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HISTORIC PRES DIV
DEPT OF LAND &
NATURAL RESOURCES

Testimony

Hawai'i Historic Places Review Board

Public Hearing

Department of Land and Natural Resources – Board Room
1151 Punchbowl Street, RM#132, Honolulu, O‘ahu Island
November 17, 2023

NOMINATION OF MAUNA KEA TRADITIONAL CULTURAL PROPERTY AND DISTRICT TO THE
HAWAI'I REGISTER OF HISTORIC PLACES AND NATIONAL REGISTER OF HISTORIC PLACES,
HAWAI'I ISLAND, TAX MAP KEY: (3)4-4-015:009 POR.

The Office of Hawaiian Affairs (OHA) offers **STRONG SUPPORT** to the Hawai'i Historic Places Review Board (HHPRB) for the nomination of Mauna Kea as a traditional cultural property (TCP) and district to the Hawai'i Register of Historic Places (HRHP) and National Register of Historic Places (NRHP) as we believe this will provide additional layers of protection and aid in enabling greater preservation efforts at both the State and Federal levels. As early as 2000, many cultural practitioners, academics, and historic preservation professionals have argued that Mauna Kea should be nominated as a TCP; however, the formal process to nominate it as such never came to fruition until now. Even the Mauna Kea Comprehensive Management Plan (CMP) included support for the TCP designation as far back as 2009.

The Office of Hawaiian Affairs (OHA) is the constitutionally established body responsible for protecting and promoting the rights of Native Hawaiians.¹ OHA has substantive obligations to protect the cultural and natural resources of Hawai'i for its beneficiaries.² Accordingly, OHA is required to (1) serve as principal public agency in the State of Hawai'i responsible for the performance, development and coordination of programs and activities relating to native Hawaiians and Hawaiians; (2) assess the policies and practices of other agencies impacting native Hawaiians and Hawaiians; and (3) conduct advocacy efforts for native Hawaiians and Hawaiians.³

In guidance provided by the National Park Service (NPS), a TCP listing on the NRHP can help to preserve physical properties with often-intangible aspects of a local community's cultural history.⁴ It provides a systematic mechanism to document cultural practices, beliefs, and traditions through extensive consultation and ethnographic research. Further, a listed TCP will flag it early on in any planning for Federal, federally licensed, or federally assisted projects, in turn enabling avoidance, proactive mitigations, and greater consultation opportunities with

¹ Haw. Const. Art. XII Sec. 5.

² See HRS § 10.

³ HRS § 10-3.

⁴ See NPS's "National Register of Historic Places – Traditional Cultural Properties: A Quick Guide for Preserving Native American Cultural Resources" - <https://www.nps.gov/history/tribes/Documents/TCP.pdf>.



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affected cultural practitioners. Per the NPS's National Register Bulletin No. 38, a TCP is defined as:

"A property that is eligible for inclusion in the National Register of Historic Places because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community."

While OHA is aware that some cultural practitioners exercising their constitutionally protected rights⁵ have had issues with continuing cultural practices and modifying existing features for non-TCP type historic properties on the NRHP, a TCP designation should be more flexible as the designation is meant for historic properties that foster and encourage the continuance of cultural practices. OHA believes a TCP designation is thus an ideal historic preservation option for Mauna Kea within the existing NRHP construct.

Last year, OHA had previously recommended to the National Science Foundation (NSF) that Mauna Kea be evaluated as a TCP as part of their Federal National Environmental Protection Act (NEPA) public scoping process.⁶ In fact, an overwhelming amount of testimony from many Native Hawaiians demonstrated a unison perspective that Mauna Kea's lands, resources (i.e., water, view-plane, traditional navigational features and practices, burials of significant people to Native Hawaiian history), and sites are of great cultural value and significance. Mauna Kea is considered the first-born child of earth-mother Papa and sky-father Wākea, the progenitors of all Native Hawaiians, and thus the mauna serves as a physical connection to ancestral understandings of creation. Given the sacredness of this area, akua (gods, divine ancestral energies) are known to inhabit the remote summit of Mauna Kea and physically manifest as various pu'u or features such as Lake Waiau. It is a place of worship for the snow goddess Poli'ahu, and other akua and 'aumkua such as Kūkahau'ula, Lilinoe, and Waiau. Various ahu (shrines) and lele (ceremonial platforms) are present on and around the summit of Mauna Kea to not only mark cultural and religious gathering spots, but to also mark burials and star alignments. The appropriate management and assessment of such a sacred place is accordingly a matter of great concern to many in the Native Hawaiian community.

⁵ Haw. Const. Art. XII Sec. 7.

