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GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
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
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
WATER, LAND, & HAWAIIAN AFFAIRS

Friday, April 12, 2019
10:30 AM
State Capitol, Conference Room 325

In consideration of
SENATE CONCURRENT RESOLUTION 28
URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
MANAGE THE WAI'ANAЕ KAI FOREST AND RESTORE WATER FLOW IN
WAI'ANAЕ STREAMS FOR NATIVE HAWAIIAN TRADITIONAL AND
CUSTOMARY PRACTICES AND IMPLEMENTATION OF THE WAI'ANAЕ KAI
WILDFIRE PREPAREDNESS PLAN

Senate Concurrent Resolution 28 urges the Department of Land and Natural Resources to manage the Waianae Kai Forest and restore water flow in Waianae streams for native Hawaiian traditional and customary practices and implementation of the Waianae Kai Wildfire Preparedness Plan. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department's Division of Forestry and Wildlife is the land manager of the Waianae Kai Forest Reserve, a 2,161 acre forest reserve located on leeward Oahu. The Forest Reserve is a part of the greater 5,960 acre Waianae Kai Watershed, a priority watershed for the Board of Water Supply, and is home to more than 52 state and federal endangered species. The Forest Reserve has been impacted by numerous fires throughout the years, the most recent being the fire of August 2018, which burned more than 5,000 acres across Waianae Kai, Makaha, and Keaaу valleys. Being the adjacent neighbor to Kaala Farms, Inc., the Department supports the awarding of the grant-in-aid and the creation of the Waianae Kai Wildfire Preparedness Plan.

Key points that the Department supports in the plan are: (1) Improvements to security through construction of a security office or gate; (2) Construction of a tank, pond, or reservoir to provide water for firefighting helicopters; (3) Installation of fire hydrants and pressurized water lines at strategic locations in the upper valley; (4) Creation and maintenance of fire breaks at strategic

locations; (5) Installation of a sprinkler system to irrigate vegetative fire breaks; (6) Fuel load reduction; and (7) Public education and preparedness training.

Implementing the plan will help the Department protect the native, cultural, and water resources for the benefit of the greater Waianae coast community. In addition, it will enhance support for numerous Waianae Mountains Watershed Partnership projects that are already ongoing in the Waianae Kai Watershed.

Thank you for the opportunity to comment on this measure.



SCR28

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MANAGE THE
WAI'ANAЕ KAI FOREST AND RESTORE WATER FLOW IN WAI'ANAЕ STREAMS FOR
NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES AND
IMPLEMENTATION OF THE WAI'ANAЕ KAI WILDFIRE PREPAREDNESS PLAN.
House Committee on Water, Land, & Hawaiian Affairs

April 12, 2019

10:30 a.m.

Room 325

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SCR28, which encourages efforts to more proactively protect our water supply and uphold the public trust in water in the Wai'anae watershed.

Water has been recognized as a public trust resource in our islands since time immemorial, and our constitution, State Water Code, and case law accordingly reaffirm the importance of protecting and carefully administering our limited water supply for the public benefit. Unfortunately, in many regions throughout Hawai'i, the public trust in water has been neglected for generations, as stream diversions and private wells allowed sugar and pineapple plantations to increasingly monopolize our water resources for their private, commercial gain; this monopolization of our water supply has had and continues to have profound and deleterious effects on our environment as well as Native Hawaiian communities and cultural lifestyles otherwise protected under the public trust. While recent developments have been encouraging, the public trust purposes of water, including Native Hawaiian traditional and customary practices, continue to be neglected in a majority of areas impacted by historical diversions and other water infrastructure.

OHA accordingly appreciates the intent of this resolution to ensure more proactive efforts to recognize and uphold the public trust in the Wai'anae watershed, including with regards to the public trust purpose of supporting Native Hawaiian traditional and customary practices. OHA also appreciates this resolution's call to proactively protect and enhance the Wai'anae watershed's water security and climate resiliency, through native forest restoration efforts and mauka-to-makai land management practices consistent with traditional Native Hawaiian approaches to land tenure. OHA defers to the Commission on Water Resource Management and the Department of Land and Natural Resources with regards to the hydrologic characteristics and best means of enhancing the water resources of the Wai'anae watershed, as may be described in this resolution.

