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GOVERNOR OF
HAWAII



**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**

**Friday, March 18, 2016
10:00 AM
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 3071, SENATE DRAFT 1
RELATING TO THE ACQUISITION OF
MAKAI LANDS OF KAPUA IN SOUTH KONA
ON THE ISLAND OF HAWAI'I**

Senate Bill 3071, Senate Draft 1 proposes that the Department of Land and Natural Resources (Department), in consultation with the Trust for Public Land (TPL), engage in due diligence and negotiations to acquire certain lands located at Kapu'a, Island of Hawai'i. **The Department supports this measure and provides the following comments.**

The Department's consultation with TPL and the late Senator Gilbert Kahele's office indicates that the proposed acquisition includes four parcels that cover over 7,780 acres of land within the Agricultural and Conservation State Land Use Districts, including two parcels that sit next to the Manukā Natural Area Reserve (NAR), which is the State's largest natural area reserve and is part of the South Kona Wilderness Area that the Legislature created in 2011 (Act 178). The County of Hawai'i's current assessment of the fair market value of these four parcels, for tax purposes, is \$9,580,500. The Department is updating a 2007 appraisal that concluded the fee value of the four parcels to be \$13,900,000.

The Kapu'a makai area contains significant historical, archaeological, and cultural resources (including a hōlua slide, ancient coastal trail, and village sites) and superb biological resources including native dryland forest and associated common and rare native Hawaiian plants. The site is remote and not easily accessed and contains extensive uninterrupted coastal and lowland open space. The coastal waters are pristine and in excellent condition. However, the land area is degrading due to feral goats, invasive fountain grass, inappropriate human use, and a lack of management at this time.

SUZANNE D. CASE
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STATE PARKS

The Department recognizes that the property's significant natural and cultural resources should be protected from threats, yet the Department lacks current financial and personnel resources to properly steward these lands. If placed under the Department's jurisdiction, the Department respectfully requests funding in the amount of \$1,600,000 to address immediate management needs (i.e. fencing, access improvements, and enforcement) and approximately \$500,000 annually for the next ten years to manage the area effectively and reduce existing and future threats to the treasured historical, archaeological, cultural, and biological resources of the area.

Thank you for your consideration of this testimony in support of this measure.



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

**Testimony of
Piilani Kaawaloa, Aha Moku Advisory Committee Member, Moku O Keawe (Hawaii Island) and
Kawehi Nguyen, Moku Representative, Kona Moku, Moku O Keawe (Hawaii Island)**

**Before the House Committee on
WATER AND LAND**

**Friday, March 18, 2016
10:00 AM
Conference Room 325**

**In consideration of
SENATE BILL 3071 SD 1
RELATING TO THE ACQUISITION OF MAKAI LANDS OF KAPUA IN SOUTH KONA ON THE
ISLAND OF HAWAII**

Senate Bill 3071 SD 1 requires the Department of Land and Natural Resources, in consultation with the Trust for Public Land, to engage in negotiations to acquire makai lands of Makua, Island of Hawaii. It authorizes the acquisition to be made through the purchase, sale, or exchange of other real property. It requires the department of land and natural resources to report to the legislature in writing on the status of the negotiations beginning July 1, 2016, and every three months thereafter. It provides that the department of land and natural resources shall attempt to reach an agreement for the acquisition by December 31, 2016; provided that if an agreement is not reached by that date negotiations may continue and the department shall continue to provide quarterly progress reports. It appropriates \$500,000 to the DLNR to conduct due diligence on the makai lands of Kapua and for negotiations to acquire those lands. **Aha Moku strongly supports this measure.**

The large Native Hawaiian communities who reside in the ahupua'a of Kapua and the neighboring ahupua'a of Kaulanamauna, Okoe, Honomolino, Miloli'i, Ho'opuloa and Papa in the South Kona Moku; and, the ahupua'a of Keawaiki, Pohue, and Kahuku in the Ka'u Moku continue to traditionally gather and fish along this pristine coastline. The Aha Moku representative of South Kona, Kawehi Nguyen relates how her family and many many families of the South Kona Moku continue to honor and take care of these areas. These are subsistence people who live simply and subsist on what they grow, gather and fish. They follow the traditional resource methods of sustainability – following the moon calendar, knowing when to harvest and fish – and when to kapu. These very lands are where many go to gather medicinal herbs and plants – la'au lapa'au. This is the last area in South Kona that has been kept pristine for the local residents. It is full of wahi pana, heiau and sacred cultural areas.

It is ironic that the Resort Group who purchased this land from Kamehameha Schools/Bishop Estate seems to have wanted it for resort development because it is a place where native Hawaiians flourish. Their perspective seems to be that this is a “desirable location for an exotic vacation retreat and vacation home ownership, as described on the website of The Resort Group.” This is not a place to be taken from the indigenous people of Hawaii so tourists can vacation and play. This is home to the Hawaiians of South Kona. This is where, for hundreds and hundreds of years, the people have lived and thrived – generations of Hawaiians who have preserved and protected the very place that now is attracting developers for the very reason that it is pristine.

The people of South Kona have protected these lands for countless generations through their traditional resource methodology. They now need the State of Hawaii to continue this protection by making sure that these lands are held in Trust for the people of Hawaii, for the residents, communities of South Kona, and for all who live in Hawaii for generations to come.



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The Trust For Public Land's Testimony In Support of SB 3071, SD 1 Relating To The Acquisition Of Makai Lands of Kapua House Committee on Water & Land, Conf. Room 325 Friday, March 18, 2016, 10:00 a.m.

Aloha Chair Yamane, Vice-Chair Cullen, and Committee Members:

The Trust for Public Land strongly supports Senate Bill 3071, SD 1 relating to the acquisition of makai lands of Kapua in South Kona on the Island of Hawai'i. This bill requires DLNR, in consultation with The Trust for Public Land, to negotiate for the acquisition of Kapua, and provides \$500,000 in funding for due diligence costs (e.g., appraisal and other costs).

I personally had several conversations with Senator Gil Kahele regarding the preservation of Kapua, years before he became a Senator, and visited Kapua twice. I am very sad that we were not able to preserve and protect the Kapua lands in Senator Kahele's lifetime, and strongly support the voluntary negotiated acquisition of the property.

Mahalo for hearing this bill in order to fulfill the long-held wishes of Senator Kahele. He was a true gentleman who shared the aloha spirit with all whom he touched. It was my honor to know him.

I regret that I may not be able to attend the hearing in person due to a prior commitment.

Me ke aloha,

Lea Hong
Hawaiian Islands State Director
Edmund C. Olson Trust Fellow



From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 16, 2016 3:05 PM
To: waltestimony
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Subject: *Submitted testimony for SB3071 on Mar 18, 2016 10:00AM*

SB3071

Submitted on: 3/16/2016

Testimony for WAL on Mar 18, 2016 10:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Armstrong	Individual	Support	No

Comments:

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Subject: *Submitted testimony for SB3071 on Mar 18, 2016 10:00AM*

SB3071

Submitted on: 3/17/2016

Testimony for WAL on Mar 18, 2016 10:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Loretta Ritte	Individual	Support	No

Comments:

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