⁶ As NSF was looking to possibly invest in the construction and operation of an extremely large telescope (ELT) in the northern hemisphere located on the summit of Mauna Kea, Federal level NEPA and National Historic Preservation Act (NHPA) would be triggered if NSF were to pursue the investment.



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OHA further notes that a number of rare, vulnerable and endangered animals, plants, and arthropods exist only within the Mauna Kea conservation district. The mamani-naio forest on the southwestern, eastern, and northern slopes of Mauna Kea are further mentioned as housing the entire world population of the Palila (*Loxioides bailleui*) bird, the last finch-billed honeycreeper. In ancient times and even some contemporary instances, these species were/are used for various Hawaiian cultural practices. Some of them are also considered kinolau (divine manifestations of the gods). While protection of these species and respective habitats do exist under very distinct and specific Federal and State laws, a TCP approach more clearly allows them to be considered as cultural resources that are part of the historic and cultural landscape. In this regard, the TCP designation encourages a better understanding of an area as a whole and should more accurately be able to assess cumulative impacts.

As previously argued by OHA, we believe that appropriately assessing any kind of adverse effect from further astronomy related development cannot meaningfully occur unless Mauna Kea is fully understood as a TCP. The repeated pursuit of myopic astronomy ventures that solely focuses on development in the absence of any kind of restoration initiatives in this sacred place suggests the cultural importance of and cultural resources atop Mauna Kea are not fully understood or respected. It would seem the interconnectedness of defining historic features, natural resources and the landscape are still repeatedly being overlooked in a way that minimizes the Native Hawaiian cultural perspective. Thus, this nomination will help make clear to anyone seeking development atop Mauna Kea that the entire landscape is a cultural mecca for Native Hawaiians that should be actively preserved and afforded all available protections under Federal and State entitlement processes.

Mahalo for the opportunity to testify on this agenda item.

From: Shereen Saiki
Sent: Tuesday, November 7, 2023 12:52 PM
To: Downer, Alan S; Kodama, Mary ML
Subject: [EXTERNAL] Make Mauna Kea a TCP

Aloha kākou,

My name is Shereen Saiki and I'm writing in support of the effort to nominate Mauna Kea as a Traditional and Cultural Property. Mauna Kea is a sacred wahi pana, treasured by Kānaka Maoli cultural practitioners, today and for many generations past. Formal recognition of Mauna Kea as a TCP is long overdue. Please nominate Mauna Kea as a Traditional and Cultural Property on the state and national Registers of Historic Places."

Respectfully,

Shereen Saiki

From: Armance Flores
Sent: Tuesday, November 7, 2023 1:41 PM
To: Downer, Alan S; Kodama, Mary ML
Subject: [EXTERNAL] Testimony to Nominate Mauna Kea as a Traditional & Cultural Property

Aloha kākou,

My name is Armance Flores and I'm writing in support of the effort to nominate Mauna Kea as a Traditional and Cultural Property. Mauna Kea is a sacred wahi pana, treasured by Kānaka Maoli cultural practitioners, today and for many generations past. Formal recognition of Mauna Kea as a TCP is long overdue. Please nominate Mauna Kea as a Traditional and Cultural Property on the state and national Registers of Historic Places.

Please confirm receipt of this testimony (email).

Feel free to contact me with any concerns or questions.

Mahalo,
Armance Flores

From: danielle pacific
Sent: Tuesday, November 7, 2023 1:14 PM
To: Kodama, Mary ML; Downer, Alan S
Subject: [EXTERNAL] Please Nominate Maunakea as Traditional and Cultural Property

Aloha kākou,

My name is Danielle.

I'm writing in support of the effort to nominate Mauna Kea as a Traditional and Cultural Property. Mauna Kea is a sacred wahi pana, treasured by Kānaka Maoli cultural practitioners, today and for many generations past. Formal recognition of Mauna Kea as a TCP is long overdue. Please nominate Mauna Kea as a Traditional and Cultural Property on the state and national Registers of Historic Places.

Mahalo nui

Danielle Pacific, Ola'a, Moku o Keawe

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Aloha and Coconuts

Danielle Pacific (She/Hers)

[EXTERNAL] Please nominate Mauna Kea as a Traditional and Cultural Property on the state and national Registers of Historic Places.

Kelly McLain

Tue 11/7/2023 2:07 PM

To:Kodama, Mary ML <mary.kodama@hawaii.gov>

Aloha kākou, My name is Kelly Leiola McLain. I am Kanaka and I'm writing in support of the effort to nominate Mauna Kea as a Traditional and Cultural Property. