

SENATE COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS
The Honorable Chris Lee, Chair
The Honorable Lorraine R. Inouye, Vice Chair

H.C.R. NO. 179, H.D.1, URGING THE ‘AHA MOKU ADVISORY COMMITTEE TO FOLLOW ITS ADOPTED RULES OF PRACTICE, FULFILL ITS STATUTORY DUTIES, INCLUDING COMPLYING WITH THE SUNSHINE LAW, CONDUCT A PERFORMANCE REVIEW OF ITS EXECUTIVE DIRECTOR, AND ESTABLISH POLICIES TO ASSURE CONSISTENT STANDARDS OF ADMINISTRATIVE AND MANAGERIAL ACCOUNTABILITY; AND REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A COMPREHENSIVE PERFORMANCE AND FINANCIAL AUDIT OF THE ‘AHA MOKU ADVISORY COMMITTEE

Hearing: Friday, April 17, 2026, 1:15 p.m.

The Office of the Auditor offers the following comments on H.C.R. No. 179, H.D.1, which urges the `Aha Moku Advisory Committee (Committee) to, among other things, follow and implement its Rules of Practice and Procedures from 2016, comply with the Sunshine Law, conduct a formal performance review of its Director, and adopt appropriate administrative and managerial policies and procedures. The resolution also requests the Auditor to perform a performance and financial audit of the Committee.

The concerns expressed in this resolution primarily relate to the Committee’s compliance with Sunshine Law, including holding publicly noticed meetings and promulgating publicly available agendas, minutes, and reports. As such, we suggest that the Office of Information Practices (OIP) is better suited to investigate the Committee’s compliance with Sunshine Law. OIP is tasked to administer Sunshine Law under Section 92-1.5, Hawai‘i Revised Statutes (HRS) and holds the power to conduct inquiries and advise government boards regarding compliance with Sunshine Law under Section 92F-42, HRS.

Additionally, because the resolution also directs the Committee to conduct a formal performance review of its Director and adopt appropriate administrative and managerial policies and procedures, we believe an audit or review of the Committee would be premature.



Testimony of the Hawaii State Aha Moku
Before the Senate Committee on
Water, Land, Culture and the Arts (WLA)
Thursday, April 17, 2026
1:15 P.M.
Conference Room 224

IN OPPOSITION of House Concurrent Resolution 179, HD 1

Relating to the Aha Moku Advisory Committee

HCR 179, HD1 Urges the Aha Moku Advisory Committee (AMAC) to follow its adopted rules of practice, fulfill its adopted rules of practice, fulfill its statutory duties, including complying with the Sunshine Law, conduct a performance review of its executive director, and establish policies to assure consistent standards of administrative and managerial accountability; and requesting the Office of the Auditor to conduct a comprehensive performance and financial audit of the Aha Moku Advisory Committee.

The Hawaii State Aha Moku (Aha Moku) OPPOSES this measure.

On behalf of the Po’o and native Hawaiian practitioners of the eight main Hawaiian Islands – Moku O Keawe (Hawai’i), Moku O Pi’ilani (Maui), Nana’i Kaula (Lana’i), Moku O Kanaloa (Kaho’olawe), Moloka’i Pule O’o (Moloka’i), Moku O Kakuhihewa (O’ahu), Manokalanipo (Kaua’i) and Moku O Kawelonakala (Ni’ihau) we offer our mana’o as to why we oppose this measure.

This resolution specifically asks that the AMAC follows its “adopted rules of practice” and to fulfill this rule that is not stated but refers to a proposed document of 2016. This document was never accepted by the AMAC in 2016.

This measure as written, specifically takes the autonomy of the Aha Moku process away from the native Hawaiians with generational and traditional knowledge of their ahupua’a, and puts the Aha Moku, including the Luna Alaka’i (Executive Director) and the Aha Moku Advisory Committee (AMAC) under the jurisdiction of the Chairperson of the Board of Land and Natural Resources (BLNR).

Aha Moku has never been under the jurisdiction of the state. Rather, Kupuna and cultural practitioners from every island authored the Aha Moku Act and stressed that it be advisory only to BLNR and to the Department of Land and Natural Resources (DLNR). Aha Moku collaborates with government and private entities and connects those with generational knowledge of a site-specific place (ahupua’a) while protecting that knowledge and the families

who hold it. Over the years, there has been many attempts to take over the Aha Moku. The people have always protected it.

This Measure will destroy the Aha Moku, and its purpose and mission which is to bring the voices of the native Hawaiian people forward in regard to the protection and perpetuation of each island's natural and cultural resources. AMAC is the legal entity through Act 288, SLH 2012. The selection of the Po'o of each island is done through the ancient traditional ahupua'a process. The Po'o selects the Luna Alaka'i, or in western terms, the Executive Director who answers to the people, and purposely is not, under the jurisdiction of a state entity. The Aha Moku was authored by 187 Kupuna and expert native Hawaiian natural and cultural practitioners of the eight main Hawaiian Islands (see attached).

Each island is unique with their own natural and cultural resources. The Aha Moku system is the Hawaiian process of sustainability that was brought forward from the 9th century through ancient chants and mo'olelo, and translated by our last founder, Frank Kawaikapuokalani Hewett (Kawaikapu). Kawaikapu is our Kahu and guide.

Further, the Aha Moku Act, originally called the Aha Kiole Act was supported by, and introduced to the legislature in 2006 by the Association of Hawaiian Civic Clubs, a confederation of 67 native Hawaiian civic clubs nationwide. The Hawaii State Legislature solidified Aha Moku through the Aha Moku Act 288, SLH 2012, by creating an implementation purpose and process.

