

LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the House Committee on
HAWAIIAN AFFAIRS**

**Wednesday, March 18, 2009
9:00 AM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 1108
RELATING TO NATIVE HAWAIIANS**

Senate Bill 1108 would amend Act 212, Session Laws of Hawaii 2007 (Act 212), to extend the sunset date for the Aha Kiole Advisory Committee (Committee) to the year 2011, and task the Committee with providing a report to the Legislature over the next two years. While the Department of Land and Natural Resources (Department) takes no position on this extension, the Department offers the following comments.

Act 212 still provides that the Department support the Committee's activities. Whether for reimbursement or for in kind services, the Department asks that the Legislature understand that given the budgetary cuts the Department has had to absorb this fiscal year and further cuts proposed in the Executive Biennium Budget request, the Department's personnel and fiscal resources are being spread thin, and already impacting departmental priorities.

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



Legislative Testimony

SB 1108, RELATING TO NATIVE HAWAIIANS

Senate Committee on Water, Land, Agriculture, and Hawaiian
Affairs

March 18, 2009

9:00 a.m.

Room: 229

The Office of Hawaiian Affairs (OHA) **OPPOSES** SB 1108, which would extend the sunset date of the 'Aha Kiole Advisory Committee - created by Act 212 of the 2007 Regular Legislative Session - by two years to 2011.

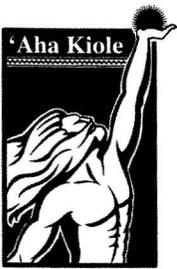
Although OHA believes in and supports allowing Hawai'i's current natural resource management policies to be improved through the adoption of traditional, community-based natural resource management, we do not agree that the group as it now exists is the correct one to do this work because they have gone well beyond the authority provided them in the scope of Act 212, while professing not to have yet completed to their satisfaction the actual tasks given to them.

Only local communities that have lived off of the resources of their respective ahupua'a, and have properly studied the area, and the natural and unnatural impacts upon the resources, know when is the proper time to harvest, to kapu, to heal, to monitor, to inspect, and to take accountings. Native Hawaiians have centuries of knowledge upon which to draw, and generations to feed and to educate. Not only must they preserve the ecosystem of their community resources, but the health and culture of their people. All of the above was professed to be part of the intent of Act 212.

If this advisory committee's lifespan is to be extended, those intentions must be acted upon. The Legislature must make it clear that the committee is limited in its capacity to be advisory only, does not speak for all Native Hawaiians on any natural resources issue, will be task oriented, and will support existing or proposed community-based resource management projects. Furthermore, if SB 1108 moves forward, we request that it be amended to require that the Governor appoint eight new

members of the advisory committee from a list of nominations submitted by Hawaiian Civic Clubs and other Native Hawaiian organizations, and that the Committee be moved under OHA for administrative purposes, with a matching funding allocation.

OHA therefore respectfully urges the Committee to HOLD SB 1108. Thank you for the opportunity to testify.



TESTIMONY OF
AHA KIOLE ADVISORY COMMITTEE

**IN SUPPORT OF
SB 1108**

House Committee on Hawaiian Affairs
Conference Room 329, 9:00 a.m.

March 18, 2008

Aloha Chair Carroll and Members of the Committee:

The Aha Kiolo Advisory Committee (AKAC) was created through Act 212 in Legislative Session 2007 to create a system of best practices based upon the indigenous resource management practices of traditional moku (regional) boundaries that acknowledges the natural contours of land and the specific resources located within those areas, and the methodology necessary to sustain those resources and the community.

Since its inception in 2007, the AKAC has strived to restore the Aha Moku System, an ancient proven system of traditional land and ocean resource management used universally in Hawaii prior to the 9th century A.D. and brought forth through oral history and generational practices. This restored system is to aide government in its goal of ecosystem sustainability in Hawaii today.

It is important to understand that the hierarchy of councils known as the Aha Moku System is a traditional one already established and in practice with generational resource practitioners. As stated in the AKAC 2009 Report to the Legislature, the Aha Moku System is a top-down process with the ahupua'a communities on the top and the Kiolo as the liaison to government agencies on the bottom. From November 2007 through December 2008, the AKAC along with the traditional moku districts have held or participated in close to 100 meetings, gatherings, talk-story sessions and discussions on initiating this moku system statewide. However, although many of the moku support this system, more time is needed to solidify the process.

The current members of the AKAC are all practitioners and have established a strong rapport with moku representatives and ahupua'a communities. It is prudent to allow them the time to finish the process. We urge your committee to pass SB 1108 so the work can be completed.

We are very grateful to the Hawaii State Legislature for their faith in the native Hawaiian traditional methods of ecosystem management and ask that we be allowed to continue in these efforts through the processes outlined in our 2009 Legislative Report.