Mahalo nui for the opportunity to testify on this measure.



KE ONE O KĀKŪHIHEWA

O'ahu Council of the
Association of Hawaiian Civic Clubs

BENTON KEALII PANG, PH.D.,-HAWAIIAN CIVIC CLUB OF
HONOLULU
PELEKIKENA

JACOB KA'ŌMAKAOKALĀ AKI-KING KAMEHAMEHA HCC
HOPE PELEKIKENA

KALANI L. KA'ANĀ'ANĀ-KAILUA HCC
HOPE PELEKIKENA 'ELUA

ALBERTA LOW-PEARL HARBOR HCC
PU'UKU

ROTH PUHALA -KING KAMEHAMEHA HCC
PELEKIKENA IHO NEI

TERI LOO-KO'OLAUPOKO HCC
KĀKAU 'ŌLELO

CHRISTINE "CHRISSY" ANJO-PEARL HARBOR HCC
HOLE KĀKAU 'ŌLELO

'AHAHUI SIWILA HAWAI'I O KAPOLEI
LANCE HOLDEN

ALI'I PAUAHI HCC
KEHAULANI LUM

'EWA-PU'U'LOA HCC
MARLEEN KAU'I SERRAO

HCC OF HONOLULU
MANU BOYD

KAILUA HCC
MAPUANA DE SILVA

KALIHI-PĀLAMA HCC
KAIMO MUHLESTEIN

KING KAMEHAMEHA HCC
LETANI PELTIER

KO'OLAULOA HCC
RANAE "TESSIE" FONOMOANA

KO'OLAUPOKO HCC
ALICE P. HEWETT

LUALUALEI HCC
SHIRLINE HO

MĀKAHA HCC
LUANN LANKFORD-FAVORITO

MĀLAMA MELE O HAWAI'I
JANET ABRIGO

MAUNALUA HCC
ROSE KITTY SIMONDS

NA LANI 'EHA HCC
R. KELANI RAMOS

NĀNĀIKAPONO HCC
JAYCINE HICKS

PAPAKŌLE'A HCC
KEALI'I LUM

PEARL HARBOR HCC
KU'UMEALOHA GOMES

PRINCE KŪHIŌ HCC
A. MAKANA PARIS

PRINCESS KAI'ULANI HCC
LEIMANA DAMATE

QUEEN EMMA HCC
RAWLETTE P. KRAUT

HCC OF WĀHIAWA
MARIE "MĀLIA" DOO

HCC OF WAIALUA
MAKALAPUA CASSON-FISHER

WAI'ANAE HCC
CYNTHIA ENRIQUEZ

WAIKIKI HCC
L. PI'KEA TOMCZYK

HCC OF WAIMĀNALO
FAITH KA'IAMA

REPRESENTATIVE RYAN YAMANE, CHAIR AND REPRESENTATIVE
CHRIS TODD, VICE CHAIR
HOUSE COMMITTEE ON WATER, LAND AND HAWAIIAN
AFFAIRS

SUPPORT: SCR 28 – URGING THE DEPARTMENT OF LAND
AND NATURAL RESOURCES TO MANAGE THE WAI'ANAE KAI
FOREST AND RESTORE WATER LOW IN WAI'ANAE STREAMS
FOR NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY
PRACTICES AND IMPLEMENTATION O THE WAI'ANAE KAI
WILDFIRE PREPAREDNESS PLAN

APRIL 10, 2019

Aloha REPRESENTATIVE RYAN YAMANE,

As Pelekikena (President) of Ke One O Kākūhihewa (O'ahu Council- Association of Hawaiian Civic Clubs) and its 25 Hawaiian Civic Clubs, we support SCR 28 Urging the Department of Land and Natural Resources to Manage the Wai'anae Kai Forest and Restore Water Flow in Wai'anae Streams for Native Hawaiian Traditional and Customary Practices and Implementation of the Wai'anae Kai Wildfire Preparedness Plan. This resolution is similar to one passed by the Association of Hawaiian Civic Clubs at their 2018 covention (see attached).