The whole purpose of the Aha Moku and AMAC is to protect and perpetuate the generational knowledge of the natural and cultural practices held by the lineal families of each ahupua'a and moku on each island. This knowledge is handed down from Kupuna to each generation. It is protected by the families, and normally not shared publicly. However, 'ohana knowledge can be shared with government with the permission of these Kupuna and families. This sharing would be lost if the families, through AMAC become part of the state jurisdiction.

One insolent part of this attempt, through HCR179 is to put the executive director (Luna Alaka'i) under the jurisdiction of the Board of Land and Natural Resources (Land Board) through its Chair. The Luna Alaka'i is selected and hired by the AMAC and has no decision-making power in any issue. This is important because the AMAC works with the people, in issues of leases and revocable permits that come before the BLNR. When these issues come forward, the Luna Alaka'i connects the Po'o and Moku Representative of each island with the government department or division, the Counties and private entities who are mandated by the Hawaii Supreme Court Law (Ka Pa'akai O Ka'Aina vs Land Use Commission NO. 21124 (CIV.NO. 96-189K)) to complete the Ka Pa'akai Analysis, the Findings of Fact and Conclusions of Law.

Ka Pa'akai Analysis

1. Identify the cultural, historical, and natural resources in which traditional and customary Native Hawaiian practices or rights are exercised in the project area, which includes area impacted by changes to the flow of water or changes to the flood inundation area;
2. Assess the extent to which those resources, including traditional and customary Native Hawaiian rights, will be affected or impaired by the proposed project;
3. What feasible action, if any, could be taken to reasonably minimize the impacts to Native Hawaiian practices and rights.

The Hawaii State Aha Moku is very successful because it protects the natural and cultural resources of site-specific ahupua'a and protects and perpetuates the unique knowledge of each

place by bringing those peoples voices forward in the decision-making process of the state. Aha Moku also works with the Public Trust.

Mahalo Ke Akua! Our God that watches over all of us.

Respectfully and Humbly Yours,

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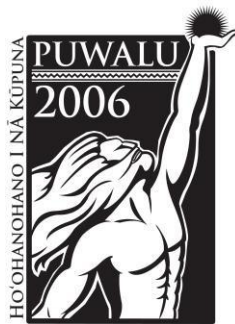
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Ho`ohanohano I Na Kupuna
Puwalu `Ekolu: Lawena Aupuni

Honor Our Ancestors
Conference II: Hawaii Policymakers

December 19 and 20, 2006
Ala Moana Hotel, Honolulu, Hawaii

PUWALU `EKOLU SUMMARY



“Puwalu `Ekolu: Lawena Aupuni” the third and final conference of the *Ho`ohanohano I Na Kupuna (Honor Our Ancestors)* three-part conference series was held on December 19 and 20, 2006 at the Ala Moana Hotel in Honolulu. Its goal was to integrate Hawaiian traditional land and ocean practices into Hawaii’s educational and policymaking systems by means of a community and cultural consultation process through the development of moku councils.

Puwalu `Ekolu brought together the major policymakers and stakeholders in the protection of the Hawaii ecosystem – Native Hawaiian practitioners and experts in traditional methods of resource sustainability, government policymakers including members of the Hawaii Legislature, Hawaii State Agency Directors, Environmental Groups, Educational Leaders and Hawaiian and community organizations.

Moloka`i Prophecy – Kaoli Kaimikaua

This puwalu series was originally supported and formatted by Kumu Hula and Cultural Practitioner, John Kaimikaua who passed away in June, 2006. A learned man with great vision and compassion, Kaimikaua believed that the natural and cultural resources of Hawaii were in grave jeopardy today but the strength of the Hawaiian could correct that.

Kaoli Kaimikaua, John's widow continues to teach his values and share his knowledge. She interpreted a profound prophecy that foretold "a great change is to come. The *lepo popolo* (metaphor for the *maka'ai'nana* - commoners) is at the crest of a great wave. They will rise up. They will not fall. The *Ali'i* is no more and the *maka'ai'nana* have risen".

The explanation of the prophecy is that Hawaiians must move forward. They must work together because they are living in the prophecy of two hundred years ago. It is the Hawaiian destiny to fulfill the prophecy by protecting the *pu'uwai* – the heart of the Hawaiian people – the ocean and its lands.

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Western Pacific Regional Fishery Management Council (The Council)

The Western Pacific Regional Fishery Management, the host of the Puwalu Series, is responsible for the conservation and management of marine resources of the United States in the central and western Pacific. They have been working on an ecosystem approach to manage these resources by establishing the Hawaii Archipelago Fishery Ecosystem Plan (FEP), which includes a framework under which ecosystem-based management strategies can be implemented. The U.S. Congress mandates the Council to work closely with communities to develop appropriate polices that conserve marine resources yet provide for continued use of those resources. In the reauthorized Magnuson-Stevens Fisheries Conservation and Management Act, adopted by Congress in early December, 2006, the Council was also directed to "develop means by which local and traditional knowledge can enhance science-based management of fishery resources of the region."

The Council hosted the *Ho'ohanohano I Na Kupuna Puwalu Series* to provide the Hawaiian people a forum to discuss their traditional *ahupua'a* practices and to facilitate the incorporation of this information into the core educational systems of Hawaii; as well as integrating these practices into the framework for resource conservation and management in Hawaii.

Framework for Consultation

The anticipated outcome of this conference would be consensus toward a structure, including the necessary protocol that would incorporate Native Hawaiian traditional knowledge into a framework for consultation. This consultation would protect natural and cultural resources, protect the cultural integrity of the host culture, and ensure community participation.

