# SCR 3

# EDT/JGO

Thankyou for the chance to give testimony today

My name is Allen Stack Jr. My family has lived in Novano Valley for 4 generations. I am opposed to SCR3 (HCR22 HR24, SR (a and SCR42) and SD-1 requesting congress to designate the Hawaii Capital Cultural District as a National Heritage Area. I first heard of this legislation about 2 months ago. Very few residents in the affected area are aware med less a would approve of this legislation.

Broad based community/support is one of the requirements for crafting of this legislation.

This legislation was not started by a broad based resident movement This legislation was not crafted with imput from a broad residential base in the affected area

This legislation was not moved foreward with broad based community (resident approval.

This legislation, the North Heritage
Area Designation is being done
to us by an organization that
is unaccountable to the residents
in the affected area,

This N.HA, Legistation must be stopped.

Again I speak in opposition to SCR3(HCR22, HR24, SR6, SCR42) and \$501

My name is Allen Stack IT. and I am a Chinatown landowner.

Thank You

Aller Stack Jr 1046 Novano Ave Honolulo, Hi 96817 Alle Stack Tr all Stack Tr 537-2900



## OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42)

From: janoss@aol.com Sent: Thu 4/02/09 8:03 PM

To: senfukunaga@Capitol.hawaii.gov; senbaker@Capitol.hawaii.gov; senhee@Capitol.hawaii.gov;

sendige@Capitol.hawaii.gov; senslom@Capitol.hawaii.gov; sentaniguchi@Capitol.hawaii.gov; sentakamine@capitol.hawaii.gov; senbunda@Capitol.hawaii.gov; sengabbard@Capitol.hawaii.gov;

sennishihara@Capitol.hawaii.gov

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Honorable Senators,

Re: Strong opposition to HCR22, HR24, SCR3, SR6 and SCR42

I, Janos Keoni Samu, resident and citizen of the Reinstated Kingdom of Hawai'i, AKA State of Hawa'i hereby strongly oppose the above captioned bills pertaining to the establishment and support of a National Heritage Area permitting directly and/or indirectly the involvement of the any Federal agency or federal authority in the supervision, overseeing, management and audit of said National Heritage Area including Mauna Ala, Iolani Palace, Nuuanu Pali, Puowaina - Papakolea - and basically everything and anything within the Honolulu Ahupuaa and Kapalama Ahupuaa - mountain to sea.

This protest is based on the fact that the aforesaid area is an inalienable part of the Hawaiian culture and sacred to the the Hawaiian nation, and as such cannot be handled as a commodity. Allowing the direct or indirect overseeing, management, supervision, and/or audit by any entity regarded by native Hawaiians, residents and citizens of the Kingdom of Hawaii as foreign (including the country called United States of America) would be a consent and aiding to the rape of the culture and heritage of the Hawaiian nation.

Therefore I am in strong opposition of the approval of HCR22, HR24, SCR3, SR6 and SCR42.

Yours truly,

Janos Keoni Samu PO Box 527 Kalaheo, HI 96741 808-332-5220

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Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) is as follows:

- area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory <u>each</u> property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
- f. Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.
- While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.

- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
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- \* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawaii Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42).

Me ke aloha pumehana,

Linda Zabolski 71-1461 Puu Kamanu Lane Kailua Kona, HI 96740 808-345-0466

### Kalawahine Streamside Association

C/o Management Specialists 1585 Kapiolani Blvd., Suite 1530 Honolulu, Hawaii 96814 Ph. # (808) 949-7611, Fax. # (808) 943-1668



April 3, 2009

Honorable Carol Fukunaga, Chair 11<sup>th</sup> Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, Hawaii 96813

Honorable Brian Taniguchi, Chair 10<sup>th</sup> Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, Hawaii 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) – REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA.

Dear Chairs and Committee Members,

The Kalawahine Streamside Association (KSA) is one of three Hawaiian homestead communities located in the proposed National Heritage Area. KSA is an 87-unit development on 26.5 acres of Hawaiian home lands on the eastern slope of Kalawahine Valley, between Papakolea and Roosevelt High School.

We are **opposed** to this and any legislation relating to and in relation to the support, designation and establishment of the Hawai'i Capitol National Heritage Area for the following reasons:

- A lack of community and involvement, as required under the National Park Service Critical Steps.
- The lack of recourse for community stakeholders within the Hawai'i Capitol National Heritage Area designation area to protest decisions of the local managing entity.
- The right of the local managing authority to inventory each property within the designated area and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity.
- The KSA community was not included in the planning process that led to the Hawai'i Capitol National Heritage Area's current legislation.

Sincerely,

Richard Soo
Interim President
Kalawahine Streamside Association
Cell # (808) 227-2239 Email: soor001@hawaii.rr.com

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD!

LATE

April 1, 2009

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

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- area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
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- f. Reducing and possibly removing local and State authority (which are held accountable by their constituents), as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD1

g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.

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- The process itself has not been inclusive: A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.
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Furthermore, resident consultation – in the proposed communities – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) Demonstration of widespread public support among heritage area residents for the proposed designation; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42) and SD1.

Sincerely,

APB 185 N. Km St. 1400 olnlu, HI 96817 (808) 585-8538

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD!

LATE

April 1, 2009

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

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Sincerely,

VICENE NOUYEN KIM 188. N. KING ST HOW, HT 96817

LATE

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Kealii Makekau 2563 Date st #312 Honolulu Hi, 96826 808 947-4343



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As a state holder, In businesse and residential,I concur with with the above.

Robert Au

President: Lal Fong Inc. (Chinatown & Makiki )
Personal Rep.Estate for Audrey Au (Chinatown)
President: Chinese English Debating Society

1715 Anapuni St. #H Honolulu, Hawaii 96822 Landline: 808-944-8140 Cell: 808-781-8140

# Re: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) - REQUESTING LATE CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

From: Mililani Trask (mililani.trask@gmail.com)

Sent: Thu 4/02/09 8:30 AM

To: Tamar deFries (tamardefries@hotmail.com)

Aloha Tamar,

PLease put me on the testimony in opposition and the group NaKoa Ikaika KaLahui Hawaii. Good work, Mililani

On Wed, Apr 1, 2009 at 9:45 PM, Tamar deFries <tamardefries@hotmail.com> wrote:

Aloha mai ~

(If so moved, please feel free to forward the message and attachment below minus my personal information.)

HR183 and HCR213 was passed out of HAW unamended today (good news), but the fight continues, as there are numerous pieces of legislation moving through both the State House and Senate. HR183 and HCR213 called for HAWAII'S CONGRESSIONAL DELEGATION TO WITHDRAW ITS SUPPORT OF THE HAWAII CAPITAL NATIONAL HERITAGE AREA.

HCR22, HR24, SCR3, SR6, and SCR42 is legislation currently in the State Senate and House that pertain to the establishment and support of a National Heritage Area (inclusive of Mauna Ala, Iolani Palace, Nuuanu Pali, Puowaina - Papakolea - essentially everything and anything within the Honolulu Ahupuaa and Kapalama Ahupuaa - mountain to sea). These Resolutions need to be OPPOSED, as they support the designation of a National Heritage Area (Federal Legislation S.359 and H.R. 1297) that permits an unaccountable Local Coordinating Entity to submit a management plan for the above stated area that will be approved and audited by the US Secretary of Interior and recommendations for the role of the National Park Service and other Federal agencies associated with the proposed Heritage Area above.

The testimony today from those who support the National Heritage Area spoke of Native Hawaiians as a commodity - the continuation of commodification and prostitution of Hawaiian Culture - all in the name of toursim (the continuation of Hawaii's failing dependent economy). Those in support of the National Heritage Area veiw preserving Native Hawaiian culture by federalizing Native Hawaiian lands. The Hawaii Capital Cultural Coalition (HCCC - Local Coordinating Entity) has begun a strong campaign in the tourist industry (inclusive of arts affiliated non-profits) to ensure the Resolutions above (HCR22, HR24, SCR3, SR6, and SCR42) and the Federal Legislation S.359 and H.R. 1297 pass. For example, DLNR submitted testimony supporting the National Heritage Area, along with Iolani Palace. This should raise "red flags". Especially when Kippen de Alba Chu of Iolani Palace stated in his testimony that "Hawaiians should have nothing to fear". Native Hawaiians, there is

much to fear with this designation. It is the continued "fedralization" of our land and people.

