

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WAYS AND MEANS

Tuesday, February 28, 2023
10:00 AM
State Capitol, Conference Room 211

In consideration of
SENATE BILL 1258, SENATE DRAFT 1
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

Senate Bill 1258, Senate Draft 1 proposes to require the Department of Land and Natural Resources (Department) to develop and implement a management system for Ka'ena Point State Park, Mākua, and Keawa'ula regions. **The Department supports this measure as amended.**

There is considerable interest statewide to replicate the destination management system that the Department's State Parks Division (State Parks) pioneered with the Hā'ena, Kaua'i community and implemented under a Governor's Disaster Proclamation in 2018. However, the planning and community engagement process to produce the final Environmental Impact Statement and master plan to calibrate and establish visitor limits took over a decade of engagement. Establishing temporal limits and fee-based access for out-of-state visitors requires on site presence and knowledge of visitation patterns. Wai'ānapanapa State Park and Diamond Head State Monument, the subsequent park units with reservation and fee-based access, both have on-site private sector parking managers to ensure compliance and monitor and as warranted, adjust the hourly and substantial influx of visitors.

Ka'ena Point State Park (KPSP) has two unique and distinctly different public access patterns and management. The entire park is a cultural landscape and is considered a leina: a culturally significant place on every island where, after death, spirits would jump into the next world. The Mokule'ia section has unlimited hiking and a permit requirement for vehicular access via a controlled gate. Hiking and fishing are the primary activities. The Mākua/Keawa'ula section has a series of gates and as the bill accurately states, the coastal Mākua gates have been closed since 2016, eliminating the huge impacts of upwards of 800 people illegally camping on 3-day weekends at a park unit with no restrooms. The Keawa'ula gate is now closed each night through a contract with a security company and currently costs approximately \$100,000 a year for this service. While there is still occasional illegal camping, the impacts have been substantially reduced. Ocean recreation, beach use, and fishing are the dominant recreational activities.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
LAURA H.E. KAAKUA
FIRST DEPUTY
M. KALEO MANUEL
DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Regarding Senate Bill 1258, Senate Draft 1, State Parks has been engaged in some preliminary discussion over the years with community and legislators on the need for enhanced management at the Mākua and Keawa‘ula sections of KPSP. However, State Parks does not feel the Hā‘ena advanced reservation model is the best fit at KPSP. For reservation-based access there must be a critical mass of out-of-state visitors that congest the park unit to warrant a reservation and a fee for access – to pay for the staff to manage the access restrictions. These parks may not have patronage numbers that would make this model economically viable.

State Parks could consider, as the special fund revenue and ceiling increases, to contract and pay for additional management services, such as we do now for the gate closing and informing park users that the park is closing at Keawa‘ula. Capital Improvement Project (CIP) funds in the amount of \$2.15 million dollars was approved for KPSP in both Fiscal Year (FY) 2022 (Act 88, Session Laws of Hawaii 2021) and FY 2023 (Act 248, 2022). This is \$4.3 million dollars out of which planning is going to be conducted. Planning, such as is called out in the bill, could be accomplished while implementing the CIP.

It is important to note the KPSP has been nominated for a three-year study as to the eligibility of this park unit to be designated as a National Heritage Area. It is anticipated that if so designated, additional resources may become available for enhanced management.

The Department agrees that KPSP and its Mākua and Keawa‘ula sections need updated community-based management planning and implementation and wants to and will conduct the community-based management planning that SECTION 2 requires.

Mahalo for the opportunity to provide testimony in support of this measure.



Ka Moku'aina 'O Hawai'i Aha Moku O Pae'Aina

State of Hawai'i Aha Moku

P. O. Box 621

Honolulu, Hawaii 96809

Testimony of the Hawaii State Aha Moku
Before the Senate Committee on Ways and Means

Monday, February 28, 2023

10:00 A.M.

Conference Room 211 & Videoconference

IN SUPPORT of Senate Bill 1258 SD1

Relating to the Department of Land and Natural Resources

Senate Bill 1258 SD1 requires the department of land and natural resources (DLNR) to develop and implement a management system for Ka'ena point state park, Makua, and Keawa'ula regions. It appropriates funds.

The Hawaii State Aha Moku (Aha Moku) strongly supports this measure.

Known for its exceptional beauty, cultural and historical significance, Ka'ena, Makua and Keawa'ula Ahupua'a in the Moku of Waianae are held in reverence by the communities and Native Hawaiian generational families of those places. For the Hawaiian communities, these lands are known for their *la'au* (medicinal), historical *lua* (warrior training) and endemic and indigenous plants and wildlife. The mo'olelo (histories) of these ahupua'a are significant. Ka'ena is also particularly revered as a *Leina a ka'uhane*, a place where when one dies, their spirit leaps into the nether world.