Discussion centered on existing programs, their successes and challenges, and how the integration of moku councils can assist in community capacity building, improved statutes and ordinances, and a framework for community consultation using the Hawaiian perspective and traditional methods.

Federal

- We must break out of the box and take the traditional *'ike* (knowledge) into the consultation system
- Collectively, communities/agencies are striving towards the same goal – protecting resources for future generations
- Ecosystem approach to fisheries management must be done through Fishery Ecosystem Plans
- The Magnuson Stevens Fishery Conservation and Management Act of 1976 promotes indigenous consultation and community integration
- Federal agencies must consult with communities and Native Hawaiian groups

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- Federal funding is necessary to appropriately format community consultation processes
- Hawaiians are able to participate with Wespac in multiple ways: public meetings, consultations, seats on advisory council committees. Wespac is always open to the community
- In regards to the Northwest Hawaiian Islands, Wespac believes that the environment is healthy and fishing should be continued.

State - Legislators

- Include cultural practitioners on school community councils to help influence curriculum
- It is important to bring groups together and build bridges
- Native Hawaiian practitioners must be part of existing Commissions
- The Environmental Impact Statement (EIS) structure is being updated – cultural issues are being looked at
- Cultural consultation is essential
- Possibility: The Senate could co-sponsor an annual gathering to meet with practitioners throughout the state
- The 2005 Legislature passed the 2050 Sustainability Plan which is applicable and compatible with the Aha Moku concept. Two components are needed to make this plan viable: 1) it has to be community-based, 2) Native Hawaiian values and the inherent wisdom that comes from the Hawaiian culture must be included
- What role can the Aha Moku play in this? It is very significant. If we are placing the Sustainability 2050 Plan on Native Hawaiian values and concepts, then the Aha must be part of this plan.
- Values emanate from the land, ocean and the sky – they must be integrated into the protection of natural resources
- Legislature must look at a process that would protect resources for the next seven generations
- The white/Anglo Saxon values are over-running our Hawaiian values.
- Everything is about family
- We must move our issues forward to make policy
- Documentation is vital in today's world

- The Hawaii State motto “Ua Mau Ke Ea O Ka ‘Aina I Ka Pono”, The life of the land is perpetuated in righteousness - predates the monarchy and is a principle that underscores the importance of place
- How does the local population make sure that they are not strangers in their own land? By strong community consultation and involvement
- Legislators must take the message of this puwala to the larger community for understanding and support

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State - Agencies

- Coastal zone management, ecosystem management and place-based management are critical to the health and welfare of our natural resources
- The Coastal Zone Management area encompasses the entire state – it extends seaward to include the U.S. territorial sea and is consistent with Hawaii’s archipelagic reach
- The State is moving toward integrated collaboration through three perspectives: 1) Looking at the mauka to makai process, 2) Preserving our ocean heritage – cultural enhancement, resources, economic activities, and 3) Promoting collaborative government and community stewardship
- On the Northwest Hawaiian Islands – it encompasses $\frac{3}{4}$ of the Hawaiian archipelago and runs from Nihoa to Kure Atoll – an area that is larger than 46 of the 50 states. The Hawaii State Board of Land and Natural Resources approves the access process for the NWHI and is encouraging Native Hawaiian involvement in access and management processes.
- The government must cease in being segregated from the communities
- The Hawaii State Ocean Resource Management Plan (ORMP) focuses on being better stewards of the ocean by adopting the ahupua’a approach
- The ORMP is important – a revised plan will be submitted to the Legislature in 2007. The zone that connects the land and sea is critical to Hawaii’s economic base.
- Must work with an “Out of the Box” strategy: having cultural representatives on different boards/commissions in addition to the neighborhood boards. Each of these boards should integrate traditional methods into today’s principles.
- Hawaii should reflect our host culture – that makes us unique.
- If we can get the community mana’o – that is where the change will happen
- We need a personal commitment to do the right thing. Through our collective actions, we move forward together.

Counties

- Look at charter amendments to include cultural practitioners on County Councils and Commissions
- Kauai County will propose a Charter Amendment for their Planning Commission: 1 person from the environment community, 1 from the business community, 1 from the labor community, a cultural practitioner and 3 at-large.

- Take a place where one feels there should be more cultural mana'o/expertise involved. Work with the counties and document what worked, what didn't work – take it from there
- We need to incorporate the cultural practices into the EIS process
- General Plans should be done through a community-based process
- Utilize moku councils into county decision-making processes

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- An Aha Moku involvement may need to take different forms, to adapt to different settings and opportunities
- If done well, Hawaii can be a model for the rest of the world
- It is important to participate in the identification of the “rules of the game” to guide strategies inclusive of values (malama aina, 'ohana) and principles.
- We need to bring the parties together to listen to our cultural practitioners
- The younger generation, in the lineage of the practitioners is stepping forward – hand in hand with kupuna – to work with decision making policymakers.
- Share experiences until we get better and better at it.

Environment Organizations

- Believes in building partnerships
- There are methods of addressing structures of communication
- If moku councils are place-based and only advisory, they could benefit communities
- In community resource management, it is one or two individuals who have a passion to improve. They see traditions that must be protected.
- We are creating a stronger connection between keiki and kupuna
- We work better with agencies to be effective in the community role
- What are the elements of success? There is no option except community to succeed

Native Hawaiian Practitioner Comments, Questions, Statements

- The group gathered at this puwalu is here to maintain the essence of our goals reached in Puwalu I and Puwalu II
- We support the Aha Kiolo/ Aha Moku – this is our goal. This group has done all of the research. Will you take our goal and make it a priority?
- If the puwalu is able to come to you with a clear definition of Aha Moku set up by island, will the legislature be willing to support that as a conduit for consultation?
- There is a community-based organization to take the lead in doing an *auwai* system in Waimea, Hawaii Island
- There is a problem on the Waianae Coast. DLNR is not protecting the habitat. We have recreational organizations disturbing the species habitat in Waianae
- In 2005, Senator Hanabusa introduced legislation to put a moratorium on commercial permits that come out of any state harbor facility. This is a big win for resources and for fishermen.