Therefore, Native Hawaiians and concerned constituents who will be impacted by the National Heritage Area are called to testify this Friday, April 3, 2009 at 1:15 pm in Conference Room 016 in OPPOSITION to SCR3. An example testimony is attached and can be submitted via email to:

senfukunaga@Capitol.hawaii.gov senbaker@Capitol.hawaii.gov senhee@Capitol.hawaii.gov sendige@Capitol.hawaii.gov senslom@Capitol.hawaii.gov sentaniguchi@Capitol.hawaii.gov senbunda@Capitol.hawaii.gov sengabbard@Capitol.hawaii.gov sennishihara@Capitol.hawaii.gov

### and fax to the:

### Senate Sergeant-At-Arms at (808) 586-6659

It is highly recommended that testimony in OPPOSITION to SCR3 (including HCR22, HR24, SR6, and SCR42) be submitted prior to tomorrow at 12:00 pm. Equally important is being present on Friday, April 3, 2009 at 1:15 pm in Conference Room 016.

If you have any questions, please feel free to contact me via email at tamardefries@hotmail.com. Please feel free to forward email content to your contacts. Mahalo.

Me ke aloha pumehana,

Tamar deFries

 $Rediscover\ Hotmail @: Now\ available\ on\ your\ iPhone\ or\ BlackBerry\ Check\ it\ out.$ 

# Response from Ka□āhiki Solis

LATE

From: **Sheleigh Solis** (sheleigh@hawaii.edu)

Sent: Thu 4/02/09 9:04 PM

To: Tamar deFries (tamardefries@hotmail.com)

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) is as follows:

- a. This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory each property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
- f. Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.
- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.
- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- i. The process itself has not been inclusive: A key requirement of the

# OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42)



From: **Tane** (tane\_1@msn.com)
Sent: Thu 4/02/09 7:39 PM
To: tamardefries@hotmail.com

To whom it may concern:

I am in OPPOSITION TO **SCR3 (HCR22, HR24, SR6, and SCR42)** - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA.

I vehemently oppose this and the trickery to try to sneak this into another bill. Those actions alone make me suspicious of the real intent to pass such a seditous bill and condescend those who are trying to pass this through.

It seems those of this state don't have the temerity as those of the states on the continent who fight for their autonomy to keep the federal government out of their jurisdiction. Hawai'i's state is unique in wanting to surrender its autonomy back to the Federal government and developers. If you're going to do that; give it back to the Hawaiian Kingdom which is the right thing to do and the legal thing to do.

Let's not play games here. Don't start fanning the wasp's nest; you just may get stung and will really have to deal with the Hawaii national citizens as well as your constituents. The blind leading the blind will never work satisfactorily especially when the hornets' nest is already disturbed.

Tane

AKA: David Michael Kaipolaua'eokekuahiwi Inciong, II Pearl City, U.S. occupied HI

(808) 456-5772

tane 1@msn.com

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Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) is as follows:

- O. This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- C. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory <u>each</u> property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
- f. Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.
- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.

- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- i. The process itself has not been inclusive: A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.
- \* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42).

'O Wau No Iho,

L. Mikahala Roy, President Kulana Huli Honua 75-5660 Palani Rd. Kailua-Kona, HI 96740

(808) 327-0123



Senate Committee on Economic Development and Technology Hawaii State Capitol, Room 016 Friday, April 03, 2009, 1:15PM

Submitted by
Wayne Kaho'onei Panoke, Executive Director
'Ilio'ulaokalani Coalition
46-2888 Kamehameha Highway
Kane'ohe, Hawai'i 96744
224-8068

In opposition to SCR3 (HCR22, HR24, SR6, AND SCR42)

Aloha Chair Fukunaga and members of the Senate Committee on Economic Development and Technology:

'Ilio'ulaokalani Coalition opposes SCR3, Requesting congress to designate the Hawaii Capital Cultural District as a National Heritage area. As an organization that prides itself on promoting cultural practitioners and protecting the preservation of our sacred lands, we find it appalling that this project which has been in discussion for six (6) years has failed to conduct native Hawaiian consultation. The fact that the Coordinator of the Heritage group has admitted to not doing a good job in reaching out to our native leaders for consultation is enough for us to realize that we cannot support any kind of legislation that would take an ahupua'a and place it under the authority of the Secretary of Interior, without proper native Hawaiian consultation.

While the list of partnerships encompasses individuals of Hawaiian ancestry, the emphasis on those that have been consulted are related to the tourist industry. The fact that this federal designation includes three (3) Hawaiian homesteads, who have not been consulted at all is unacceptable cultural behavior. It is our understanding that when this project started six years ago, the area to be designated was the downtown arts district. Over the years, the area of designation has grown from the downtown arts district to including all of Nu'uanu, Liliha and Punchbowl district. With the addition of these areas, native Hawaiian consultation still was not completed, which is a travesty to my peoples.

We highly urge the members of this committee to disregard your Chairman's request by e mail to support the National Heritage Area designation (the federalization of our land and people) in conjunction with the 50<sup>th</sup> Anniversary of Hawaii Statehood. The fact that many native Hawaiians don't recognize statehood is evidence that this designation should not be attached to any other legislation.

Mahalo for your time and effort,

LATE

### Re: PCA OPPOSIES NHA DESIGNATION

From: **Denise Ka`a`a-KSA** (DeniseKSA@hawaii.rr.com)

Sent: Fri 4/03/09 7:51 AM

To: B. Puni Kekauoha (punikekauoha@gmail.com)

Cc: Annie Au Hoon (annie@schhahomesteads.org); Richard Soo (soor001@hawaii.rr.com); Lionel Wright

(localkinegear@yahoo.com); Kahea Keahi-Wood (kahealanikeahi@yahoo.com); Emma Wright

(emma.l.wright@hawaii.gov); Zena (zenapiilani@yahoo.com); Micah Kane

(Micah.A.Kane@hawaii.gov); kamaki@att.blackberry.net; Tamar (tamardefries@hotmail.com); Sylvia

Luke (repluke@capitol.hawaii.gov); Mele Carroll (repcarroll@Capitol.hawaii.gov)

Attachments:

PCA Testimony.doc (25.1 KB), ATT00001 (0.0 KB)



Mahalo Puni. As a homeowner in this homestead area I support the efforts and testimony of PCA. I apologize that I won't be able to attend the hearing today as I will be going on a trip today.

Kulia i ka pono, Denise L. Ka`a`a

On Apr 3, 2009, at 7:42 AM, B. Puni Kekauoha wrote:

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD!



April 1, 2009

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) AND SD1 - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), and SD1which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) and SD1 are as follows:

- area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory <u>each</u> property within the designated area --- the two ahupuaa of Kapalama and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
- f. Reducing and possibly removing local and State authority (which are held accountable by their constituents), as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD1

P. 2

- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.
- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- i. The process itself has not been inclusive: A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.
- \* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in the proposed communities – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42) and SD1.

Emmanuel Ibus

Sincerely

5 N. Pavahi st.

808-524-5266

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD!



April 1, 2009

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) AND SD1 - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

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Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD1

P. 2

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"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

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Furthermore, resident consultation – in the proposed communities – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42) and SD1.

Sincerely, DIEGO C. GAMARDO 15 N. HOTEL ST. HON. HI. 96817 PHONE - 808 - 536-6185 QUELO C. GAMARDO



Honorable Carol Fukunaga, Chair 11<sup>th</sup> Senatorial District Hawaii Sate Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10<sup>th</sup> Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Friday, April 3, 2009 Time: 1:15pm

Testimony OPPOSING: SCR3 (HR24, SR6, and SCR42) Requesting Congress to Designate the Hawaii Capital District as a NATIONAL HERITAGE AREA.

