



Ko'olau Foundation

P. O. Box 4749
Kane'ohe, HI 96744

March 30, 2015

Testimony in Support – H.B. 393, HD2, SD1 – Hawaiian Fishponds

To: Sen. Gilbert Keith-Agaran, Chair
Sen. Maile Shimabukuro, Vice Chair / & Members
Committee on Judiciary

From: Aaron Mahi, President
Ko'olau Foundation

The Ko'olau Foundation offers its support for House Bill 393, House Draft 2, Senate Draft 1, relating to Hawaiian fishponds. We have been deeply concerned at the many permitting challenges, delays, and costs impeding our communities' efforts to restore fishponds throughout the islands.

Our Foundation's primary mission is to perpetuate and preserve historic and cultural resources and the heritage and traditional practices of our people. Among those practices is the production of food through the loko i'a, Hawaiian fishponds. At one time, there were many fishponds throughout the islands that fed our people and enabled us to sustain ourselves during times of plenty and times of drought.

We have been pleased to see that many hands are at work to restore fishponds wherever they are in Hawai'i. This is important, not just to recognize something in which our people were highly skilled – a traditional practice – but because our islands need to be more sustainable in terms of food production.

However possible, we need to work toward the goal of our own sustainability, just as our ancestors of old were able to do. But some of these permitting requirements have been obstacles and present unnecessary challenges that prevent us from reaching that goal.

We respectfully urge your support for passage of this legislation. Mahalo.



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

March 30, 2015

To: Sen. Gilbert Keith-Agaran, Chair
& Members, Water and Land Committee

From: Alice P. Hewett, President
Ko'olaupoko Hawaiian Civic Club

Subject: Testimony in Support of H.B. 393, H.D.2, S.D. 1 – Hawaiian Fishponds

Aloha Chair Keith-Agaran, Vice Chair Shimabukuro and Members:

The Ko'olaupoko Hawaiian Civic Club offers its strong support of H.B. 393, H.D.2, S.D. 1, which would waive health department requirements relating to restoration, repair or operation of Hawaiian loko i'a (fishponds) that are permitted under the Statewide Programmatic General Permit process administered by the Department of Land & Natural Resources.

Our civic club's membership is drawn primarily from among the nine ahupua'a around Kane'ohe bay, an area that once contained dozens of fishponds which fed many thousands of Hawaiian people prior to western contact.

Today, most of those fishponds have been filled in and provide the foundation of housing developments all around Kane'ohe bay. Less than a dozen ponds remain and, of those, less than half are being actively restored or managed in some way. For those that our people are working hard to restore, delays and challenges with modern permitting requirements have made the work they do even harder, not to mention costlier.

In these times when we consider the anticipated impacts of climate change and difficulties importing food, we should feel compelled to allow and facilitate restoration of all remaining fishponds, removing obstacles and providing resources and support to these activities.

In our view, every fishpond that is viable, that can produce food for our people, should be restored to food production. Not for viewing, like in aquariums, not simply for visitors to look at, but to produce food.

We support this legislation and urge you to move it forward by passing it out of committee and into law.

Mahalo nui loa for this opportunity to present our testimony in support.

The Ko'olaupoko Hawaiian Civic Club, one of the largest of nearly 70 civic clubs in Hawai'i and on the North American continent, was established in 1937 and is dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart".

P. O. Box 664 * Kaneohe, HI 96744 * Ph. (808) 235-8111 * www.koolaupokohcc.org

I Kanoena Richardson, wish to submit my testimony for Hawaiian fishponds. Currently the organizations who do Hawaiian restoration work at fishponds are having a hard time getting the job done because of the lengthily process of submitting for a permits and the years and years it takes to get the permit approval, the fishpond in Kahana waited 15 years!!!!

This needs to be taken out, because the Hawaiians are doing their cultural work and it is not necessary for the state to tie up that restoration because of the long process, spending money for permits and they lapse through the state process and then they say get another one, fishponds should be GRANDFATHERED since they are PRESTATEHOOD, The state needs to let the Hawaiians restore their fishponds without interference and disruption, it seems that the unjust hovering of the state to hinder the Hawaiians from connecting to their culture without being subjected to the states requirements. Hawaiian fishponds were here built by Hawaiians BEFORE this place became a state and did it just fine without being told how to do it by nonHawaiians. Thank you for passing our bill to allow us to do what we need to do as Hawaiian people.