- Kahana Valley is the only ahupua'a that has been condemned – our land rights, water rights and konohiki rights have been taken away. We need to turn this around. We need legislative support.
- If you take more than you need, then we all lose.
- Responsible stewardship is critical.
- Whatever affects mauka affects everyone makai. The ahupua'a concept must be followed. We must work together.

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- We don't need any more plans. We would like to see representation from this puwalu group to sit on the Boards that deal with resource issues. Wespac – help us get there! NOAA – you have been failing us. State – we need your help.
- We need to have 4 representatives from the Moku of Maui to sit on the new DLNR/OHA board.
- For Nature Conservancy: Who gave them the right to fence off Hawaiian lands where we can no longer gather in our own land?
- Re: Northwest Hawaiian Islands – how is the State going to control the invasive species coming off of the boats that go there?
- There are still people who live the lifestyle on Oahu.
- Developers want to have a Native Hawaiian share their mana'o, but when it is shared, that knowledge is not used wisely. (Response from Trustee Heen: If we require every developer to first confer with the Native Hawaiians from the community and do what is necessary to preserve the Hawaiian culture, then we can preserve what we have.)
- Can OHA help to put practitioners on every Board and Commission? (Response: OHA can speak to Senator Hanabusa on this)
- In this puwalu are the experts. Can this body be a Board or Commission for expert advice in traditional and cultural issues? (This would need to be discussed at the legislature)
- In regards to Wai Opae (in Kapoho on the Island of Hawaii): Hawaiians were never informed of Wai Opae and now get arrested for fishing and getting vana there. What about the landowners whose sewage is seeping into our ponds? And the tourists who desecrate our waters?
- Both DLNR and OHA do not have traditional practitioners in their agencies. Their process makes decision without the input of the real Hawaiian. You make decisions based on your lack of knowledge of who these people are.
- Hawaiians have the right to practice where they have fished traditionally.
- The water that the East Maui Irrigation is taking belongs to the 66 families in Hana who need the water.

Next Steps

Each of the islands through the moku representatives offered recommendations pertinent to their islands.

Maui

Maui suggested that two representatives sit on the Aha, for a total of twenty-four (24). They will seek support from each *moku* to share the concept of the *Aha Moku* with their

communities. Further, the *moku* representatives attending the *Puwalu* accept the responsibility of educating others on the council concept. They suggest that the *mo'olelo e ho'omaukaukau ana* by David Malo be followed.

O'ahu

O'ahu stated that it was important to recognize existing experts residing in Oahu's *ahupua'a*. However, work must continue on the criteria for the experts. What do we expect from them? It must also be acknowledged that O'ahu may have a different role because of its location to government and because of its rural landscape. Good and wide communication is needed although the resolution passed by the Association of Hawaiian Civic Clubs may offer some usable framework. It was noted that the Dept. of Land and Natural Resources may have information that *puwalu* participants may not have access to. Consideration should be given to asking for this information. It was stressed that O'ahu participants must continue to meet to work out the details of the Oahu *Aha Moku*.

Kaua'i

A representative from each *moku* on Kaua'i is in attendance at this *Puwalu*. Participants will meet in *Ha'ena* in February to broaden the association within each *moku*. *Ha'ena* was chosen because it is in a position to help develop rules within its *ahupua'a*. The representatives in attendance at this *Puwalu* will then go into the other *moku* by the end of March to seek support and participation.

Ni'ihau

Ni'ihau does not have the typical *moku* division. Rather, there is the *konohiki/alii*, *Kahu* and *po'o ohana*, for a total of three area representatives. Our mission is from God, from whom we receive our livelihood, in the powerful name of the Lord of the Heavens. It is from Him that we breathe, from Him that we receive our fish, our food, our clothes, and our need to sustain life.

Lana'i

The *Aha Kiole* is a simple, humble, knowledgeable way to *malama* our *aina* and our culture. It was suggested that a representative from each *moku*, a total of five, serve a 4-year term.

Hawai'i

Moku O Keawe recommends that the group in attendance at the *Puwalu* be formalized. It was recommended that another *Puwalu* be held on a neighbor island. It was further recommended that a Bill for An Act be written calling for a *Moku Aha*; that the 'ohana of the respective *moku* recognize their *kuleana*; and that the communication gap existing between Hawaiians and the various government agencies be bridged effectively.

Moloka'i

Moloka'i recommended that the *Aha Kiole Pae Aina* be created on each island. Four representatives, one per *moku*, will serve on the *Aha Kiole* and will be responsible for communication to/from government, other entities, and other island *moku*.

Aha Kiole pae aina Moku reps of all
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Aha Ki'ole mokupuni (4 reps; 1 per moku; these reps will serve on 'Aha Ki'ole pae 'aina) (Communication to/from government; communication to/from other

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Papa moku
Kaluakoi
3 reps

Papa moku
Palaau
3 reps

Papa moku
Kawela
3 reps

Papa moku
Koolau
3 reps



Papa

Interests of moku empowered by

Papa Ahupua'a

Papa ahupua'a Papa ahupua'a Papa ahupua'a Papa ahupua'a

- Representative for each Papa 'Ahupua'a decided by ahupua'a.
- Function as advisory council, is pulse of the community.
- Recommendations from Papa 'Ahupua'a to Papa moku, to Aha Ki'ole; info received from reps of Papa Moku.

