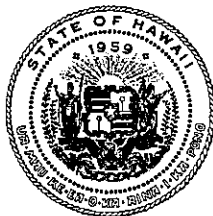


LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
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

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

On Senate Bill 2727, Senate Draft 1 - Relating To Ha'iku Valley

**BEFORE THE SENATE COMMITTEE
ON
WAYS AND MEANS**

February 25, 2008

Senate Bill 2727, Senate Draft 1, establishes the Ha'iku Valley Cultural Preserve Commission to have policy and management oversight of the Ha'iku Valley cultural preserve. The Department of Land and Natural Resources (Department) supports the intent of preserving Ha'iku Valley, the Department nonetheless has strong reservations with the way this measure is presently written.

The Department believes that Ha'iku Valley is an important cultural resource in Hawaii and the creation of a Ha'iku Valley Cultural Preserve Commission provides a sensitive approach to appropriately managing the Valley. However, the Department asks that three sections of the bill be deleted.

§ -6 (6) strips the Department of its powers and duties in regard to approvals pertaining to the Valley. Section 183C-3(7), Hawaii Revised Statutes (HRS) specifically gives the Board of Land and Natural Resources (Board) the responsibility of establishing and enforcing land use regulations on within the Conservation District. Since a majority of the Valley is within the Conservation District, the Department would need to retain its role in regulating conservation lands within the Valley.

§ -6 (8) strips the Department's Oahu Burial Council of its powers and duties in regards to proper treatment of burial sites and human skeletal remains found in the valley. The Department would need to retain its responsibilities under Section 6E-43(b), HRS in this regard as well.

Finally, § -10 allows the use of the Department's Civil Natural Resources Violations System to process violations under the newly established chapter under this bill. Since the Department does not own any land in the Valley, the use of the Department's violations system would not be applicable.

MAY L. AU
P. O. Box 4567
Kane`ohe, HI 96744
mayau@yahoo.com

February 24, 2008

TO: Senator Rosalind Baker, Chair
Members
Ways & Means Committee, State Senate

FROM: Aunty May L. Au
Kupuna o Kahana

SUBJECT: Support for S.B. 2727, S.D.1 – Relating to Ha`iku Valley

I offer this testimony in full support of Senate Bill 2727, Senate Draft 1, to establish a cultural preserve in Ha`iku Valley, Ko`olaupoko.

It can provide a wonderful cultural gathering center to educate all people, especially the keiki and others throughout our islands.

This valley is unique because of its location, close to a large urban community and accessible to many people.

There are important heiau and many burials in the valley. In addition, the historic building known as the OMEGA Station is one of the few in the world and should be preserved, protected and restored.

Making this valley a cultural preserve would be a worthwhile investment in our historic and cultural resources for today and for generations to come.

Mahalo palena`ole.

William J. Aila Jr.
86-630 Luualalei Homestead Road
Wai'anae, Hawai'i 96792
Ph# 330-0376

Honorable Sen. Rosalyn Baker
Chair, Committee on Ways and Means

Re: Support of SB 2727 SD1

Aloha Chair Baker and Members of the Committee!

Ha'iku Valley is a special place for Native Hawaiians and Non Hawaiians. There are many intact cultural sites such as Heiau, lo'i (taro patches), and many other structures that connect us to its past.

We have a unique opportunity to protect this intact valley. Passage of this bill will allow for open space in which na keiki of Koolaupoko can thrive and make connections with their past, learn in the present, and plan their future.

As further development pressures push into the beautiful mountain sides of the Ko'olau it becomes increasingly important to preserve and malama these areas.

The financial resources of the State may be challenged but this initiative is well worth the investment. Please support the passage of HB 2704

Mahalo for the opportunity to provide testimony in favor of SB 2727 SD1.

William J. Aila Jr.

KO`OLAU FOUNDATION

February 24, 2008

To: Sen. Rosalind Baker, Chair, & Members
Senate Committee on Ways & Means

From: Leialoha "Rocky" Kaluhiwa
President

Subject: **S.B. 2727, S.D. 1, RELATING TO HA'IKU VALLEY**

The Ko`olau Foundation strongly supports Senate Bill 2727, Senate Draft 1, relating to the establishment of a Ha`iku Valley Cultural Preserve Commission and the ultimate creation of a new cultural preserve for our Ko`olaupoko area.

Our organization is dedicated to the preservation, protection and perpetuation of historic sites and cultural properties, and to educating others about the history and heritage of our communities.

Ha`iku Valley offers us a unique opportunity to restore the cultural and environmental resources of this special `aina and to reconnect this area to the people of not just Ko`olaupoko, but also to the people of Hawai`i nei.