The Aha Kiole Advisory Committee representing the islands of Hawaii, Maui, Molokai, Lanai, Kahoolawe, Oahu, and Kauai are in support of SB 1108. Thank you for your consideration in hearing this testimony.

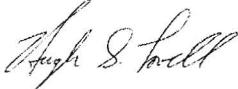
Respectfully,



Vanda Hanakahi, Moloka'i, Chair



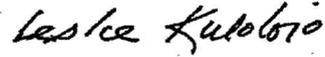
Timothy Bailey, Maui



Hugh Lovell, Hawai'i



Sharon Pomroy, Kaua'i



Leslie Kuloloio, Kahoolawe, Vice-Chair



Winifred Basques, Lana'i



Charles Kapua, O'ahu



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

March 18, 2009

To: Rep. Mele Carroll, Chair
And Members
House Committee on Water, Land & Ocean Resources

From: Mahealani Cypher, President
Ko'olaupoko Hawaiian Civic Club

Subject: S.B. 1108, Relating to Native Hawaiians

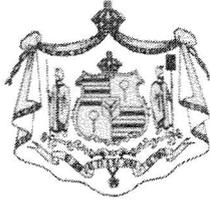
Aloha mai kakou from the Ko'olaupoko Hawaiian Civic Club, working with nine ahupua`a around Kane`ohe Bay, moku Ko'olaupoko, O`ahu.

Our civic club supports this legislation to allow additional time for this `Aha Kiolo advisory committee to work with Native Hawaiians in various island communities to reestablish their `aha councils. In our own moku, we have begun the work to reach out to residents, businesses and visitors to our ahupua`a, to educate them about our cultural and natural resources, and to enlist their participation in caring for their own ahupua`a.

We were recently awarded a grant to be used toward the cost of installing ahupua`a boundary markers to identify the 11 ahupua`a in the moku of Ko'olaupoko. After we have obtained matching funds, we will proceed with planning and installation of these modest markers to help identify each ahupua`a in our area. We believe residents and visitors alike will benefit from learning about these ahupua`a and how we can take on our collective kuleana to malama these `aina.

Mahalo for this opportunity to share our mana`o.

P. O. Box 664
Kaneohe, HI 96744
Ph. (808) 235-8111
koolaupokohcc.org



Association of Hawaiian Civic Clubs
P. O. Box 1135
Honolulu, Hawai`i 96807

TESTIMONY OF LEIMOMI KHAN, PRESIDENT
IN SUPPORT OF

SB 1108 – RELATING TO NATIVE HAWAIIANS

Committee on Hawaiian Affairs

**Hearing date, time and place:
Wednesday, March 18, 2009, 9:00 a.m., Conference Room 329**

Aloha Chairperson Carroll, Vice Chair Shimabukuro, and Members of the Hawaiian Affairs Committee. Thank you for this opportunity to testify in support of Senate Bill 1108 which extends the sunset date for the ‘Aha Kiole Advisory Committee to June 30, 2011.

The Association of Hawaiian Civic Clubs strongly supports this bill to assure the implementation of the ‘aha moku system. We are hopeful, too, that the Governor and the Department of Land and Natural Resources will provide full administrative and funding support to enable continuance of its work through June 30, 2011.

Nicole Holler
March 15, 2009
Organization: Individual
Testify in support
SB 1108 SD 2

Dear members on the committee, My name is Nicole Holler. I am a social work student at the University of Hawaii and a member of the NASW. I am testifying in support of bill SB 1108 SD 2.

I feel very strongly that the sunset date for the aha kiole advisory council should be extended to the year 2011.

Thank you for allowing me to testify in support of bill SB 1108 SD 2

Testimony: SB 1108 In Opposition

Committee: **HAW**

Room: **329**

Hearing Date: **3/18/2009 9:00:00 AM**

Aloha Chair Kokubun and Committee members,

My husband and I participated in the discussion and process that encouraged the creation of the Aha Kiole. We have now seen what could have been an advocate for our interests and knowledge distract and mislead those in our community who have been and continue to work to restore and preserve the natural resources we depend on to live.

The fact that the establishment of this entity was tied to real and substantiated support and funding by the Western Pacific Fisheries Management Council, (a commercial fishing advocacy organization) and continues to be "**under the influence**" of those who seek to ply their trade in our nearshore waters is too high a hurdle to be overcome.

The Aha Kiole does not represent those of us in the community but rather is working against us.

Please listen to us, the communities who have been impacted by this outside commercial influence. **We beg you to please recognize that more time cannot make a pig fly.**

Please hold this bill.



Me ka pono,

Makaala Kaaumoana