This group also said that they will do their own mission statement.

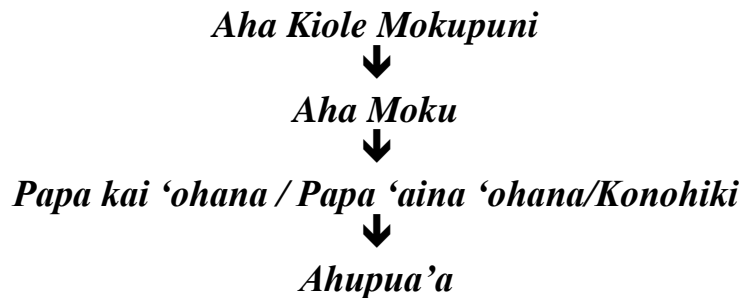
Aha Ki'ole/Aha Moku

The Aha Ki'ole / Aha Moku concept was adopted in general by the Native Practitioners. This concept would be adapted to the specific needs of each island and each moku on that island. There are thirty-seven (37) moku in the Hawaiian Islands:

Island	No. of Moku	Moku
Hawaii	6	Ka'u, Puna, Hilo, Hamakua, Kohala, Kona
Maui	12	Hamakualoa, Hamakuapoko, Hana, Honua'ula, Ka'anapali, Kahikinui, Kaupo, Kipahulu, Ko'olau, Kula, Lahaina, Wailuku
Molokai	4	Halawa, Kaluakoi, Kawela, Palaau

Lana'i	2	Koolau, Kona
Kaho'olawe	1	Kaho'olawe
Oahu	6	Ewa, Kona, Ko'olaupoko, Ko'olauloa, Waiialua, Waianae
Kauai	6	Halele'a, Kona, Ko'olau, Napali, Puna (includes 1 for Nihoa)
Niihau	2	Kona, Ko'olau
Total	39	

The structure for the *Aha Moku* would be:



Aha Kiole Mokupuni: this group would be comprised of representatives from each island, selected by the *Aha Moku* (council) of each *mokupuni* (island).

Aha Moku: Councils of each *moku* (traditional land district) comprised of the most expert practitioner and kupuna selected by the lineal cultural families and the communities of the area knowledgeable in the different appropriate disciplines.

Papa Kai 'Ohana / Papa 'Aina 'Ohana: This is the group that comprises the *Aha Moku*.

“*Papa*” is the foundation that deals with food, things of nature, the land, the ocean. This term comes from before man and religion.

“*Kai 'Ohana / 'Aina 'Ohana*” refers to the Hawaiian people who came from the ocean and are part of nature. The *kai* or sea connects all islands and all people. The *'aina* keeps the balance between land and sea.

Members of the *Aha Moku* must be knowledgeable and spiritually connected to the *'kai* and the *'aina*.

Konohiki: Appointed by the *Aha Moku*, the *konohiki* is the balance which allows changes to be made in the *ahupua'a*.

'Ahupua'a: The smaller land boundaries and sections that make up a *moku*.

Conclusion

Its goal of Puwalu 'Ekolu was to integrate Hawaiian traditional land and ocean practices into Hawaii's educational and policymaking systems by means of a community and cultural consultation process through the development of *moku* councils. An additional aspect to this goal was to combine the results of Puwalu 'Ekahi and 'Elua into the

framework of Puwalu 'Ekolu. As was learned through the first and second puwalu of this series, "dependence on the resource" and "recognition" of subsistence and sustenance rights are unfair, often patronizing representations of the relationship between Native Hawaiians and their aina, wai and kai.

Characterizing Native Hawaiian practices as a bundle of rights to be administered by the government is inadequate. Native Hawaiians' knowledge about their environment and ecology is broad, significant and detailed. Their relationship with the environment is

deep, spiritual and binding. Their responsibility for the health of the environment is their inheritance. Their willingness to share protective measures through traditional methods is the way to protect this inheritance.

The final consensus of the puwalu attendants was to send a draft resolution, to be made into a Bill for An Act, proposing the organization of a statewide *aha moku* council be developed for the purpose of cultural consultation in the development of policy, to the 2007 Hawaii State Legislature.

Original Authors of Hawaii State Aha Moku 2004-2006

Listed by Island are the original Kupuna and expert practitioners of the various traditional disciplines of the native Hawaiian people who authored the Hawaii State Aha Moku

Moku O Keawe (Hawaii) Total: 48

Last Name, First Name	Kupuna	Makua	Moku	Ahupua'a
Akaka, Daniel		x	Kohala	Waimea
Akau, William	X		Kohala	Kawaihae
Amaral, Annelle	X		Ka'u	Volcano
Cariaga, Anna	X		Ka'u	Pahala
Costa, Herman		X	Puna	Kapoho
Costa, Debra Ann Uakini Kikau		x	Puna	Kapoho
DaMate, Robert	x		Ka'u	Kahuku
DaMate, Leimana	X		Ka'u	Kanakalolo
DaMate, Ikaika		X	Ka'u	Kanakalolo
Dedman, Palikapu		X	Ka'u	Na'alehu
Dikito, Leroy		X	Puna	Kalapana
Forcum, Michael "Kalani"		X	Kona	Puapua'a
Forcum, Michelle		X	Kona	Puapua'a
Gomes, Kuumealoha	X		Kona	Kona
Hauanio, Elaine	X		Puna	Kea'au
Hauanio, Benjamin	x		Puna	Kea'au
Hauanio, Clarence "Aku"		X	Puna	Kea'au
Hauanio, Les	X		Puna	Honomu
Ilae'kaleimamahu, Leialoha	X		Hilo	Hilo
Issacs, Mike	X		Kohala	Hawi
Ka'awaloa, Piilani		X	Puna	Pahoa
Kahele, Gilbert	X		Kona	Miloli'i
Kaho'okaulana, Elia	X		Puna	Pahoa
Kaho'okaulana, Sam	x		Puna	Pahoa
Kahumoku, Keoki		X	Hilo	Hilo
Kanuha, Clement "Jr."		x	Kona	Puapua'a