The Native Hawaiian community in Wai'anae is all too famillar with fires detroying taro patches, medicinal plants, and places to gather lei material. A fire preparedness plan to improve security with a gate to the back of Wai'anae Valley, a water reservoir for fire fighting, fire hydrants where appropriate, fire breaks, and community outreach will help mitigate future fires. Please pass SCR28.

Ke One O Kākūhihewa is a native Hawaiian council made up of 25 civic clubs on the island of O'ahu. Our oldest member, Hawaiian Civic Club of Honolulu was established by Prince Jonah Kūhiō Kalaniana'ole on December 7, 1918.

Sincerely,

Benton Kealii Pang, Ph.D.
President, O'ahu Council

ASSOCIATION OF HAWAIIAN CIVIC CLUBS

A RESOLUTION

No. 2018 – 35

EXPRESSING SUPPORT OF EFFORTS TO RESTORE WAI‘ANAE KAI FOREST RESERVE AND WATER FLOW IN WAI‘ANAE WATERSHED STREAMS FOR TRADITIONAL AND CUSTOMARY NATIVE HAWAIIAN PRACTICES

WHEREAS, the Association of Hawaiian Civic Clubs passed a resolution of expressing support of efforts to restore water flow in the historic, natural waterways of Hawai‘i for traditional and customary Native Hawaiian practices (AHCC Resolution 2017-32); and

WHEREAS, the Wai‘anae Watershed is defined by the geographic area encompassed by the City’s “Wai‘anae District” boundaries and roughly coterminous with the traditional boundaries of the Wai‘anae Moku (Wai‘anae Watershed Management Plan, page ES-4); and

WHEREAS, the Wai‘anae community has shown a strong interest in restoring stream flow in order to provide for native aquatic species habitat, local small-scale farming and irrigation, and the revitalization of cultural practices (2009 Wai‘anae Watershed Management Plan, page 2-13); and

WHEREAS, in 2016, the Wai‘anae Coast Neighborhood Board unanimously accepted and passed the ‘A‘ali‘i Resolution presented by students from Nānākuli High School regarding water management in Wai‘anae; and

WHEREAS, the August 2018 Wai‘anae Kai forest fire burned 1,500 acres of native forest which degraded forest cover and decreased water percolation into the perched aquifers; and

WHEREAS, there has been community-based conversations on the need for restoring the Wai‘anae Kai Forest to promote Wai‘anae Watershed health; and

WHEREAS, ensuring a healthy Wai‘anae Watershed will lead to continuous mauka-to-makai streamflow; and

WHEREAS, that continuous stream flow will catalyze the spawning of native stream and nearshore aquatic species, including endemic species of ‘o‘opu, ‘ōpae and other fish like ‘anae, promotes limu growth, and is critical for the perpetuation of traditional and customary practices such as lo‘i kalo restoration; and

WHEREAS, the Constitution of the State of Hawai‘i, Article XI, Section 7 establishes that the “State has an obligation to protect, control and regulate the use of Hawai‘i’s water resources for the benefit of its people”; and

WHEREAS, the Supreme Court of the State of Hawai‘i established the exercise of Native Hawaiian traditional and customary practices as a public trust purpose, along with the maintenance of waters in their natural state, in *In re Water Use Permit Applications*, 94 Hawai‘i 97, 9 P.3d 409 (2000) (*Waiāhole I*).

