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December 26, 2016

The Honorable Senator Ronald D. Kouchi
President
Hawaii'i State Senate
Hawaii'i State Capitol Room 409
415 S. Beretania Street
Honolulu, Hawaii'i 96813

Re: OHA Report to the Legislature Pursuant to Senate Resolution 39 (Reg. Session 2016)

Aloha mai e President Kouchi,

Pursuant to the request made in Senate Resolution 39 (Reg. Session 2016), please find attached a Report to the Legislature, containing Findings and Recommendations for a Plan for Kūkaniloko and the Office of Hawaiian Affairs' 511 acres of the former Galbraith Estate.

'O au nō, me ka 'oia'i'o,

A handwritten signature in black ink, appearing to read "Kamano M. Crabbe".

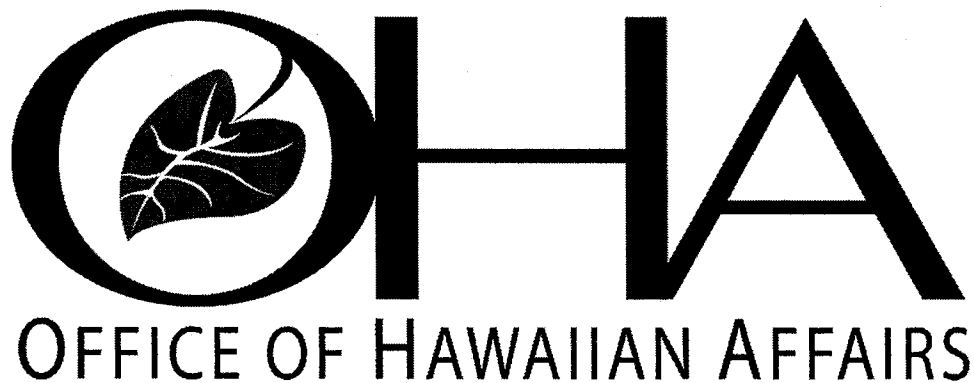
Kamana'opono M. Crabbe, Ph.D
Ka Pouhana, Chief Executive Officer

KMC:wt

DEPT. COMM. NO. 154

**OFFICE OF HAWAIIAN
AFFAIRS**

Report to the 2017 Legislature



**Findings and Recommendations for a
Plan for Kūkaniloko and the former
Galbraith Estate**

Pursuant to Senate Resolution 39,
Regular Session of 2016

Introduction

Senate Resolution 39, introduced and adopted by the 2016 Regular Legislature, urged the Office of Hawaiian Affairs (OHA) to “develop a plan for its five hundred eleven acres of the former Galbraith Estate for the purposes and objectives that the Office promoted in Act 31, Session Laws of Hawaii 2015,” to include OHA’s “objectives and goals of contributing to Hawaii’s [sic] food self-sufficiency, and creating a sustainable and efficient model for agriculture in the State of Hawaii [sic].” This resolution further requested that OHA “provide a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017.”

As noted above, Senate Resolution 39 specifically asked that OHA incorporate the objectives and goals of Act 31, Session Laws of Hawai‘i 2015, in its planning efforts. Act 31 amended the state’s agricultural planning statute to include the growth and development of traditional Hawaiian farming systems and traditional Hawaiian crops, as well as the growth and development of small-scale farms, as agricultural objectives of the state. Introduced as part of OHA’s legislative package, this measure noted the importance of traditional Hawaiian farming methods and crops, as well as small farming operations, to the state’s food security, disaster preparedness, and cultural integrity.

Per Senate Resolution 39, this Report to the Legislature includes OHA’s Findings and Recommendations with respect to its ongoing planning efforts for Kūkaniloko and the surrounding 511 acres of agriculture-zoned lands, collectively referred to herein as “OHA’s Wahiawā Property” or “Property.”