Kapua, Charles	X		Ewa	<i>Pearl City</i>
Kaupiko, Wilfred		x	Kona	<i>Miloli'i</i>
Keliihoomalu, Robert	X		Puna	<i>Pahoa</i>
Kenison, Damien		X	Kona	<i>Ho'okena</i>
Kenison, Glendora		X	Kona	<i>Ho'okena</i>

Last Name, First Name	Kupuna	Makua	Moku	Ahupua'a
Kiliona, Kuulei		X	Ka'u	<i>Volcano</i>
Kualii, Kaleo		X	Kona	<i>Puapua'a</i>
Kuluwaimaka, Elizabeth	X		Ka'u	<i>Kahuku</i>
Leithead-Todd, BJ		X	Hilo	<i>Hilo</i>
Lovell, Hugh "Buttons"	X		Kohala	<i>Kapa'a</i>
Mahi, Arthur	x		Kona	<i>Kalaoa</i>
Mahi, Teresa	X		Kona	<i>Kalaoa</i>
Murakane, Wesley		X	Kona	<i>Kealakekua</i>
Nazara, Cynthia (Keanaaina)		X	Kona	<i>Puapua'a</i>
Nazara, Kekoa		X	Kona	<i>Puapua'a</i>
Paulo, Walter	X		Kona	<i>Miloli'i</i>
Saffrey, Carmelita "Dutchie"			Puna	<i>Kea'au</i>
Takayama, Debbie Kae		X	Hilo	<i>Hilo</i>
Vierra, Darlyne	X		Ka'u	<i>Na'alehu</i>
Waiohu, William		X	Kohala	<i>Waimea</i>
Waiohu, Sonny		X	Kohala	<i>Waimea</i>
Yeamen, Imaikalani		X	Hilo	<i>Hilo</i>



TESTIMONY
IN SUPPORT FOR HCR179
RELATING TO THE AHA MOKU ADVISORY COMMITTEE.

SENATE COMMITTEE on WATER, LAND, CUTLURE, AND THE ARTS
Hawai'i State Capitol

April 17, 2026

1:15 p.m.

Room 224

Aloha Chair Lee, Vice Chair Inouye and members of the committee,

Ho'āla Kealakekua Nui, Inc. (HKN) is in **STRONG SUPPORT** for **HCR179**, which urges the 'Aha Moku Advisory Committee to follow its adopted rules of practice, fulfill its statutory duties, including complying with the Sunshine Law, conduct a performance review of its Executive Director, and establish policies to assure consistent standards of administrative and managerial accountability.

HKN has a unique relationship with the 'Aha Moku and encourages this legislation's support in ensuring the voices of Native Hawaiians are upheld. We take the 'Aha Moku very seriously as it plays a vital role in assisting and advising the State to uphold its statutory obligations held within the 1959 Admission's Act, Article XII, Sec. 7, and many other policies that relate to the betterment of the conditions of Native Hawaiians. The 'Aha Moku has the potential to effectuate policies and laws to support struggling Native Hawaiian communities in far rural reaches. One of its many purposes is to identify and organize skilled individuals that hold Traditional Ecological Knowledge as well as traditions, customs, and practices.

HKN relies on the success of 'Aha Moku and a functioning 'Aha Moku Advisory Council (AMAC). As a Community-based Conservation Management organization that implements traditional methodologies, we would require the 'Aha Moku to demonstrate the highest and best level of transparency and accountability and perform its purpose to ensure the continuum of Native Hawaiians. HKN further supports this resolution to reaffirm the BLNR Chair's duties to conduct a performance review of the Executive Director and the AMAC.

HKN would like to thank this committee for hearing this measure and the opportunity to provide a voice. We strongly urge this committee to pass HCR179.

Mahalo Nui,

Shane Akoni Palacat-Nelsen
Executive Director | CEO

LATE

HCR-179-HD-1

Submitted on: 4/16/2026 2:06:25 PM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Marine Advocates	Testifying for Marine Advocates Collaborating for Sustainable Aquatic Life through Action and Discipline	Support	Written Testimony Only

Comments:

Aloha,

We support this resolution urging the ‘Aha Moku Advisory Committee to immediately bring its operations into full compliance with its Rules of Practice and all statutory obligations, including the Sunshine Law, within 30 days; to publicly certify such compliance; and to implement corrective actions as necessary. As in statute, the Chair of the Hawai‘i Department of Land and Natural Resources shall exercise oversight authority over the Executive Director and shall sign off on all compliance verifications and reporting. Failure to comply shall result in formal administrative action, including review of the Executive Director and potential restructuring to ensure accountability.

Based on legislative findings, the Chair of the Hawai‘i Department of Land and Natural Resources shall conduct a comprehensive performance review of the Executive Director and the ‘Aha Moku Advisory Committee. In light of documented non-compliance and the duration of such violations, the Chair shall ensure that findings are formally documented and that corrective actions are immediately implemented, including, where appropriate, organizational restructuring to ensure transparency and accountability.