MALIA AKUTAGAWA
TESTIMONY IN STRONG SUPPORT OF
HB 393 HD2 SD1 RELATING TO HAWAIIAN FISHPONDS

Committee on Judiciary and Labor
Decision Making
Tuesday, March 31, 2015
9:35 am
Conference Room 016

My name is Malia Akutagawa. I testify in my personal capacity in STRONG SUPPORT of HB 393 HD2 SD1 RELATING TO HAWAIIAN FISHPONDS. I was born and raised on the island of Molokai where numerous ancient Hawaiian fishponds are present today. My island has done much work to restore our native fishponds and took leadership in testing water quality along the shoreline during pre-restoration, restoration, and post-restoration activities; finding that water quality impacts associated with fishpond restoration activities were negligible. This work to provide a baseline understanding that would justify streamlining the fishpond permitting process started in the 1990s.

It is therefore long overdue that the legislature take this positive step forward in putting forth HB 393 HD2 SD1: which waives DOH water quality certification requirements for restoration, repair, and operation of Hawaiian loko i'a (fishponds) that are permitted under the Statewide Programmatic General Permit process, administered by the State Department of Land and Natural Resources (DLNR). This legislative measure seeks to complete a "last step" in the process of streamlining a permitting process and allowing the DLNR to administer a Statewide Programmatic General Permit process by waiving an additional water quality certification requirement from the Department of Health.

In response to Hawai'i State Senate Resolution 86 (2012), concerted efforts of agencies and practitioners such as the Department of Land and Natural Resources, the Office of Planning, Conservation International, Kua'āina Ulu 'Auamo (KUA), the National Oceanic Atmospheric Administration, among others, serve as a testament to correct a currently inefficient and ineffective process. They support communities throughout the State who seek to preserve and promote self-sufficiency and sustainability through fishpond restoration and production that serve to benefit the State and present and future generations of Hawai'i's people.

Traditional Hawaiian fishponds are a unique and precious resource to the people of Hawai'i. Now, more than ever, as we look at improving Hawai'i's food security, adapting to global climate change at the local level, and lessening our carbon footprint associated with "food miles", these ancient fishponds are absolutely vital to producing food, becoming energy secure, sustainable, and resilient.

For these reasons, I urge the committee of Judiciary and Labor to move this measure forward, help save our loko i'a, and relieve the burden on the State and community practitioners struggling to navigate the cumbersome permitting process by.

Mahalo for this opportunity to testify.

To: Senator Gil Keith-Agaran, Chair
Senator Maile Shimabukuro, Vice Chair
Members of the Senate Committee on Judiciary and Labor

From: Khara Jabola-Carolus, Vice President, Filipino Law Students Association

Re: Testimony in Strong Support - HB 393

The Filipino Law Students Association stands with its Native Hawaiian brothers and sisters to submit its strong support for the passage of HB 393, which waives the Department of Health water quality certification requirement for restoration, repair, and operation of Hawaiian loko i'a that is permitted under the Statewide Programmatic General Permit Process, administered by DLNR. Loko i'a served as an integral part of Hawaiian life. The current permitting process has proved to be a significant barrier to restoring loko i'a and to ensuring the continuance of traditional and customary practices. This measure will enable communities across the islands to return to a traditional and sustainable way of providing food for itself. Thank you for the opportunity to provide testimony in support of HB 393.

Sincerely,

Khara Jabola-Carolus

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: Submitted testimony for HB393 on Mar 31, 2015 09:35AM
Date: Monday, March 30, 2015 7:05:32 PM

HB393

Submitted on: 3/30/2015

Testimony for JDL on Mar 31, 2015 09:35AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren	Individual	Support	No

Comments: Please support the Hawaiian fishpond restoration. There is so much potential in the Hawaiian fishpond restoration project. Restoring the ponds will facilitate community relations and continue a cultural tradition. Both DLNR and the Attorney General recognize the opportunities the restoration will create and as a result support it. Only the DOH has testified against it. I implore you to consider the benefits of the project and urge you to support it.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Subject: Submitted testimony for HB393 on Mar 31, 2015 09:35AM
Date: Tuesday, March 31, 2015 12:46:55 AM

HB393

Submitted on: 3/31/2015

Testimony for JDL on Mar 31, 2015 09:35AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David Z. Arakawa	Land Use Research Foundation of Hawaii	Support	No

Comments: The Land Use Research Foundation of Hawaii SUPPORTS HB 393, HD2, SD1, RELATING TO HAWAIIAN FISHPONDS, which waives the Department of Health water quality certification requirement for restoration, repair, and operation of Hawaiian loko i'a (fishponds) that are permitted under the Statewide Programmatic General Permit process, administered by the DLNR. (HB 393 HD2, SD1)

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Subject: Submitted testimony for HB393 on Mar 31, 2015 09:35AM
Date: Tuesday, March 31, 2015 9:33:16 AM

HB393

Submitted on: 3/31/2015

Testimony for JDL on Mar 31, 2015 09:35AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
SHARON JUSTICE	Individual	Support	No

Comments: Yes I support!!!!

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