We propose that this new cultural preserve will accomplish the following important objectives:

1. Protect and preserve cultural and historic places and burial grounds located within the valley.
2. Provide a venue for cultural and environmental learning opportunities in a location that is more accessible to our community and to our schools.
3. Provide an opportunity for preservation of the historic OMEGA Station, which has already been deemed eligible for listing on the National Register of Historic Places. OMEGA was one of eight such facilities in the world that was capable of communicating world-wide with aircraft and ships at sea. In addition, the building could house exhibits and artifacts gathered from archaeology done on Interstate H-3

freeway, and honor the history and heritage of the lands affected by the H-3 freeway project. Funding for the new Ko'olau Museum would be developed from a nationwide fundraising drive. We ask that this bill include funding to repair and secure the OMEGA Station, which has suffered significant vandalism damage since the State acquired the property from the Coast Guard a few years ago. We cannot proceed with fundraising until the building is restored to its pre-vandalism condition.

4. Provide a place for hula halau to plant and gather their own greens for hula performances, reducing the necessity for them to gather ferns from closed watersheds.
5. Provide a place for the burial of unclaimed iwi kupuna inadvertently discovered in construction projects on Windward O'ahu.
6. Provide a place for cultural and environmental projects and programs, including a hula mound, self-guided tours, makahiki festival events, etc.
7. Provide a place for passive recreation and reconnection with the 'aina, something dearly needed and desired by the people of Ko'olaupoko.

This is a good project, one that can directly benefit so many more people than other projects being proposed. The communities of Kane'ohe and He'eia, and all of Ko'olaupoko, would be the immediate and direct beneficiaries; but this new preserve would be a treasure for all of our islands and the entire world.

Please report this bill out of committee and give us the funding to help make our dream a reality.

Mahalo for this opportunity to comment.



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

February 22, 2008

Senate Committee on Ways & Means

TESTIMONY IN SUPPORT OF S.B. 2727, S.D.1 Relating to Ha'iku Valley

Aloha mai kakou, Senator Baker and members of this Committee. The Ko'olaupoko Hawaiian Civic Club strongly supports passage of Senate Bill 2727, Senate Draft 1, which would create the Ha'iku Valley Cultural Preserve Commission and lead to the establishment of a new cultural preserve for this very important cultural area that lies mauka of Kane'ohe and He'eia ahupua'a.

With the Ko'olau Foundation and others, our members have worked for many years to seek preservation and protection of the many burials and heiau in Ha'iku Valley. ***Kane a me Kanaloa Heiau*** is one of the burial grounds for the ancestors of some of our members. As some of you may know, Kane and Kanaloa were two legendary Hawaiian gods responsible for opening springs around the islands, digging into the soil with their o'o sticks.

Our kupuna, in their late 80s and early 90s, point out to us the location of ***Kanehekili Heiau***, behind which the H-3 freeway winds down toward Luluku from the tunnel. Kanehekili was the god of thunder and lightning. Na kupuna also tell us this valley served as a hospital in kahiko times. Kahuna la'au lapa'au grew their medicinal plants and people from all over Ko'olaupoko came to the valley to obtain help from the kahuna or medicinal cures. Some of our kupuna members were among those who once gathered healing herbs from the back of Ha'iku Valley at the direction of their elders.

But this valley is also important for its more contemporary history. Just after the start of World War II came the building of the Navy radar facility, the antenna grid, and the later conversion to an OMEGA Station. The radar facility was a top-secret installation and considered essential to national security following the attack on Pearl Harbor in 1941. Some of our members worked with the builders of the station during the 1940s. OMEGA itself was one of eight transmitter stations in the world that communicated with aircraft and ships at sea.

Some have told us that the State Legislature is wrestling with anticipated shortfalls in funding for all of the needs expressed by the administration and the Legislature. We understand and appreciate your challenges.

But we feel strongly that Kane`ohe and He`eia deserve the State's kokua to establish this preserve and protect it from further neglect and damage.

The OMEGA building, considered eligible for listing on the National Register of Historic Places, has been severely damaged because the state – which controls this property – doesn't care enough about these assets to ensure they are safeguarded. It makes us weep to see how that beautiful building, left in immaculate condition with the departure of the Coast Guard, has become a haven for vandals and others looking for an outlet for their destructive behaviors. Every piece of glass, every strip of copper, all of the wall coverings, wiring, doors, windows and other remnants of what might have been recognizable and valuable to this historic building – all of this has been torn out and scattered or stolen through the lack of proper security.

It will now require as much as \$2 million to repair and secure the building, and additional funds are needed to bring in proper security for the area.

We in the community offered years ago to help watch over Ha`iku Valley, but our offer was not accepted. Instead, we have felt unwelcome in this valley, which is so important to our people and which holds great historic and cultural value to all of us.

We urge you please help us protect this precious resource, restore its use to our community, and enable us to malama this `aina as the treasure it is for all Hawai`i nei. We need the funding to get this preservation project started, and appreciate any kokua you can give us to do so.

Mahalo for this opportunity to offer our testimony.

MAHEALANI CYPHER
President
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koolaupokohcc.org

Alice Hewett
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Kane`ohe, HI 96744

February 25, 2008

TESTIMONY IN SUPPORT OF S.B.2727, S.D.1 Relating to Ha`iku Valley

Senator Rosalind Baker, and Members
Senate Committee on Ways & Means

I wish to speak in strong support of the passage of Senate Bill 2727, Senate Draft 1, which would create the Ha`iku Valley Cultural Preserve.