Mahalo nui,

Marine Advocates Collaborating for Sustainable Aquatic Life through Action and Discipline

Advocating for an equitable voice and identity of lawai‘a to be pono in conduct as hoa‘āina of nearshore and marine ecosystems with an emphasis on Native Hawaiian traditional and customary practices.

Aloha e Chair Lee, Vice Chair Inouye, and Committee Members of Water, Land, Cultural, and the Arts,

My name is U‘ilani Naipo. I am a marine advocate for place-based governance, Native Hawaiian traditional and customary practices, and marine stewardship. I am in strong support of this resolution directing the ‘Aha Moku Advisory Committee to achieve full compliance with its Rules of Practice and all statutory requirements, including the Sunshine Law, within 30 days, to certify that compliance publicly, and to implement necessary corrective actions. As in statute, the Chair of the Hawai‘i Department of Land and Natural Resources shall oversee the Executive Director and approve all compliance reporting, with failure to comply resulting in administrative action, including leadership review and potential restructuring.

The success of ‘Aha Moku is very important to me and the work I do in place-based governance. Transparency and accountability are crucial to maintaining the credibility of this very important body. The Native Hawaiian communities' access to and representation from ‘Aha Moku is critical to maintaining the Native Hawaiian footprint in our home landscape.

In light of legislative findings and prolonged non-compliance, the Chair shall conduct a comprehensive performance review of the Executive Director and the Committee, formally document findings, and ensure immediate corrective action, including

restructuring as needed to ensure transparency and accountability.

We must focus on correcting our deficiencies, strengthening what we already do well, and striving to excel in all areas moving forward.

Mahalo,
U‘ilani

HCR-179-HD-1

Submitted on: 4/16/2026 10:56:44 AM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaikea Nakachi	Individual	Support	Written Testimony Only

Comments:

My name is Kaikea Nakachi, and I am a Native Hawaiian researcher, photographer, and kahu manō and aloha ‘āina practitioner. I am in strong support of place-based governance based on traditional and customary practices and therefore strongly support this resolution directing the ‘Aha Moku Advisory Council to achieve compliance with its Rules of Practice and all statutory requirements, including the Sunshine Law. The ability of ‘Aha Moku to support and guide place-based governance and rulemaking is important to me and the work I do. I support increased compliance, transparency, and accountability in ‘Aha Moku and all aspects of government. I believe this resolution will help course correct if there are deficiencies and allow us to move forward more efficiently and effectively.

HCR-179-HD-1

Submitted on: 4/16/2026 11:36:07 AM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles KH Young	Individual	Support	Written Testimony Only

Comments:

I support the intent of HCR 179 HD 1

The AHA Moku Advisory Coucil

does not receive sufficient funding in order to properly carry out their responsibilities to there fullest extent. I suggest that any audit must take that into consideration when recommending improvements. The Aha Moku plays an important and unique role by advising agencies on issues related to native Hawaiian traditional and customary rights.

HCR-179-HD-1

Submitted on: 4/16/2026 11:53:33 AM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Kipapa	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Lee, Vice Chair Inouye and Committee Members on Water, Land, Culture, and the Arts,

I strongly support Resolution HCR179.

My name is Malia Kipapa and I am a lineal descendant of Pahoehoe Kona Hawai‘i, I carry a deep responsibility to ‘āina and community. Through my work across Hawai‘i Island, I have seen the importance of transparency, accountability, and adherence to established practices in institutions that serve our people.

The ‘Aha Moku Advisory Committee must follow its adopted Rules of Practice, fulfill its statutory duties, and comply with the Sunshine Law to maintain public trust. Conducting a performance review of its Executive Director and establishing consistent administrative and managerial accountability are necessary steps to ensure effective and pono governance.

As an advocate for aloha ‘āina, place-based management governance, Native Hawaiian traditional and customary practices, and marine stewardship, I urge your support for resolution HCR179.

Mahalo for your consideration and opportunity to provide testimony.

LATE

HCR-179-HD-1

Submitted on: 4/16/2026 1:09:06 PM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Laa Poepoe	Individual	Support	Written Testimony Only

Comments:

TESTIMONY IN SUPPORT OF HR 169/HCR 179 (and HB 2047)

Urging the ‘Aha Moku Advisory Committee (AMAC) to:

- 1. Follow Rules of practice and procedure**
- 2. Fulfill statutory duties, and**
- 3. Conduct performance reviews of its Executive Director**

Aloha Chair, Vice-Chair, and Members of the Committee,

AMAC is potentially operating in noncompliance to a level of malfeasance bordering on criminal misconduct, and needs a few fixes as part of reconciliation supported by the legislature within HR 169/HCR 179 and HB 2047:

- 1. MANDATE SUNSHINE LAW COMPLIANCE:** require at least one properly noticed public meeting per quarter, and legally void any advisory position or recommendation that was not agendized and approved by a majority vote of the committee in accordance with HRS §92-13 (Willful violation of Sunshine Law) which jeopardizes the validity of positions represented by AMAC in accordance with HRS §92-11 (actions made in violation of the Sunshine Law to be voided)
- 2. MANDATE ALL REPORTING:** Maintain a simple digital archive of all meeting minutes, agendas, and formal advisory letters accessible to the public by regularly updating the existing ‘aha moku website. Require the ED to document and report on engagements with each island council before issuing official advice. Provide annual, itemized accounting of the \$286,300 budget, detailing all staff salaries, travel, and administrative costs, and conduct an independent audit of the previous five years to reconcile missing records and verify the lawful use of public funds under HRS §171-4.5 (violation of state fiscal reporting laws)

3. ASSIGN PERSONNEL ACCOUNTABILITY: Shift the Executive Director's appointment and supervision to the DLNR Chairperson, implement mandatory annual reviews conducted by the DLNR Chair based on statutory requirements, replace the indefinite appointment of the ED with fixed-term increments to ensure periodic leadership evaluation, and establish statutory triggers for immediate termination, such as failure to hold meetings (HRS §92-13) or submit reports (HRS §171-4.5)

The executive director and committee chairperson should not find these reasonable compliance measures unacceptable. If the AMAC is fulfilling its duties with confidence and integrity, then regular meetings, open records, and fiscal audits should be welcomed as an opportunity to showcase their success and justify their budget. To oppose these measures suggests that the agency believes it should be exempt from state law.