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 59th Annual Convention in Kalapaki, Kaua‘i, in the malama of Welehu and the rising of ‘Olepau, this 17th day of November 2018, expressing support of efforts to restore Wai‘anae Kai forest reserve and water flow in Wai‘anae Watershed streams for traditional and customary Native Hawaiian practices; and

BE IT FURTHER RESOLVED, that the State of Hawai‘i Department of Natural Resources Division of Forestry and Wildlife (DOFAW) continue to effectively manage the Wai‘anae Kai Forest Reserve with native trees and shrubs; and

BE IT FURTHER RESOLVED, that DOFAW restore the recently burned forest areas from the August 2018 fire with native trees and shrubs in collaboration with the ‘Aha Moku o Wai‘anae throughout the forest restoration process; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to Commission on Water Resources Management, Division of Forestry and Wildlife-Administrator, Board of Water Supply-Manager and Chief Engineer, Cultural Learning Center at Ka‘ala, Ho‘omau Ke Ola Treatment Center, as well as the Governor of the State of Hawai‘i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate Committee on Hawaiian Affairs, Chair of the State House Committee on Ocean, Marine Resources & Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.



The undersigned hereby certifies that the foregoing Resolution was duly adopted in the malama of Welehu and the rising of ‘Olepau on the 17th day of November 2018, at the 59th Annual Convention of the Association of Hawaiian Civic Clubs in Kalapaki, Kaua‘i.


Annelle C. Amaral, President

SCR-28

Submitted on: 4/10/2019 2:32:08 PM

Testimony for WLH on 4/12/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Lee	Kanehili Cultural Hui	Support	No

Comments:

Very much in support



**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

LATE

Testimony of
Aha Moku Advisory Committee

Before the House Committee on Water, Land & Hawaiian Affairs

Friday, April 12, 2019
10:30 a.m.
State Capitol, Conference Room 325

**In SUPPORT of SCR 28 (SSCR1813)
Relating to Waianae Watershed; Native Hawaiian Traditional and Customary Practices**

SCR 28 (SSCR 1813) urges the Department of Land and Natural Resources (DLNR) to manage the Waianae Kai Forest and restore water flow in Waianae Streams for Native Hawaiian traditional and customary practices and implementation of the Waianae Kai Wildfire Preparedness Plan. **The Aha Moku Advisory Committee (AMAC) supports this measure.**

As land manager of the over two-thousand-acre Waianae Kai Forest Reserve, the almost 6,000-acre Waianae Kai Watershed, and a major site for endangered species endemic and indigenous to Hawaii, DLNR-Division of Forestry and Wildlife (DOFAW) has worked with the Native Hawaiian traditional and generational families of the Waianae Moku to sustain and protect their unique ecosystem and environment. With the communities of the Ahupuaa of Waianae – Nanakuli, Lualualei, Waianae, Makaha, Keaau, Hikilolo, Makua Kahanahaiki, and Keawaula, the Aha Moku Ahupuaa representatives worked with DLNR Divisions to focus on the sustainability of their individual land and ocean sites.

There are key components to this work such as the protection of the Waianae Kai Watershed which is critically important to the entire Waianae Moku. The protection of the watershed will lead to the resurgence of the endemic species, both on land, coastline and near ocean. The restoration of the water flow in Waianae Streams will ensure the revival of the different fish species that need that water to spawn. The native Hawaiian culture and traditional practices will become more prominent once the natural and cultural resources are again thriving. This will only happen with the sustained maintenance and protection of the watershed. Water is life in Waianae and SCR 28 will enhance that life.

Aha Moku is attached to the Department of Land and Natural Resources (DLNR). Native Hawaiian communities in Waianae, for centuries have retained the traditional practices that are unique to their ahupuaa and are now being brought forward by the generational families of these places. These practices have been kept alive from ancient times to current times by the empirical knowledge of the natural and cultural resources that have been handed down generation to generation by expert traditional practitioners, particularly in the trails both mauka and makai, the streams and everything that lives in them, the coastal areas where the fish spawn, and the forests where the endemic flora and birds live. SCR 28 will strengthen all these practices and help to ensure that future generations in Waianae can continue to appreciate a place that is unique and cherished.

Respectfully yours,

Leimana DaMate
Hawaii State Aha Moku
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