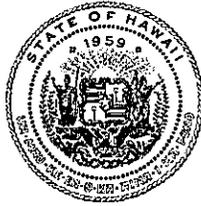


TESTIMONY
SB 635
Proposed SD 1

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 Senate Committee on
WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS**

**Friday, February 6, 2009
2:45 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 635, Proposed SENATE DRAFT 1
RELATING TO STATE PARKS**

Senate Bill Number 635 proposed Senate Draft 1 would turn over Kahana Valley (Valley) to the Office of Hawaiian Affairs.

As the Legislature considers a variety of ideas for Kahana, the Department of Land and Natural Resources is asking that the solution be guided by the original purpose for which the Valley was purchased, as a public park. The Valley was acquired for the benefit and enjoyment of all, and it is important that, as a public park, Kahana should provide a welcoming environment for all who visit. The Valley was purchased to protect it from development, and any solution should limit future development.

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
KAIHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Ladies and Gentlemen of the board,

Aloha! In response to the following bills that have been introduced, mainly Bills #635, ~~#638 and #643~~. Thirteen residents including myself, believe that the current cultural interpretive programs in Kahana Valley should remain intact and as is. The Department of Land and Natural resources have worked tirelessly among residents, families and community organizations and entities to create the many unique cultural programs that are currently offered in the park. Some of these include loi, fishpond, lauhala weaving, oral history, la'au, hula and music. With support from the state and its committed staff and leadership assigned to work with the people of Kahana, the state and the residents of Kahana have developed a unique working cultural and interpretive program, that continues to grow.

We believe that the transfer of any land, management and or control, other than that which is in place in Kahana at this current time, will cause unnecessary and unneeded aggravation, frustration and anger to the residents and people of Kahana. We believe that the responsibility and future of all that Kahana has to offer, lies on the shoulders of those who know and care the most about this beautiful place, and that is the people who live there. We also feel that those individuals who were being evicted from their homes, should like all others residents in Kahana, relocate and take up residence with their families who have since, moved out of their old homes and into their new ones. Other than these six individuals, there are about 30 to 40 other individuals who have taken up temporary residence outside and within Kahana, who like them have been displaced. We ask that you consider the things that we share with you this day, that we, the upcoming generation and youth of the valley might be able to take a more genuine and active roll in the future of Kahana. So in closing, to all those who have worked hard to create and introduce bills #635, #638 and #643 that would ultimately change all that we have worked so hard to build, thanks but no thanks.

With Aloha,

James A. Mainaupo
Anisa Pii Kahala
Kauai Sherman
Masina Kahala
Kuulei Jenks & Ikaika Garvida
Leelen Garvida
Kahiau Wallace
Kaimihaauao Wallace
Whitney Martinez
Shaunteira Keaweehu
Mamo Leota
Jorge Peapealalo
Carol Keaweehu
Joshua Mainaupo
Jason Mainaupo
Samuel Garvida



Legislative Testimony
SB 635 SD1 PROPOSED RELATING TO STATE PARKS
**Senate Committee on Water, Land, Agriculture, and Hawaiian
Affairs**

Friday, February 6, 2009
Room: 229

2:45 pm

The Board of Trustees of the Office of Hawaiian Affairs (OHA) has not yet taken a formal position on SB 635 SD1, but will be reviewing the measure this coming week. Based on OHA's previous positions regarding Kahana Valley, OHA SUPPORTS the intent of the measure, which OHA believes is to assist Kahana Valley lessees remain in the Valley.

OHA however is NOT INCLINED TO SUPPORT the proposed transfer of those specified lands and leases to OHA as described in the bill for a number of reasons.

First and most importantly, OHA believes the residents of Kahana Valley should have a meaningful say in the planning for the future of Kahana, and OHA would not desire to become the owner of these lands and the community's landlord if the residents were not widely supportive of such a move. The necessary community based master planning for Kahana, including what agency they would prefer to hold title, has not in our opinion occurred. OHA is supportive of the kind of planning envisioned in other measures before you, such as SB 638, which would allow planning to occur before any transfers of land were effectuated.

A second issue of concern is that this measure proposes to simply transfer the existing management authority as described in law from the Department of Land and Natural Resources (DLNR) to OHA. OHA does not believe that the existing management authority has allowed or would in the future allow the valley to fulfill the state's intent or the residents' desires in how Kahana should be managed. Merely transferring what appears to be a broken management structure from one entity to another will not necessarily help solve the significant issues Kahana faces.

Third, the bill is not sufficiently clear in how the ongoing costs of managing Kahana would be handled. Language in Section 4 of the bill does not clearly provide for an ongoing source of funds that would assist OHA in fulfilling the kuleana of managing Kahana. If such funding were not provided, it would

necessarily require OHA diverting funds to manage Kahana from other beneficiary programs and services.

OHA remains open to participating in the discussions of how to best manage this special place. Thank you for the opportunity to testify.

From: Lena Soliven [lenaz1@hawaii.rr.com]
Sent: Thursday, February 05, 2009 2:33 PM
To: testimony
Subject: COMMITTEE ON WATER

COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN
AFFAIRS

~~**SB 635 / SB 638 / SB 639 / SB 643**~~

Chairman Senator Clayton Hee, Vice Chairwoman Jill Tokuda
and committee members

February 5, 2009

Aloha,

I am a mother, grandmother, daughter, sister, aunty, niece, and granddaughter. My name is Lena Puanani Soliven. I am one of the 6 families that the state attempted to evict on October 27, 2008, from the Ahupua'a o Kahana.

We are lineal descendants of Kahana. As we look back we see our great grandparents, our grandparents, our parents, our selves, and as we look forward we see our children, our grandchildren, our great grandchildren.....

We are in support of legislation that would keep us on the land and in Kahana. We are "HAWAIIANS" living on HAWAIIAN LANDS living in our beautiful HAWAII NEI.

Kahana is were live, teach, and share "OUR CULTURE" to family, friends, and even strangers, everyone knows that there is no place like **HOME**.

Mahalo
Lena P. Soliven

TESTIMONY
SB 635
Proposed SD 1
(END)