I was born and raised in Ha`iku Valley, was married and had all of my nine children in this valley. My son still lives on our family property on Ha`iku Road, as does my sister and my youngest brother.

For most of my life, I have worked with thousands of children of the Kane`ohe and He`eia area, the keiki o ka`aina.

This valley offers a chance for them to learn all about our culture, our history, and the natural environment of Ha`iku and the He`eia ahupua`a.

There are no other places in the Kane`ohe area where they would be able to have all of these things together, these opportunities for enjoying and learning about our area.

We have kahuna la`au lapa`au in our family, and they could return to Ha`iku Valley, once it is a cultural preserve, to teach others about traditional healing practices.

Please support the passage of this bill.

Aloha and mahalo.

Caroline Halualani Bright
46-317 Halualani Place
Kane'ohe, HI 96744
Ph. 235-6789

February 25, 2008

TO: SEN. ROSALIND BAKER, CHAIR
AND MEMBERS
SENATE COMMITTEE ON WAYS & MEANS

FROM: CAROLINE HALUALANI BRIGHT
Kupa'aina of Ha'iku Valley
Kupuna, Komomua 'Ohana

SUBJECT: Support for Senate Bill 2727, S.D.1, Establishing Ha'iku Valley Preserve

The lands at Ha'iku Valley were given to my ancestors, Chief Komomua and High Chiefess Koaomokumoku o He'eia, centuries ago by Kamehameha the First. Our extended family, all of their descendants, now numbers in the thousands. Some of our family members lived up mauka, in the valley, and were relocated further makai of the valley until the 1940s, when the military came in to build the Naval Station up there.

I know this valley is very sacred to our people, because it has many burials and heiau throughout the area. I am 83 years old and I remember, as a young girl, my grandmother was a healer. She would send my uncle up into the valley, and I would go with him to gather medicinal plants. She would send my aunty to the ocean to gather plants from the sea, and would combine the plants to make medicine for our people.

So I feel this valley is very important and should be set aside as a preserve, to protect our cultural areas and the Hawaiian plants that I know are still in there, hidden behind the bamboo. My tutu told me that some Hawaiian plants can only be found in their own natural environment, and would only grow there and no where else.

I support this bill, and ask only that you include sufficient funding to help make this cultural preserve a reality.

Mahalo for this opportunity to give my testimony.

February 25, 2008
Estelle Halualani Drew
46-313 Halualani Place
Kaneohe, HI 96744

TESTIMONY ON S.B.2727, S.D.1, RELATING TO HA`IKU VALLEY

Senate Committee on Ways & Means

Dear Chair Baker and Members:

I am pleased to offer my testimonial in support of the
Ha`iku Valley Cultural Preserve Commission.

I have lived my entire life in Ha`iku Valley, and I still
live on kuleana land in the valley, just makai of the gate.
The auwai of the valley ran right alongside my house down
past St. Ann's School all the way to He`eia fishpond.

It was my responsibility, when I was younger, to make sure
our kids didn't put their feet in the water at certain
times so that the farmers down below would have clean
drinking water. My grandfather Ulysses Jones was the last
konohiki for water in He`eia ahupua`a, and I kept up with
his responsibilities up until the construction of Crown
Terrace subdivision, when our families signed off on the
water rights to Bishop Estate.

As the eldest child of the Halualani `ohana, my line comes
directly from Chief Komomua and High Chiefess Koa o
Mokumoku o He`eia.

I am 85 years old, and I would like to see this valley
restored to our people for a cultural place, for education,
for healing, and to strengthen our spirit.

Please pass this bill and give us the support we will need
to make our dream a reality.

Mahalo.

JERRY KALUHIWA
P. O. BOX 4870
Kaneohe, HI 96744

February 25, 2008

SEN. ROSALIND BAKER, CHAIR, & MEMBERS
COMMITTEE ON WAYS & MEANS
State Capitol
Honolulu, Hawaii 96813

Subject: S.B. 2727, Relating to Ha`iku Valley

Dear Senator Baker and Members:

As a native Hawaiian cultural practitioner of lawai`a, I speak in strong support of Senate Bill 2727, Senate Draft 1, which would establish a cultural preserve for Ha`iku Valley.

I have lived my whole life in He`eia-kea, and feel that this valley is very important to our people and toward preserving our culture. My family and I have visited Ha`iku valley many times over the years, and we feel the mana of this `aina whenever we are there. Even from makai, from the oceanside where I live, I know how strong that valley is.

As part of the construction crew for H-3, I was the last guy there watching out for the cultural areas in the valley. That's how I stopped them from destroying Kanehekili heiau, up at the top, when they were building the road coming out of the tunnel.

We have no such place in all of the Kane`ohe-He`eia area. We really need this cultural preserve, not just for ourselves today but also for the next generations to come.

Mahalo and aloha,

JERRY KALUHIWA
Na Iwi Ola o He`eia-Kea
Cultural Practitioner