Dear Chairs and Committee Members:

My reasons for testifying AGAINST the designation of our entire ahupua'a of Nu'uanu and large surrounding areas of Pauoa Valley, Kalihi, Kapalama, Puuowaina, Punahou area and makai including the pacific ocean are as follows....

First...some definitions that will be used in my testimony:

MARGINALIZE: to relegate to an unimportant or powerless position within a society or group.

OCCUPATION: the act of occupying AND the state of being occupied. The seizure and control of an area by military forces of a foreign country.

THEFT: the act of stealing, wrongful taking of goods or property of another.

RADICAL: Arising from or going to a root or source

TERROR: Instilling intense fear to achieve and maintain supremacy

TERRORISM: Systematic use of violence, terror and intimidation to achieve an end.

TERRORIZE: to fill or overwhelm with terror.

TERRORIST: a person who uses terro as a means of coercion.

ACTIVIST: a person who emphasizes direct and vigorous action, especially in support of or opposition to ONE side of an issue, controversial or otherwise.

When a group of people, Hawaiian and non-Hawaiian, committed to non-violence met upon the grounds of the I'olani Palace to gather in support of our Queen, we were flanked by police and DLNR officers decked out in bullet proof vests, tazers, guns no doubt with ammunition engaged, and handcuffs, loomed in the distance watching our every move. We entered the burial mound to do ceremonial protocols to our ancestors, entered to pull weeds and clear ti of yellow leaves, then gathered to fellowship, eat, and enjoy each others' company. We set up tents...ones that go up quickly and effortlessly...no big tents with stakes, ropes, lanterns like those we see often on the palace grounds. We were immediately surrounded by these armed law enforcers, and our tents were confiscated. We were told that as long as we gathered in groups of 24 or less in any given spot...we would not have any more problems.

For a moment, I'd like you to imagine going to a place of YOUR worship, or where you remember those who have left this earth...perhaps a cemetery...or a place of special value. Now...picture armed guards using terror to terrorize, to intimidate in order to achieve an end....to maintain supremacy.

Many of us who have for whatever reason, chosen a life of trying to bring about Justice when we see an injustice have been labeled "activists", "radicals", and with the autocities of 9/11 have also been called "terrorists". In fact a person I know has been called a terrorist by Haunani Apoliona, simply because he disagrees with her.

I have included as a reference, a few pages from Hawaii's Story by Hawaii's Queen. She states that the Hawaiian Islands were never ceded, were never annexed, but in fact were seized. Refer to the definition of theft. I know of a few cases that I'd like to reference. A man fairly recently got 10 years of prison for stealing copper, and another who claimed he was a Hawaiian Kingdom National, received 10 years in prison for not paying taxes to the United States, who he said has no jurisdiction over him. Yet as defined by domestic as well as international law...the United States is "occupying" Hawaiian lands and yet they don't get as much as a slap on the wrist So much for justice.

As you are witnessing, very few Hawaiians come out to testify for or against anything. In fact...most people do not. They work. Most feel "marginalized" by a system that says ONE thing...yet does another. Democracy is not all it's esposed to be for most of us, Kanaka or otherwise.

We have had enough lies, enough terrorism, enough theft to last a lifetime. In fact, it has been just about that....116 years of it. Federalization of our lands will cement those wrongful acts and add another layer of deceit and illegality. Please act responsibly in doing what is right.

Mahalo...Donna Burns

MMM Mun 3570 Kaolinani Dube. Hon HI 96R17 753-9092

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD!

April 1, 2009

LATE

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) AND SD1 - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), and SD1which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) and SD1 are as follows:

- area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory <u>each</u> property within the designated area --- the two ahupuaa of Kapalama and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
- f. Reducing and possibly removing local and State authority (which are held accountable by their constituents), as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.

Re: Opposed to SCR3 (HCR22, HR24, SR6, SCR42) and SD1

- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.
- h. The board members of the HCCC and the organizations that comprise it are made up of primarily artsaffiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS. LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- The process itself has not been inclusive: A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.
- \* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in the proposed communities – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) Demonstration of widespread public support among heritage area residents for the proposed designation: and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42) and SD1.

Sincerely,

Rick Coneay 1046 Nu'UANN AVE HONDLULY HI 96817



### urgent

From: Cathy Manu Kaiama (ckaiama@hawaii.edu)

Sent: Fri 4/03/09 12:06 AM

To: Tamar deFries (tamardefries@hotmail.com)

### Tamar.

okay its almost midnight and I have had no luck with regards to my work schedule. I thought my GA was going to be able to take my place but I just found out around 9 pm that she can't. I have been unable to reach or get others in my place....and now Dex just said he can't go tomorrow either. So plan B, please add our names to your testimony, plus these others...I have not been able to get people from CHS yet, as I was not on campus....so this is ohana really:

Manu Kaiama

Dexter Kaiama

Mehana Makainai

Jesse Makainai

Pearl Kaiama

Pearl Coleman

William Coleman

James Armitage

Kaleimaile

Kamoa

okay, if a miracle happens I will be there, otherwise see you tomorrow night....I need to get that organized better so our hour flows smoothly with information, I will work on that and email you by the afternoon, so check when you can. please remember to put together dates and times of next hearings so we can get others to come out.

a hui hou.

---- Original Message -----

From: Tamar deFries <tamardefries@hotmail.com>

Date: Thursday, April 2, 2009 5:59 pm

Subject: FW: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO

DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

To: undisclosed-recipients:;

> FYI

>

> From: tamardefries@hotmail.com

- > To: senfukunaga@capitol.hawaii.gov; senbaker@capitol.hawaii.gov; senhee@capitol.hawaii.gov; sendige@capitol.hawaii.gov; senslom@capitol.hawaii.gov; sentaniguchi@capitol.hawaii.gov; sentakamine@capitol.hawaii.gov; senbunda@capitol.hawaii.gov; sengabbard@capitol.hawaii.gov; sennishihara@capitol.hawaii.gov
- > Subject: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA
- > Date: Thu, 2 Apr 2009 17:52:02 -1000

>

> Aloha mai ~

>

> The email below was sent on April 1, 2009 in OPPOSITION to SCR3 SD1. The testimony in OPPOSITION is being resubmitted, because the Resolution (SCR3 SD1) still pertains to the designation of a National Heritage Area - in which we reside. Unfortunately the changes to SCR3 that Senator Fukunaga references in an email sent to several citizens in OPPOSITION has not changed our (myself and ohana) position on this

matter.

>

> We have done research on National Heritage Areas (NHA) throughout the U.S. prior to submitting our OPPOSITION and have found the ill effects listed below to be the (negative) ramifications of such a designation. Areas such as: Cane River and Shenandoah National Battlefields National Heritage Areas, Rivers of Steel NHA in Pennsylvania, Augusta Canal NHA are just a few examples of areas that have suffered and continue to suffer from the ill effects listed below, because of the NHA designation. The long term ill effects outweigh the small amount of funds offered, which are not even guaranteed if the Secretary of Interior does not approve the land management plan developed by an unaccountable local coordinating entity (this group is not even accountable to elected officials).