Findings

- 1. The state holds constitutional and statutory obligations to promote diversified agriculture and increase the agricultural self-sufficiency of the state, including through the promotion of traditional Hawaiian farming methods and crops, and small farms.**

The State of Hawai‘i has a constitutional responsibility to “conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.” HAW. CONST. ART. XI SEC. 3. This responsibility is reflected in the Hawai‘i Planning Act, as amended by Act 31 (Reg. Session 2015), which identifies the “Growth and development of diversified agriculture throughout the State,” and “an agriculture industry that continues to constitute a dynamic and essential component of Hawaii’s [sic] strategic, economic, and social well-being,” as agricultural objectives for the economy. HRS § 226-7(a)(2). In furtherance of these objectives, the Act also establishes the following policies:

- (1) Encourage agriculture by making the best use of natural resources;
- (2) Perpetuate, promote, and increase use of traditional Hawaiian farming systems, such as the use of loko i‘a, māla, and irrigated lo‘i, and growth of traditional Hawaiian crops, such as kalo, ‘uala, and ‘ulu; and
- (3) Increase and develop small-scale farms.

HRS § 226-7(b).

Notably, in recommending the above policies, the Senate Committees on Hawaiian Affairs and Agriculture found that

native Hawaiian traditional farming methods and crops represent successful agricultural technologies that are economically sustainable and promote the interests of the State with regard to agriculture. Your Committees also find that supporting small farms, many of which incorporate traditional native Hawaiian methods, would promote an increase in local food production.

Sen. Stand. Comm. Rep. 1086 (Reg. Sess. 2015). Similarly, the Senate Committee on Water and Land found that

prioritizing traditional agricultural techniques such as traditional Hawaiian farming is increasingly viewed as good policy. The United Nations Commission on Trade and Development urges nation states to support the development of sustainable small-scale farms and traditional farming systems to achieve food security, particularly in light of climate change.

Sen. Stand. Comm. Rep. 1332 (Reg. Sess. 2015).

2. The Office of Hawaiian Affairs (OHA) shares an interest in promoting traditional Hawaiian farming methods and crops, as well as small farms, in furtherance of its own responsibilities and interests.

OHA is the constitutionally-established agency responsible for protecting and promoting the rights and interests of Native Hawaiians. HAW. CONST. ART. XII SEC. 6. OHA's statutory purposes include the "betterment of conditions of Hawaiians," and "serving as the principal public agency in this State responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians." HRS § 10-3. Accordingly, OHA takes serious the perpetuation of traditional practices, technologies, and values, as well as to support the appropriate and sustainable use and development of our beneficiaries' ancestral lands.

This includes the promotion of traditional Hawaiian farming methods and crops, and small farming operations. Traditional Hawaiian farming methods and crops perpetuate traditional practices and technologies, including but not limited to traditional food cultivation, preparation, and associated cultural understandings. In addition, the Hawai'i State Taro Security and Purity Task Force has also found that traditional farming communities can act as critical repositories of Hawaiian cultural knowledge and values.

Traditional Hawaiian farming methods and small farms generally are further recognized as important agricultural land uses critical to regional food security and self-sufficiency. Traditional Hawaiian farming methods and crops are particularly well-tailored for our climate and resources, and have historically yielded substantial returns in food production with minimal impacts on our environment. The United Nations Committee on Trade and Development has also urged the promotion of traditional farming methods and small farms generally, as an essential response to the impacts of climate change on regional food security; the flexibility and resilience of a well-developed small farm network can provide much greater assurances of a stable and local food supply notwithstanding changing environmental conditions.

3. The Conceptual Direction for OHA's Wahiawā Property presents a unique opportunity to support and facilitate the promotion of traditional Hawaiian land management, including traditional farming practices and small farm concepts, in furtherance of the state's and OHA's constitutional and statutory responsibilities and interests.

OHA's acquisition of over 500 acres of agricultural lands presents a promising and unique opportunity to further consider and develop viable agricultural options for both OHA and the state. The Conceptual Direction for OHA's Wahiawā Property, as established by the OHA Board of Trustees in 2015, includes the following anticipated land uses:

Ho'oulu 'Āina – An agricultural zone to potentially be used for diversified agricultural activities. This may be the largest land use on the Property and could bring a very different approach to agriculture in the Wahiawā region through food crop production and related educational and job training opportunities.

Ho'omāmalama/Ho'ona'auao – A cultural learning center zone with a potential focus on traditional agriculture. This zone may incorporate ideas such as organic and/or culturally informed farming practices, agricultural demonstration plots, a Hawaiian botanical garden, a Cultural Resource Center, and other possibilities.

Palena 'Āina – A protective zone, which will include the Kūkaniloko birthing stones and other major cultural sites, and could host a range of cultural, programmatic, and educational opportunities.