DLNR has done their best to manage this state park with their limited capacities such as closing the park at night. However, because these places have no communities living in them, illegal driving on the beaches, unmanaged camping, illegal drug activities, dangerous accretions of needles, drug paraphernalia and human waste, the residents of Waianae do not often go to these places.

Additionally, tourism will grow significantly as the pandemic is better managed. The anticipated growth of 10,000,000 visitors by 2025 to Ka'ena, Keawaula and Makua is daunting. We need a better plan to better protect our natural and cultural resources, and to protect the sacredness of these places. The people of Waianae need to be able to utilize their traditional gathering and fishing practices safely. These include fishing at night, a practice that Waianae was once known for by generational families. Continuous illegal activities do not recognize or practice resource sustainability.

The concerns of the Public Trust including the generational and lineal descendants of the kanaka maoli of Ka'ena, Makua and Keawa'ula are carefully stated in SB 1258 SD1. The solutions that will finally protect our lands, waters, marine resources lay in the requirement of the DLNR to develop and implement an improved management system for Ka'ena, Keawa'ula and Maku to make these places thriving and safe now and for future generations. We ask this committee to adopt SB 1258 SD1.

Respectfully,

Leimana DaMate, Luna Alaka'i/Executive Director

Hawaii State Aha Moku

808-640-1214, Leimana.k.damate@hawaii.gov

*Pae'Aina: Moku O Keawe, Moku O Piilani, Moku O Kanaloa, Nana'i Kaula, Moloka'i Pule O'o, Moku O Kakuhihewa,
Manokalanipo, Ka'Aina O Kawelonakala*

SB-1258-SD-1

Submitted on: 2/27/2023 6:35:35 AM

Testimony for WAM on 2/28/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Zeb Jones	Testifying for Hydroponics Alternatives LLC	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz Vice Chair Keith-Agaran, and Ways & Means Committee Members:

I submit this testimony in SUPPORT of SB1258, SD1 – but in its original form WITH an appropriation to the Department of Land and Natural Resources (DLNR) to effectively manage the Ka`ena Point State Park, Makua and Keawa`ula cultural and recreationally significant regions along the O`ahu’s Leeward Coast.

The Leeward Coast is tired of becoming O`ahu’s “dumping ground” for every social problem that always seems to impact our cultural sites and WITHOUT sufficient financial assistance to clean-up the areas that most desperately need it. Ka`ena Point State Park, Makua and Keawa`ula are three (3) such areas. This bill’s original intent was to provide sufficient funding so that DLNR could devote resources -- presumably either on its own OR in association with community groups -- to keeping these areas accessible to Hawaiian cultural practitioners and the public. However, without: 1) ANY funding or direction to DLNR to make these 3 key areas priorities, and 2) changing the effective date to sometime in the year 2050, I’m curious WHY your Committee on Ways and Means is even hearing this bill?

For these above reasons, I urge your Committee to please a) restore this bill to original form; and b) provide funding some time in 2024 or 2025 at the last to SUPPORT and implement SB1258, SD1 – with restored language and appropriations.

Mahalo for this opportunity to present this testimony supporting SB1258, SD1 – in its original form.

Zeb Jones

Hydroponics Alternatives LLC

PO Box 1472/ Wai`anae, HI 96792 / Email: zebbe3442@gmail.com



PROTECTORS OF PARADISE

Testimony of MICAH DOANE

Founder of PROTECTORS OF PARADISE

Hawai'i State Parks Ka'ena Point State Park – Mākua & Keawa'ula Section, Curator
Aha Moku Representative
Lineal Descendant of Mākua

Before the COMMITTEE ON WAYS AND MEANS

Tuesday, February 28, 2023, 10:00pm – State Capitol, Conference Room 211

In consideration of

SB1258 RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES. Requires the Department of Land and Natural Resources to develop and implement a management system for Ka'ena Point State Park, Mākua and Keawa'ula Regions.

POSTITION: SUPPORT WITHOUT RESERVATION

SB1258 proposes to create a management system for Ka'ena Point State Park, Mākua and Keawa'ula Regions that is unique and tailored to the specific criteria and needs of the area. **We strongly support this measure without reservation.**

The Leeward Coastline, home to the largest population of Native Hawaiians, has much deep rooted, rich, cultural history, many of which dates back to some of the first people here on this island. Due to limited resources and isolated locations, preserving the 'Āina and the culture of these areas has been an ongoing challenge and struggle. Ka'ena Point State Park, Mākua and Keawa'ula regions have been subject to desecration for decades.