>

- > National Heritage Areas are de facto federal zoning.
- > National Heritage Areas stifle local initiative and control.
- > Property owners are not properly notified when their land falls within the boundaries of a proposed National Heritage Area.
- > National Heritage Areas not only promote federal land acquisition, but also acquire land themselves.
- > Furthermore, I firmly believe that our special and unique local community must remain in the hands of our local servent leaders elected by the people who will represent our voice and not be subject to the federal government through the Secretary of Interior.
- > If you have any questions, please do not hesitate to contact me at tamardefries@hotmail.com or call me via cellular at (808) 478-9627.
- > Me ke aloha pumehana,
- >

>

- > Tamar deFries
- > From: tamardefries@hotmail.com
- > To: senfukunaga@capitol.hawaii.gov; senbaker@capitol.hawaii.gov; senhee@capitol.hawaii.gov; sendige@capitol.hawaii.gov; senslom@capitol.hawaii.gov; sentaniguchi@capitol.hawaii.gov; sentakamine@capitol.hawaii.gov; senbunda@capitol.hawaii.gov; sengabbard@capitol.hawaii.gov; sennishihara@capitol.hawaii.gov
- > Subject: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) REQUESTING CONGRESS TO DESIGNATE THE HAWAI I CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA
- > Date: Wed, 1 Apr 2009 21:57:01 -1000

>

> April 1, 2009

Honorable Carol Fukunaga, Chair 11th Senatorial District > Hawaii State Capitol, Room 216 > 415 South Beretania Street > Honolulu, HI 96813 Brian T. Taniguchi, Chair 10th Senatorial District > Hawaii State Capitol, Room 219 > 415 South Beretania Street > Honolulu, HI 96813

>

> Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) is as follows:

- . > This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- . > The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- . > The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- > Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- Solution > As stated in their study, the local managing authority has the right to inventory <u>each</u> property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is

- unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
- > Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.
- > While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.
- > The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- -> The process itself has not been inclusive: A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.

\* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42).

Me ke aloha pumehana,
Tamar deFries
2031 Haalelea Place
Honolulu, HI 96813
> Quick access to your favorite MSN content and Windows Live with Internet Explorer 8. Download FREE now!
> Quick access to your favorite MSN content and Windows Live with Internet Explorer 8. Download FREE now!
> Rediscover Hotmail®: Get e-mail storage that grows with you. Check it out.

# Papakōlea Community Association

Aina Hoʻopulapula



April 2, 2009

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

The Papakōlea Community Association (PCA) was established 1934 to direct its efforts toward the betterment of all residents living on Papakōlea Hawaiian Homestead Land. PCA exists to serve and protect the interests of all Native Hawaiian Beneficiaries living on homestead land. It is a membership organization and is open to all homes in the Papakōlea, Kewalo and Kalawahine communities.

On the 2nd of April 2009, at its General Membership Meeting, PCA unanimously moved to oppose all legislation relating to and in relation to the support, designation and establishment of the Hawai'i Capitol National Heritage Area (SCR3 SD1, HCR22, HR24, SR6, SCR42, S. 359, and H.R. 1297).

PCA opposes the Hawai'i Capitol National Heritage Area (SCR3 SD1, HCR22, HR24, SR6, SCR42, S. 359, and H.R. 1297), because it is a threat to the self-determination of our community. PCA also opposes the Hawai'i Capitol National Heritage Area, because of:

• the lack of community consultation and involvement, as required under the National Park Service Critical Steps;

- the Hawai'i Capitol National Heritage Area federal designation is in direct conflict with the Hawaiian Homes Commission Act of 1921;
- the local managing entity under this designation would essentially be unaccountable (not elected by the people);
- the lack of recourse for community stakeholders within the Hawai'i Capitol National Heritage Area designation area to protest decisions of the local managing entity;
- the right of local managing authority to inventory <u>each</u> property within the designated area and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity; and
- the Papakōlea community was not included in the planning process that led to the Hawai'i Capitol National Heritage Area current legislation.

In closing, PCA requests removing the entire Papakolea Hawaiian Homestead from the proposed National Heritage Area.

Thank you for your time and consideration.

Lionel Wright President



ATE

#### **TESTIMONY OF KIPPEN DE ALBA CHU**

COMMITTEE ON ECONOMIC DEVELOPMENT AND TAXATION Senator Carol Fukunaga, Chair Senator Rosalyn H. Baker, Vice Chair

COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

Friday, April 03, 2009 1:15 pm

## SCR 3 SD1 (Proposed)

Chairs Fukunaga and Taniguchi, and members of the joint Committees, thank you for this opportunity to testify in support of SCR 3 SD1 (Proposed).

We support a work group of stakeholders that would explore methods for the state and county to creatively and effectively leverage state, county, and private funding to benefit the many heritage organizations and cultural activities in the area. This funding is required to match federal monies for the National Heritage Area.

Since the initiative by the Hawaii Capital Cultural Coalition was begun in 2004, information about the project has been regularly distributed to a large database, including many Hawaiian institutions and individuals, all of whom were invited to be involved in the planning process. Iolani Palace, Queen Emma Summer Palace, Bishop Museum, and Washington Place are among the area cultural sites that have been involved in the NHA initiative since its inception.

The Native Hawaiian Hospitality Association provided cultural consultation for the National Heritage Area feasibility study, including a Hawaiian cultural assets inventory, area history, assistance with determination of the ahupua`a boundaries, and two rounds of review of the draft study by panels of Hawaiian historians and cultural consultants.

National Heritage Areas are *locally* planned and implemented through an inclusive community planning process. Neither the National Park Service nor any other federal agency has any regulatory authority over the NHA. National Heritage Areas do not impose any new local land use, zoning, land acquisition, building code, or similar federal regulations.

The proposed Hawai'i Capital National Heritage Area includes an assemblage of cultural/natural sites, architecture, and living traditions that represent Hawaii's unique and diverse backgrounds. It provides an opportunity to preserve and honor a special ahupua'a that has unique history and significance for Hawai'i, local communities, and Native Hawaiians. It engages us to tell our stories from an accurate and truthful perspective.

Thank you for the opportunity to submit this testimony in support.





## Senate Committee on Economic Development and Technology Hawai'i State Capitol, Room 016 Friday, April 3, 2009

Submitted by
T. Lulani Arquette, Executive Director
Native Hawaiian Hospitality Association
P.O. Box 700790
Kapolei, Hawai'i 96709
628-6370

### In support of SCR3-SD1

Aloha Chair Fukunaga and members of the Committee:

The Native Hawaiian Hospitality Association (NaHHA) supports SCR3-SD1. NaHHA has more than forty partners in the Hawaiian community, the visitor industry and government working together to nurture, share and teach Hawai'i's culture and traditions within the tourist industry and the local population. From my work in the visitor industry for the past years, our culture and history have not been represented accurately, and in many cases – have been shamefully distorted and abused. We need to change this.

We support the establishment of a work group of stakeholders that would explore methods for the state and county to creatively and effectively leverage this funding to benefit the many heritage organizations and cultural activities that would be enhanced by a National Heritage Area.

The Hawai'i Capital Culture Coalition (formerly the Hawai'i Capital Culture District) has spent hundreds of hours visioning, planning, conducting meetings, developing a feasibility study, and communicating the Hawai'i Capitol National Heritage area possibility. The effort has succeeded to this point based on the sheer will and dedication of many dedicated volunteers.

There are many Hawaiian organizations and individuals who have been involved in the process. Others have regularly been sent communications. Some of the organizations include Iolani Palace, Queen Emma Summer Palace/Daughters of Hawai`i, Kamehameha Schools, Bishop Museum, Department of Hawaiian Homelands, Native Hawaiian Chamber of Commerce, Office of Hawaiian Affairs, and the Council for Native Hawaiian Advancement. NaHHA has been involved for several years and most recently helped review the Feasibility Study and assist with cultural consulting. In addition, most of the major arts and cultural institutions in the downtown, Nuuanu and Kalihi areas, arts and culture related associations, state agencies, and businesses with an interest in supporting arts and culture and heritage tourism have been involved.

The Hawai'i Capitol Cultural Coalition has engaged in a very transparent and inclusive process. There has been a great deal of communication that has gone out to the public and ample time to

ATC

participate. However, its understandable that some people may not have heard about the effort. There are always many competing issues that occupy the minds and hearts of Native Hawaiians during these challenging times. There is still plenty of time to participate and contribute in the process. The next phase is very important and involves developing a strategy for the Hawai`i Capital National Heritage Area that includes identifying restoration work, improvements, partnerships and programs.