Although these ideas are conceptual and subject to change throughout our planning process, OHA is excited at the great potential for the proposed land uses to promote and facilitate traditional Hawaiian farming methods and crops, as well as the concept of small farms. This can be done by providing direct opportunities for traditional and small farming operations; offering job training and education in support of such operations; offering additional educational resources on culturally-focused and -informed farming practices and techniques; and demonstrating and refining traditional and small farming methods through agricultural demonstration plots.

4. Substantial steps have been taken to realize the Conceptual Direction for OHA's Wahiawā Property, including the initiation of the master planning process currently underway.

Substantial steps have already been taken to implement the Conceptual Direction for OHA's Wahiawā Property. To determine the range of feasible options, OHA retained Roth Ecological Design International, LLC (REDI), to conduct soil, water, and agriculture studies for OHA's Wahiawā Property. REDI has since completed baseline assessments on the feasible water and soil rehabilitation options. REDI is currently working to complete an overall assessment that incorporates these baseline studies into an agricultural report, which will outline OHA's feasible agriculture options given the physical, biological, economic, and social variables in play. REDI's agricultural report will include input from agricultural experts and community members from across Hawai'i. The information collected by REDI and published in its reports will then be integrated into a Master Plan.

At the end of 2015, OHA began the state procurement process to retain a master planning contractor. In 2016, DTL was selected to design a comprehensive Master Plan for OHA's 511 acres, plus the 5-acre birthstone site. The Master Plan will take into account a vast collection of information, including, but not limited to: REDI's soil, water, and agriculture reports; a Preservation Plan for the Kūkaniloko birthstones created by Nohopapa Hawai'i LLC, which includes ethnographic interviews and other community testimony; past agricultural and other related proposals for the site; existing and developing plans for the Wahiawā area; and other community and expert opinions extracted through a community engagement initiative. The Master Plan contract began in August 2016 and should take approximately two years to complete.

While the Master Plan is being completed, an Interim Management Plan will be put in place in early 2017, to govern interim management of the Property including site access, security, vegetation clearing, other maintenance activities, and actions to prepare for the eventual implementation of the Master Plan. Once the Master Plan is complete, a Comprehensive Management Plan will be created to govern the implementation of the Master Plan and perpetual maintenance of the property.

5. OHA is collaborating with the Agribusiness Development Corporation in attaining R1 water from the Wahiawā Waste Water Treatment Plant.

The Agribusiness Development Corporation sent OHA a letter, dated May 9, 2016, discussing the irrigation of the prior Galbraith lands and requesting collaboration in acquiring water from the Wahiawā Waste Water Treatment Plant. Specifically, ADC inquired about running a water pipeline across OHA's property to transport water from the treatment plant to ADC's storage ponds.

After some discussion with James Nakatani, Executive Director of ADC, OHA responded by letter dated June 20, 2016. OHA's response letter outlined OHA's understanding of ADC's request and specifically noted that "ADC should consider irrigation routes that cross over OHA land." OHA's letter also included next steps ADC can take to further this collaboration, including: providing OHA with a proposal outlining ADC's vision for the pipeline; drafting an agreement regarding the roles of the parties in relation to the pipeline; and drafting a non-exclusive easement over the land on which pipeline would be placed. As of the submission of this report, OHA continues to wait for a response from ADC.

ADC and OHA continue to discuss other topics, such as the agricultural potential for the area, and OHA looks forward to maintaining its collaborative relationship with ADC that advances the agricultural future of the area.

Recommendations

In light of the above Findings, OHA offers the following Recommendations to further OHA's and the state's responsibilities, objectives, and goals relating to the promotion of traditional Hawaiian farming methods and crops, as well as small farms, as a part of the use and development of OHA's Wahiawā Property inclusive of community consultation throughout the process:

- 1. The state Executive Branch should support OHA through its master planning process and promote and facilitate collaboration between OHA and other state agencies (including the Department of Agriculture, the Agricultural Development Corporation, the Department of Health, and the Department of Land and Natural Resources) working on agricultural projects, particularly in Central O‘ahu; and**
- 2. OHA should continue its master planning efforts, including research and community engagement, to develop an exemplary model for agricultural and cultural land management, while ensuring all reasonable options are kept open for consideration during the process; and**
- 3. OHA should consider requesting funding and/or supporting funding requests, at the appropriate time, to support OHA’s plans and related agricultural and programmatic development and collaboration in the Wahiawā area.**