Metaphorically speaking, if we were to compare the 'Āina to a person, it could be viewed as an individual who holds great mana and beauty and is admired for all that it possesses. Yet, it has been exploited, mistreated, and neglected for far too long. Its natural resources and cultural significance are being raped and ignored at the same time. How much longer will we continue to allow it to be taken for granted and advantage of? It is our kuleana to prioritize the implementation of solutions to ensure that the desecration and abuse comes to an end. That would be a good *start*. A major concern is that these places are being put on the map via social media, travel, film, tourism industries, etc., without the proper infrastructure in place to support this influx of visitors from all over the world. This imbalance has directly affected and has had many negative impacts on the 'Āina, Leeward communities and its people.

Emphasis and priority needs to be placed on the preservation and sustainability of Mākua and Keawa'ula to ensure that the life of this land, through the values and teachings of the Hawaiian culture, will flourish and harmoniously live through its people in connection with the 'Āina from Mauka to Makai. Many solutions have been presented in these regards, but have yet to be implemented due to lack of resources and proper support.

We staunchly believe that this bill will help provide sustainable protection and perpetuation of the 'Āina, culture, and its people—by prioritizing the specific regions of Mākua and Keawa'ula of Ka'ena Point State Park and creating a management system in collaboration with community stakeholders, this process can begin.

If one were to visit a museum where the world's most beautiful and precious gemstones were on display, the failure to have the necessary safeguards and protection in place would surely result in a loss with the possibility of

the gems being stolen and never found again. In the Hawaiian culture, the 'Āina is not only our gem, it is our lifeline, and it is our kuleana to ensure that it is not lost and that the mana it possesses continues to thrive for future generations to come.

Mahalo nui loa for respectfully taking these concerns into consideration and the willingness to work with and support the local community so that solutions and balance can be obtained in the most pono fashion.

Mālama pono,

A handwritten signature in black ink, appearing to read "Micah Doane". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Micah Doane

Founder of Protectors of Paradise

Hawai'i State Parks Ka'ena Point State Park – Mākua & Keawa'ula Section, Curator

Aha Moku Representative

Lineal Descendant of Mākua

IRON WORKERS STABILIZATION FUND

February 28, 2023
12:30 pm

Senate Committee on Ways and Means

Conference Room 211 & Videoconference
State Capitol
415 South Beretania Street

LATE

Re: SB1258SD1 – RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

Aloha Chair Donovan Dela Cruz, Vice Chair Gilbert Keith-Agaran, and Members of the Committee:

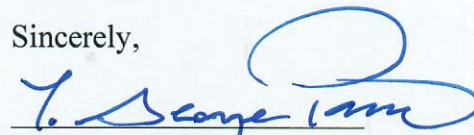
We **SUPPORT** the intent of SB1258SD1. The bill requires the Department of Land and Natural resources to develop and implement a management system for Ka'ena point state park, Makua, and Keawa'ula regions and it appropriates funds. The purpose of this Act is to require the Department of Land and Natural Resources to develop and implement an improved management system for Ka'ena point state park, Mākua, and Keawa'ula regions.

The Ka'ena point state park is a highly used recreation area for many of our locals and in recent years we have seen a rise in visitor use as well. Many working families use the park for their rest and recuperation. In recent years, we have seen increased unmanaged camping, illegal off-roading, rise in squatting by our homeless community members, illegal drag racing, drug trafficking, harmful fishing and gathering, and increased amounts of trash being left around.

The 117th Congress passed a three-year study as to determine the eligibility of the park to be designated as a National Heritage Area. If it gains the designation, additional federal funding will be made available for its management that was not previously considered in the region's management.

Management system for the Ka'ena point state park, Mākua, and Keawa'ula regions will help to address the rising problems in the area by bridging management best practices from other park management areas and melding them with local solutions based in Hawaiian cultural values. Please direct DLNR to make a management plan for the area to help improve the experience for all park users. We urge the committee to PASS SB1258SD1.

Sincerely,



T. George Paris
Managing Director

SB-1258-SD-1

Submitted on: 2/25/2023 6:31:42 AM

Testimony for WAM on 2/28/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Zeona	Individual	Support	Written Testimony Only

Comments:

I support SB1258. Waianae Moku Kupuna Council asking for integrity in land management. No more arrest of Kupuna on Hawaiian Lands. No more squandering and plundering Hawaiian Natural Resources. Our water and land are as precious as it's people. Mahalo Aunty Zeona Nahooikaikaholohokulani

SB-1258-SD-1

Submitted on: 2/27/2023 6:32:32 AM

Testimony for WAM on 2/28/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz Vice Chair Keith-Agaran, and Ways & Means Committee Members:

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For these above reasons, I urge your Committee to please a) restore this bill to original form; and b) provide funding some time in 2024 or 2025 at the last to SUPPORT and implement SB1258, SD1 – with restored language and appropriations.

Mahalo for this opportunity to present this testimony supporting SB1258, SD1 – in its original form.

Nancy A. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: nancyhydroalt@gmail.com