The proposed Hawai`i Capital National Heritage Area includes an assemblage of cultural/natural sites, architecture, and living traditions that represent Hawaii's unique and diverse backgrounds. It provides an opportunity to preserve and honor a special ahupua`a that has unique history and significance for Hawai`i, local communities, and Native Hawaiians. It engages us to tell our stories from an accurate and truthful perspective.

It is our hope that with the designation of Hawai'i Capital National Heritage Area it will serve as an important catalyst in several capacities:

- 1. Preservation and Enhancement of Culture & Values: We will honor our people with this national designation and generate great pride to work together towards preservation of our cultural landscape and perpetuation of our culture & values.
- **2.** Education Outreach and Access: Hawai'i has physical limitations with its separation of our islands and people by water. This means many residents have never had the opportunity to visit our cultural treasures. We will strive to provide greater access for more residents/students to know their own history first hand and participate in its perpetuation.
- **3. Telling Our Own Stories:** Hawai'i enjoys a global and national reputation for its natural beauty and unique island hospitality. Through the HCNHA designation we will expand upon Hawai'i's image of its unique cultural roots and diversity, allowing visitors to appreciate and enjoy the heritage of this ahupua'a.
- **4. Virtual and Physical Infrastructure Support:** Over time many different districts were developed on 'Oahu. There is an opportunity to create better connectors with transportation, information centers, signage, way finding, technology, and education. These improved connections can also serve our neighbor islands residents and visitors.
- **5. Partnerships:** The broad base of potential partners amongst the Hawaiian community, arts community, government, business, and the visitor industry will generate a far greater involvement in the culture and history of Hawai`i because of this designation.



## Sandra Puanani Burgess Honolulu, Hawaii 96822

Tel: (808) 947-3881 • Email: spburgess@hawaii.rr.com

Wednesday, April 3, 2009 Hawaii State Capitol Room 016

Senate Committee on Economic Development & Technology The Honorable Senator Carol Fukunaga, Chair The Honorable Senator Rosalyn H. Baker, Vice-Chair Senate Committee on Judiciary & Government Operations The Honorable Senator Brian T. Taniguchi, Chair The Honorable Senator Dwight Y. Takamine, Vice Chair and all Honorable members of these Committees

Re: Opposition to SCR 3 / SD 1 Hawaii Capital National Heritage Area

Dear Senator Fukunaga, Senator Taniguchi and members of both Committees,

Individual Private property rights are the reason for the progress and prosperity of our country. To secure citizens' life, liberty and private property is the main reason "government is instituted among men (and women)". Protecting individual citizens' rights is your primary duty as legislators.

Designating the proposed area between Kalihi and Punahou as the Hawaii Capital National Heritage Area (NHA) would give preservation and environmental groups the power to place restrictions on land use, zoning and permits. Though the bill does not specifically give the new managing entity the power to condemn and take private property from owners, nothing in the bill prevents the city or the state from doing so. Some preservation and environmental groups are hostile toward private property owners rights. Even worse, once it is approved by the Dept of Interior, the preservation, environmental managing entity would be unaccountable to the people of Hawaii but completely funded by taxes paid by the people including the individuals who own properties in the proposed area.

Cultural and historically significant sites such as Iolani Palace, Chinatown, Bishop Museum, Queen Emma's Summer Palace, Kawaiahao Church and the

Royal Mausoleum within the proposed "NHA" already have state and national preservation protection status.

Another urgent danger is the fact that being designated a "NHA" is the first step toward World Heritage Area (WHA) status. The difference between world and national heritage status is in the oversight; WHA's are bound by United Nations treaty to uphold certain land—use plans. Specifically we would be required to "take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation" in order to comply with international preservation goals.

As a property owner within the proposed Hawaii Capital National Heritage Area I oppose taking even the slightest risk of having the United Nations, or some international or global entity overseeing what I can or cannot do with my property.

Please protect your constituents property rights and vote NO.

/s/Sandra Puanani Burgess



# The Senate, 25<sup>th</sup> Legislature, State of Hawaii

Committee on Economic Development and Technology and Committee on Judiciary and Government Operations

Hearing Friday, April 3, 2009 at 1:15 p.m.

On SCR 3 SD 1 requesting establishment of joint House and Senate work group to develop recommendation for actions to complement designation of Hawaii Capital National Heritage Area

Testimony by H. William Burgess in opposition.

Aloha and good afternoon Chair Carol Fukunaga, Chair Brian T. Tankguchi, and members of these two Senate committees.

I am a stakeholder in the area proposed to be designated as a National Heritage Area. I have practiced law in the courts there for almost 50 years; have owned my home in Makiki Round Top for 46 years and been a commercial property owner in Chinatown for over 30 years. I am a member of the board of the Chinatown Improvement District. I had the pleasure of meeting Senator Fukunaga when I represented Makiki, Tantalus and Punchbowl as a Delegate to the 1978 Con-Con.

I speak against SCR 3, SD 1. No work group is needed to know the proposed designation of central Honolulu as a National Heritage Area is *Hewa*, an unwise invitation to federal intrusion into the management and operation of the economic heart of the entire State of Hawaii. The area in question controls Honolulu harbor and corridors that are the lifeline to the rest of Oahu and to the neighbor islands. It would give bureaucrats in D.C. 5,500 miles away a stranglehold over our lives and well-being.

The offer of federal money is tempting, but so is the allure offered by drugpushers. We all know the golden rule: The one with the gold makes the rules. All money received from the federal government is money that the federal government has first extracted from us. Bringing home the bacon is an illusion. It is our own money.

The Constitution of the United States created the best form of government in the history of the World. It recognizes that men are not angels; and is structured to check the concentration of power at any level of government. Governments are instituted among men (and women) to secure each individual's inalienable right to live, enjoy liberty and pursue happiness. The Tenth Amendment provides that all powers not specifically delegated to the United States by the Constitution are reserved to the states or to the people.

The Constitution delegates no power to the United States to manage or operate central Honolulu. That power is reserved to the State of Hawaii and the people of the State of Hawaii.

Please reject SCR 3, SD 1 and instead, support HR183 and HCR213 asking our Congressional delegation to withdraw their support for adding yet another layer of federal intrusion into our lives and well-being.

Honolulu, Hawaii April 3, 2009.

TT W/:11:--- D----

Hwillia Bugen

H. William Burgess

Tel.: (808) 947-3234 Fax: (808) 947-5822

Email: hwburgess@hawaii.rr.com

Honolulu, HI 96822



### Hui Maka'ainana a Kalāwahine

Kalawahine Hawai'ian Homestead 2008 Kamalalehua Place • Honolulu • Hawai'i • 96813



April 3, 2009

Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Aloha mai Chairs and Committee Members,

Hui Maka'ainana a Kalawahine is an organization created by Hawai'ian homestead ohana of Kalawahine for 'ohana and beneficiaries living on the Hawai'ian Homelands of Kalawahine, Papakolea and Kewalo. HMK supports Prince Kuhio's vision of self determination and the preservation and perpetuation of our Hawaiian culture and traditions on Hawai'ian Homelands through community participation, volunteer service and education.

HMK supports the Papakolea Community Associations request to remove the entire Papakolea Hawaiian Homestead from the proposed National Heritage Area.

HMK opposes all legislation relating to and in relation to the support, designation and establishment of the Hawai'i Capitol National Heritage Area (SCR3 SD1, HCR22, HR24, SR6, SCR42,S.359 and H.R. 1297) because it further jeopardizes the rights of our ohana to true self determination as Native Hawai'ian beneficiaries on Hawai'ian Homelands. HMK opposes the Hawai'i National Heritage Area because:

a. This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.

- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory <u>each</u> property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
- f. Reducing and possibly removing local and State authority, as the Secretary of Interior approves the management plan and shall prepare a report with recommendations for the future role of the National Park Service.
- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.
- h. The board members of the HCCC and the organizations that comprise it are made up of primarily arts-affiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.
- i. The process itself has not been inclusive: A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.
- \* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

I believe every effort should be made to seek the WITHDRAWAL of the Hawaii Congressional Delegation for the Hawaii Capitol National Heritage Area and request the WITHDRAW of Federal Legislation introduced as S.359 and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SD1 (HCR22, HR24, SR6, and SCR42).

O au iho no,

Kahealani Keahi

President, Hui Maka'ainana a Kalawahine

Kalawahine Hawai'ian Homestead

2008 Kamalalehua Place

Honolulu, Hawai'i 96813



## Committees on Economic Development and Technology and Judiciary and Government Operations The Honorable Suzanne Chun Oakland and The Honorable Dr. Josh Green

Senate Concurrent Resolution No. 3 Hearing on April 3, 2009

Testimony of Dr. VerlieAnn Malina-Wright, Board Member Friends of the Falls of Clyde

Friends of the Falls of Clyde support this resolution. We are the owners and stewards of the Falls of Clyde, a designated Historical National Landmark. We are a 501-(c) (3) charitable organization whose primary purpose is the preservation, restoration and exhibition of the historic ship, Falls of Clyde. The Falls of Clyde is a National Historic Landmark and is the only surviving four-mast square-rigged sailing ship in the world. The Falls of Clyde also sailed under the flag of the Hawaiian Nation when Queen Liliuokalani and King Kalakaua reigned. The Falls of Clyde is a contemporary of  $\Gamma$  olani Palace.

The people of Hawai'i have contributed to the survival and sustainability of the Falls of Clyde for the last 36 years. Arriving in Hawai'i in 1963 and completely restored in 1968, the Falls of Clyde shares a prominent place in the ahupua'a of Honolulu and is docked at Honolulu Harbor, Pier 7.

This resolution addresses some of the history of the ship, purchased in 1963 by public subscription and which has been part of the attraction of Honolulu Harbor for over 36 years. Over that time, she has been an important site in Honolulu and on the waterfront for those interested in maritime history and the excitement of learning what it was like to sail on a ship.

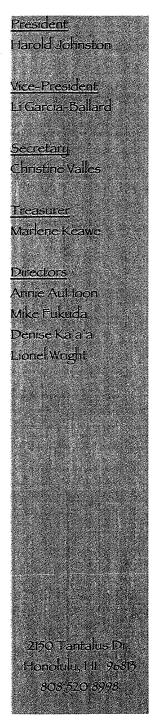
Next to the Falls of Clyde is the Hawaii Maritime Center, a facility designed as a replica of the King Kalakaua Boat House. The Friends of the Falls of Clyde is currently in negotiations with the Bernice Pauahi Bishop Museum in also becoming the stewards and owners of the Hawai'i Maritime Center. Together, Friends of the Falls of Clyde will be entering into partnerships with many community-based organizations including Hawaiian organizations to restore the greatness of both of these historical cultural heritage artifacts and to develop a viable heritage economic development model that ensures the sustainability of our mission as we educate our children, families and visitors.

The Hawai'i Capital Cultural District as a National Heritage Area provides the Friends of the Falls of Clyde opportunities to contribute to the improvement and well being of the State of Hawai'i by creating capacity for our community to learn restoration, preservation, conservation, museum, archival/digital library, business marketing and sales and economic sustainability of cultural knowledge 21<sup>st</sup> workforce skills and to see and experience firsthand an education program that teaches and passes on to our young the rich cultural maritime history of Hawai'i. Hawai'i is the only Hawai'i Capital Cultural District as a National Heritage Area that is surrounded by ocean. Mahalo nui loa.

Friends of Falls Of Clyde P.O. Box 25008 Honolulu, HI 96825 vmalinawri@aol.com







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Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

Date: Friday, April 3, 2009

Time: 1:15 pm

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

Dear Chairs and Committee Members,

Aloha `auinala. Good afternoon. My name is Bridget Kahelekaapuni Kekauoha. I am a Hawaiian homestead lessee of 745 Iaukea Street in Papakolea. I've served my community as past president of the Papakolea Community Association from 1997 – 2007 and I am currently the Executive Director of the Papakolea Community Development Corporation (PCDC).

Papakolea CDC supports the position of the Papakolea Community Association, Kewalo Hawaiian Homes Community Association and Kalawahine Streamside to oppose all legislation relating to and in relation to the support, designation and establishment of the Hawai'i Capitol National Heritage Area (SCR3 SD1, HCR22, HR24, SR6, SCR42, S. 359, and H.R. 1297).

PCDC opposes any legislation that 1) may be in conflict with the Hawaiian Homes Commission Act, 1921, as amended and 2) threatens our right to exercise self-determination. PCDC believes this designation will create undesired challenges as the Papakolea community plans to create new community economic development opportunities.

The Papakolea Community Development Corporation (PCDC) was formed in 1999 to provide the residents of the Hawaiian homestead neighborhoods of Papakolea, Kewalo, and Kalawahine with a full range of comprehensive services at the Papakolea Community Park and Center. The mission of PCDC is to promote self-determination by managing our community assets; to develop strong and effective community leaders; and to mobilize broad-based community participation in civic life.

PCDC represents an alliance of the four major organizations in Papakolea—Papakolea Community Association (1934), Kewalo Hawaiian Homestead Community Association (1950), Kula No Na Po'e Hawaii (1992) and Kalawahine Streamside Association (2000). These entities have aligned themselves in decision making to strengthen the community's social and economic support foundation. We stand shoulder to shoulder unified in our position.

Mahalo for your time and favorable consideration.

Respectfully submitted,

B. Puni Kekauoha Executive Director



----- Forwarded Message

From: < HIAHAWAII@aol.com>

**Date:** Sat, 4 Apr 2009 07:19:59 -1000

To: Carol Fukunaga < senfukunaga@capitol.hawaii.gov > , Rosalyn Baker

<senbaker@capitol.hawaii.gov>, Clayton Hee <senhee@capitol.hawaii.gov>,

David Ige < sendige@capitol.hawaii.gov > , Sam Slom

<senslom@capitol.hawaii.gov>, "Sen. Brian Taniguchi"

<sentaniguchi@capitol.hawaii.gov>, "Sen. Dwight Takamine"

<sentakamine@capitol.hawaii.gov>, Robert Bunda

<senbunda@capitol.hawaii.gov>, "Sen. Mike Gabbard"

<sengabbard@capitol.hawaii.gov>, Clarence Nishihara

<<u>c.nishihara@capitol.hawaii.gov</u>>

Cc: <alwayz aloha@msn.com>

Subject: \*\*\*\*\*SPAM\*\*\*\*\* KILL SCR 3, PROPOSED SD 1

### ALOHA Kakou, e Senators,

As Sovereign of the Hawaiian Political Action Council of Hawaii, I asked that you do not pass out of your committee SCR 3, PROPOSED SD 1.

The intent of the Hawaii Capitol National Heritage Area BILL that in in Congress is HEWA NUI LOA.

ALOHA KUU AINA HAWAII, o Pomaikaiokalani, HPACH

----- End of Forwarded Message





VIA EMAIL:

EDTtestimony@capitol.hawaii.gov

To:

Senator Carol Fukunaga, Chair

Senator Rosalyn H. Baker, Vice Chair

Committee on Economic Development and Technology

From:

Kiersten Faulkner Wusten Jaulkner

Executive Director, Historic Hawai'i Foundation

Committee:

Friday, April 3, 2009

1:15 p.m.

Conference Room 016

Subject:

Support of SCR3, Proposed SD1

Establishing a Work Group to Develop Recommendations to Complement

Designation of the Hawai'i Capital National Heritage Area

On behalf of Historic Hawai'i Foundation (HHF), I am writing to support SCR3, SD1, to establish a work group to develop recommendations to complement designation of the Hawai'i Capital Cultural District as a National Heritage Area (NHA).

