportunity to provide testimony with comments and 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 (Aha Moku)

Before the House Committee on

Water and Land

Thursday, March 14, 2024

10:00 A.M.

State Capitol, Conference Room 430

IN OPPOSITION of

SENATE BILL 1258, SENATE DRAFT 2

Relating to the Department of Land and Natural Resources

Senate Bill 1258 SD2 proposes to require the Department of Land and Natural Resources (DLNR) to develop and implement a management system for the Ka'ena Point State Park, Makua, and Keawa'ula regions. 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.

The Hawaii State Aha Moku (Aha Moku) OPPOSES this bill and offers justification why!

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.

Since 2022, Aha Moku has supported the efforts of the Legislature to protect and sustain the natural and cultural resources of Ka'ena, Makua and Keawa'ula through legislation. However, in the past year, the generational and traditional community of these places have been working diligently with State Parks to address the significant issues that have, in the past, called for immediate solutions.

We strongly believe that the dominant recreational activities such as ocean recreation, beach use, overnight camping and fishing are now within the realm of being adequately addressed. We also believe that any other significant issue can be dealt with through the existing state parks and DLNR, including an enhanced management plan. Kupuna and native Hawaiian practitioners versed in the disciplines of *lawaiia* (fishing), *mahiai* (agriculture), *la'au lapa'au* (traditional medicinal practices), and many other native Hawaiian practices that promote the well-being of the natural and cultural resources of these specific areas are now diligently working with State Parks and DLNR.

We are greatly encouraged that in the 2022 Legislative Session, the eleven (11) new interpretive Technician positions were approved for State Parks and that two of these positions are assigned to support stewardship and visitor education. They work directly with the native Hawaiian generational and traditional lineal descendants of Ka'ena, Makua and Keawa'ula in ensuring that these unique ecosystem and environments are sustained perpetually for kama'aina, malihini and future generations.

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

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 focused on by State Parks who is currently working on an improved public access and the protection of natural and cultural resource needs of the two significant and undeveloped portions of the Ka'ena State Park – Makua and Keawa'ula.

While we are incredibly grateful to the Legislature for their unfailing support of our indigenous people of Ka'ena, Makua and Keawa'ula, we are strong enough now to work directly with State Parks and believe that our future needs can be addressed by DLNR and the Land Board if they become necessary.

Mahalo nui loa, for the opportunity to **OPPOSE** the current Senate Bill 1258 SD2 and express our reasons why!

With deep gratitude and respect,

Glenn Kila, Aha Moku Konohiki

Moku O Waianae

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SB-1258-SD-2

Submitted on: 3/13/2024 4:41:44 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynette Cruz	Malama Makua	Support	Written Testimony Only

Comments:

Malama Makua strongly supports this bill.

SB-1258-SD-2

Submitted on: 3/13/2024 1:20:22 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Ichiyama, Vice Chair Poepoe and Water & Land Committee Members:

I submit this testimony in SUPPORT of SB1258, SD2 – 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 along with interested community groups.

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 protected and accessible to Hawaiian cultural practitioners and the public. However, to ensure these protections, and to make these 3 key areas priorities, DLNR will likely require needed funding to create and implement such a plan especially if work is to begin some time in 2024 to 2025.

For all of the above reasons, I urge your Committee to please SUPPORT and implement SB1258, SD2 – with relevant protection language and appropriations ideally before 2025.

Mahalo for this opportunity to present this testimony supporting SB1258, SD2.

Nancy A. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: nancyhydroalt@gmail.com

SB-1258-SD-2

Submitted on: 3/13/2024 1:23:01 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Zeb Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Ichiyama, Vice Chair Poepoe and Water & Land Committee Members:

I submit this testimony SUPPORTING SB1258, SD2 – but 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 in connection with various Leeward Coast community groups dedicated to protecting these sites along with community groups dedicated to these areas.

The Leeward Coast is tired of becoming O`ahu’s “dumping ground” for so many social problems 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 AND/OR in association with community groups devoted to these sites -- to keeping these areas protected and accessible to Hawaiian cultural practitioners and the public. However, to ensure these protections, and to make these 3 key areas priorities, DLNR will likely require needed funding to create and implement such a plan especially if work is to begin some time in 2024 to 2025.

For these above reasons, I urge your Committee to please SUPPORT and implement SB1258, SD2 – with relevant protection language and appropriations ideally before 2025.

Mahalo for this opportunity to present this testimony supporting SB1258, SD2.

Zebuel “Zeb” C. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: zebbe3442@gmail.com

SB-1258-SD-2

Submitted on: 3/13/2024 1:27:52 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Heather Graeber	Individual	Support	Written Testimony Only

Comments:

I support.

SB-1258-SD-2

Submitted on: 3/13/2024 1:29:34 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kenneth Graeber Sr.	Individual	Support	Written Testimony Only

Comments:

I support.

SB-1258-SD-2

Submitted on: 3/13/2024 10:45:02 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lena Suzuki	Individual	Support	Written Testimony Only

Comments:

I Lena Suzuki fully support bill SB1258. Makua is way overdue for a management plan.