The 'aha moku island councils are autonomous participants that can operate without administrative rules. However, the AMAC is administratively attached to DLNR, therefore, must adhere to administrative rules. Please pass these measures to ensure that public trust and public funds are managed properly.

LATE

HCR-179-HD-1

Submitted on: 4/16/2026 2:01:42 PM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jenny Yagodich	Individual	Support	Written Testimony Only

Comments:

I am writing in support of HCR179 HD1 and its effort to strengthen the effectiveness and integrity of the ‘Aha Moku system.

‘Aha Moku was created to ensure that ‘ike kūpuna and community perspectives remain an active part of modern governance. Its success relies on transparency, shared responsibility, and strong relationships between communities and decision-makers, core elements that define its purpose.

Reinforcing accountability is not a shift away from these principles. By strengthening expectations and oversight, the system can better reflect its original intent and more effectively serve the people it was designed to represent.

It is also important to recognize that the work of ‘Aha Moku is supported by taxpayer dollars. With that support comes a responsibility to operate with integrity, transparency, and a clear commitment to the public interest. When leadership fails to meet these expectations, it raises serious concerns about stewardship of both public trust and public resources.

The concerns surrounding current leadership underscore why this resolution is needed. Efforts should be focused on fulfilling the responsibilities of the position and advancing the mission of ‘Aha Moku and not on deflecting accountability. Public service requires a commitment to the role itself, not to individual preservation within it.

HCR179 HD1 presents an opportunity to reaffirm the purpose of ‘Aha Moku and to strengthen the structures that ensure it operates as intended. By reinforcing accountability and transparency, this measure helps restore confidence in the system and ensures it remains a meaningful bridge between traditional knowledge and contemporary governance.

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

LATE

HCR-179-HD-1

Submitted on: 4/16/2026 2:11:15 PM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
M. Coe	Individual	Support	Written Testimony Only

Comments:

SUPPORT for HCR179 HD1 because this resolution is necessary.

As outlined in HCR179 HD1, the ‘Aha Moku Advisory Committee has clear statutory responsibilities, including adherence to its own rules of practice, compliance with the Sunshine Law, and maintaining consistent standards of administrative and managerial accountability.

At its core, this measure is about accountability and transparency in the use of public trust and public funds. **The ‘Aha Moku Advisory Committee is supported by taxpayer dollars, and yet there is a concerning lack of accessible, consistent reporting demonstrating that required duties are being fulfilled.** The public and this Legislature deserve clear evidence of work performed, outcomes achieved, and compliance with established laws and policies.

It is also important to emphasize that HCR179 HD1 does not dismantle ‘Aha Moku. To the contrary, it strengthens the system. The ‘Aha Moku framework is rooted in generations of Native Hawaiian resource management knowledge and is intended to elevate community voices and stewardship practices. Ensuring that the advisory committee operates transparently, lawfully, and effectively only reinforces the integrity and credibility of that system, allowing it to better serve its intended purpose.

Unfortunately, there appears to be a significant gap between how the work of the committee is being represented and the reality experienced by many stakeholders. Legislators should be aware that they may not be receiving a complete or accurate picture of the committee’s current level of activity and performance.

Additionally, concerns have been raised that substantial time and effort have been directed toward advocacy efforts aimed at preserving the current executive leadership position, rather than toward fulfilling the core administrative and operational responsibilities of the role. At minimum, this raises questions about priorities and the effective use of limited public resources.

The fact that a Senate bill version of this measure did not advance further underscores the need for careful, independent review by this body. It is critical that decisions on this resolution be based on objective evaluation of performance, transparency, and statutory compliance, not on advocacy or incomplete information.

HCR179 HD1 takes a reasonable and measured approach by simply urging adherence to existing rules, conducting a performance review, and establishing clear standards of accountability. These are fundamental expectations for any publicly funded entity.

For these reasons, I respectfully urge your support for HCR179 HD1. Mahalo.

LATE

HCR-179-HD-1

Submitted on: 4/17/2026 11:32:39 AM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Elena Bryant	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee on Water, Land, Culture and the Arts,

I am writing to provide comments on HCR 179 and to urge this Committee to consider amendments to this resolution to recognize the importance and independent nature of the ‘Aha Moku Advisory Committee (AMAC). AMAC serves a crucial function in the management of Hawai’i’s natural resources. It was established to provide community input and support for natural resource management issues, ensuring that the traditional practices and knowledge of Native Hawaiians are considered in resource management decisions. I support the intent of HCR 179 in that it seeks to improve transparency and administrative support for AMAC; however, I strongly urge your committee to amend HCR 179 to (1) recognize the important function AMAC serves; (2) recognize that AMAC does have semi-autonomous status, and (3) recognize and make clear that DLNR oversight over AMAC is for administrative support only. Any perception of threat to the independence of AMAC will undermine its ability to fulfil its important role in bringing the voices and decisions of nā iwi hānau o ka ‘āina to policy makers--surely this was not the intent of this resolution.

Mahalo for the opportunity to provide testimony.

Me ke aloha ‘āina,

Elena Bryant