The National Heritage Areas program has proven to be a successful model for identifying natural, cultural, historic and scenic resources of historic areas, and provides a framework for efforts to support and interpret these resources. The program itself does not create any new regulations, rights or responsibilities. Rather, it provides a vehicle for preserving, enhancing and interpreting the rich history and storied legacy of Hawai'i.

NHA designation alone is insufficient and may be misleading. NHAs are not part of the National Park system; they do not create federal management or oversight, nor do they affect private property rights. Owners retain the option to participate in the comprehensive program or not, as their circumstances and goals guide them. Those who do wish to help protect and extend the historic legacy of this important area should participate in the anticipated community-based planning processes. HHF urges the Capital Cultural District to continue to add interested members and to reach out to all community groups and individuals.

The community's plan will need to be implemented through complementary programs, legislation, public-private partnerships and capital improvements to leverage the NHA designation to its fullest potential. Federal grants and funds will need local matches and thoughtful implementation. The proposed work group would be a good strategy for the State's participation in that process. It is important to note that implementing actions will be of a variety of types; each of them will also have distinct processes and conditions, many of which include public input and participation.

Since 1974, Historic Hawai'i Foundation has been a statewide leader for historic preservation. HHF works to preserve Hawaii's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life, economic viability and environmental sustainability of the state.





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Date: Friday, April 3, 2009

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Dear Chairs and Committee Members,

I thank you for allowing me to submit this letter in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42), which are: REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA. The reasons for OPPOSING SCR3 (HCR22, HR24, SR6, and SCR42) is as follows:

- a. This would create an additional federal designation (an extension of the National Park Service) over a broad area of greater urban Honolulu: the extent and scope of restrictions resulting from this designation is unclear.
- b. The sites that the NHA designation proposes to further preserve already have state and national preservation status and protection (i.e. Bishop Museum, Iolani Palace, Queen Emma Summer Palace, and Chinatown).
- c. The local managing entity allowed under this designation would be essentially unaccountable (not elected by the people) and with no oversight as the NPS usually takes a hand-off approach.
- d. Likewise, there seems to be no recourse for community stakeholders within the NHA designation area to protest decisions of the local managing entity. To what body would a citizen appeal a decision of the local managing entity?
- e. As stated in their study, the local managing authority has the right to inventory <u>each</u> property within the designated area --- the two ahupuaa of Kalihi and Nuuanu (Honolulu Ahupuaa and Kapalama Ahupuaa mountain to sea) --- and evaluate that property's historic significance and recommend that it be managed or acquired by the City, State or some other entity. It is unclear whether that property owner would be able to make changes or renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).
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- g. While, under the act, Federal funds are not allowed to be used for condemnation purposes, with a recommendation from the NHA managing entity, the City can apply for grants for the purposes of condemnation.
- h. The board members of the HCCC and the organizations that comprise it are made up of primarily

arts-affiliated non-profits and tourist-related businesses and state entities. WHAT IS MISSING ARE THE COMMUNITY STAKEHOLDERS WITHIN THE DESIGNATED AREA: THE RESIDENTS, LOCAL BUSINESSES AND LOCAL COMMUNITY ORGANIZATIONS. They have been left out of this process --- many have known nothing about this proposed legislation even though it has been in the works for the past 6 years. In some instances, key non-profit associations have been part of the NHA planning process and yet failed to inform local stakeholders in the communities which they serve.

- i. The process itself has not been inclusive: A key requirement of the proposed NHA designation is that the local community supports the designation and the boundaries of the proposed heritage area. Besides the arts groups which comprise the coalition there has been little effective effort to inform the affected community. Known community stakeholders were not informed of the process until after legislation was introduced at the national level. Many community stakeholders who will be affected by this legislation know little or nothing about it.
- \* Language from the Hawaii Capital National Heritage Area Suitability/Feasibility Study, in reference to "section e" above: "In addition to the further compilation of existing data, additional field surveys of the many residential and mixed-use areas within the proposed NHA will also be required. This will include individual evaluations of houses and small businesses in Palama, Liliha, Kaka'ako and especially Kalihi, all of which have many remaining examples of modest frame houses, buildings, housing manufacturing and repair shops and simple concrete block and frame shops and mixed-use buildings." (Hawaii Capital National Heritage Area Suitability/Feasibility Study, p. 54).

"The HCC envisions...potential designation of residential and mixed-use areas either as state or National register properties ... (Ibid, p. 62).

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Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) **Demonstration of widespread public support among heritage area residents for the proposed designation**; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42).

Furthermore, we are a Kalihi family. Grandmother Emma McClellan lived on Kaili Street when is was a fashionable suburb. The Ainoas and Macgregors lived across the street. The Meyers and Becks were up the road. As a child I had the run of the Bishop Museum. We hiked in the mountains and swam at Tin Roof. I do not want some outsider writing about my heritage.

My ancestors Leioiki and the Buckles are buried in the King Street Cemetery. There are Buckles in Kawaihao.

More of the family---Clarks, McClellans, Reeves, Jarretts, Hubbard, Blackburns are in Oahu Cemetery. We should listen to a coalition or the Secretary of Interior about our heritage?

Our ancestor was Boki. Buckle Poi Factory was in Liliha. Our family home was on Buckle Lane. The Fort Street property was sold when Grandfather was accused of embezzlement. He was an honest and kind man, but after the illegal invasion of our Kingdom, the haole oligarchy wanted to discredit and get rid of any Hawaiian leaders. We are stakeholders and never knew of this National Heritage Area which has been around for six years. Why?

Na Koa Ikaika Lela M. Hubbard, 99-407 Aiea Heights Dr., Aiea, 96701-3516, (808) 487-2311

----- Forwarded Message

From: Brian Woolsey < kauaibri@gmail.com >

**Date:** Fri, 3 Apr 2009 11:02:27 -1000

**To:** Carol Fukunaga < <a href="mailto:senfukunaga@capitol.hawaii.gov">senfukunaga@capitol.hawaii.gov</a>, Rosalyn Baker < <a href="mailto:senfukunaga@capitol.hawaii.gov">senfukunaga@capitol.hawaii.gov</a>, Clayton Hee < <a href="mailto:senfukunaga@capitol.hawaii.gov">senfukunaga@capitol.hawaii.gov</a>,

David Ige <<u>sendige@capitol.hawaii.gov</u>>, Sam Slom <<u>senslom@capitol.hawaii.gov</u>>, "Sen. Brian Taniguchi"

<sentaniguchi@capitol.hawaii.gov>, "Sen. Dwight Takamine"

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<<u>c.nishihara@capitol.hawaii.gov></u>

**Subject:** RE: OPPOSITION TO SCR3 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

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renovations easily if the property is deemed a fine example of some particular style (exact language from the study given below\*).

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and H.R.1297 that seeks to establish the Hawai'i Capital National Heritage Area and for other purposes.

Furthermore, resident consultation – in particular Native Hawaiian consultation – has not taken place in accordance to three of the four National Park Service critical steps: 2) Public involvement in the suitability/feasibility study; 3) Demonstration of widespread public support among heritage area residents for the proposed designation; and 4) Commitment to the proposal from key constituents, which may include governments, industry, and private, non-profit organizations, in addition to area residents. Therefore, I am in STRONG OPPOSITION to SCR3 (HCR22, HR24, SR6, and SCR42).

Me ke aloha pumehana,

Brian Woolsey 4484 Malulani Place Kilauea, HI 96754 808-651-3315

----- End of Forwarded Message

Representative Joey Manahan Chair, Committee / Tourism, Culture and International Affairs Hawai'i State Legislature

Via Email: EDTtestimony@capitol.hawaii.gov

Aloha Representative Manahan and Members of the Committee:

Re: In support of Hawai'l Capital National Heritage Area.

As an area resident and business owner, as well as a Board member of the Washington Place Foundation, I, <u>MARY PHILPOTTS MCGRATH</u> support requesting the establishment of a work group to develop recommendations for state/country actions to complement designation of the Hawai`i Capital National Heritage Area.

Designation of the Hawai`i Capital National Heritage Area would recognize the significance of Hawai'i's incomparable heritage, provide a platform for cultural groups to tell their stories to a wider audience, and provide new resources to support preservation and perpetuation of Hawai'i's cultural sites and traditions.

Any federal monies received must be matched with non-federal resources. We support a work group of stakeholders that would explore methods for the state and county to creatively and effectively leverage this funding to benefit the many heritage organizations and cultural activities in the area.

The initiative to create a National Heritage Area in the Kapalama/Honolulu ahupua`a is the result of an extensive feasibility study conducted by the Hawai`i Capital Cultural Coalition with a wide range of community involvement. Since the initiative was begun in 2004, information about the project has been regularly distributed to a large database, including many Hawaiian institutions and individuals all of whom were invited to be involved in the planning process. `lolani Palace, Queen Emma Summer Palace, Bishop Museum, and Washington Place are among the area cultural sites that have been involved in the NHA initiative since its inception.

The Native Hawaiian Hospitality Association provided cultural consultation for the National Heritage Area feasibility study, including a Hawaiian cultural assets inventory, area history, assistance with determination of the ahupua`a boundaries, and two rounds of review of the draft study by panels of Hawaiian historians and cultural consultants.

National Heritage Areas are *locally* planned and implemented through an inclusive community planning process. Neither the National Park Service nor any other federal agency has any regulatory authority over the NHA. National Heritage Areas do not impose any new local land use, zoning, land acquisition, building code, or similar federal regulations.

The proposed Hawai'i Capital National Heritage Area includes an assemblage of cultural/natural sites, architecture, and living traditions that represent Hawaii's unique and diverse backgrounds. It provides an opportunity to preserve and honor a special ahupua'a that has unique history and significance for Hawai'i, local communities, and Native Hawaiians. It engages us to tell our stories from an accurate and truthful perspective.

Thank you for the opportunity to submit this testimony.



Attn: Senator Daniel Inouye

Via Email: EDTtestimony@capitol.hawaii.gov

Aloha Senator Inouye:

Re: In support of Hawai'i Capital National Heritage Area

As an area resident and business owner, as well as a Board member of the Washington Place Foundation, I, <u>MARY PHILPOTTS MCGRATH</u> support the bill requesting the establishment of a work group to develop recommendations for state/country actions to complement designation of the Hawai'i Capital National Heritage Area.

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Thank you for the opportunity to submit this testimony.

MARY PHILPOTES MCGRATH



Senator Carol Fukunaga, Chair Senate Committee on Economic Development and Technology Hawai'i State Legislature

Via Email: EDTtestimony@capitol.hawaii.gov

Aloha Senator Fukunaga and Members of the Committee:

Re: In support of SCR3-SD1.

Oahu Speech Language Pathology supports SCR3-SD1 requesting the establishment of a work group to develop recommendations for state/country actions to complement designation of the Hawai`i Capital National Heritage Area.

Designation of the Hawai`i Capital National Heritage Area would recognize the significance of Hawai`i's incomparable heritage, provide a platform for cultural groups to tell their stories to a wider audience, and provide new resources to support preservation and perpetuation of Hawai`i's cultural sites and traditions.

Any federal monies received must be matched with non-federal resources. We support a work group of stakeholders that would explore methods for the state and county to creatively and effectively leverage this funding to benefit the many heritage organizations and cultural activities in the area.

The initiative to create a National Heritage Area in the Kapalama/Honolulu ahupua`a is the result of an extensive feasibility study conducted by the Hawai`i Capital Cultural Coalition with a wide range of community involvement. Since the initiative was begun in 2004, information about the project has been regularly distributed to a large database, including many Hawaiian institutions and individuals all of whom were invited to be involved in the planning process. `lolani Palace, Queen Emma Summer Palace, Bishop Museum, and Washington Place are among the area cultural sites that have been involved in the NHA initiative since its inception.

The Native Hawaiian Hospitality Association provided cultural consultation for the National Heritage Area feasibility study, including a Hawaiian cultural assets inventory, area history, assistance with determination of the ahupua`a boundaries, and two rounds of review of the draft study by panels of Hawaiian historians and cultural consultants.

National Heritage Areas are *locally* planned and implemented through an inclusive community planning process. Neither the National Park Service nor any other federal agency has any regulatory authority over the NHA. National Heritage Areas do not impose any new local land use, zoning, land acquisition, building code, or similar federal regulations.

The proposed Hawai`i Capital National Heritage Area includes an assemblage of cultural/natural sites, architecture, and living traditions that represent Hawaii's unique and diverse backgrounds. It provides an opportunity to preserve and honor a special ahupua`a that has unique history and significance for Hawai`i, local communities, and Native Hawaiians. It engages us to tell our stories from an accurate and truthful perspective.

Thank you for the opportunity to submit this testimony.

Mary Marasovich, MA/CCC/SLP



Honorable Carol Fukunaga, Chair 11th Senatorial District Hawaii State Capitol, Room 216 415 South Beretania Street Honolulu, HI 96813

Brian T. Taniguchi, Chair 10th Senatorial District Hawaii State Capitol, Room 219 415 South Beretania Street Honolulu, HI 96813

April 3, 2009

RE: OPPOSITION TO SCR3 SD1 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA

### Dear Chair and Committee Members:

It's absolutely unbelievable that 'Oiwi are being subjected to this horrible torture of soul. Do we witness the U.S. in her finest hour? This bill seeks to federalize lands of O'ahu to convey to the U.S. domain our most meaningful and sacred places of Oahu, present capital of Hawaii. If this is done, no Akaka Bill no negotiations of any kind will allow the return the open use of these lands to their first people. This is not only despicable, it displays once and for all the heart and motivations of Dan Inouye. Once thought to be a compassionate believer in help to the Hawaiian people, the heart of this man is revealed. Dan Inouye is here revealed to be motivated by the worst failures of man – power, prestige and money.

The Akaka Bill should be named the Inouye Bill, but we do not understand this through clear and true communications with Congressmen from Hawaii, we learn that through dogged and consistent communications and study with others who truly love this land. We educate ourselves on the status quo paying attention to everything written on paper, everything revealed on clandestine meetings and numerous public hearings held on all the islands. This we've done since these islands were protected by our Queen, Lili'uokalani, her majesty, who suffered greatly for love of her land.

I do not want to be charged with a felony if my ceremony of worship on the grounds of Iolani Palace is not deemed fitting by the US. Who is the U.S. to judge the practices of a people's faith and true connection to their land? I do not want to be sent away to a federal prison never to return. THIS is what is happening to 'Oiwi. I do not want the birthplace of our Queen nor the residences of our leadership "federalized" and REDUCED to TOURIST VISITATION STATUS and spoken of by persons who care not of these places.

Further, what is there to celebrate about statehood when SO MANY 'Oiwi are unsettled, illness and poverty-stricken and disrespected in their homeland? This is NOT the time for celebration. This is time for the hard work for clarity and transparency and sifting truth from history of the massive U.S. movement of greed upon neutral and peace-loving Hawaii that occurred just over 100 years ago. This is another "black spot" of America's story – one barely spoken of today with descendants of 'Oiwi and other loyal subjects of her majesty our beloved Queen Lili'uokalani.

We're not talking 500 years, we're talking of events that happened in my grandparents' time! My grandfather walked in the funeral procession of the Queen.

It is a new day. The dawn breaks upon a new world that seeks peace and balance over greed and the violence greed creates.

Senators, by your holiest connection – ACT TO STOP THIS LEGISLATION TODAY.

STOP SCR3 (HCR22, HR24, SR6, and SCR42) - REQUESTING CONGRESS TO DESIGNATE THE HAWAII CAPITAL CULTURAL DISTRICT AS A NATIONAL HERITAGE AREA.

Ke Aloha Na 'Oiwi,

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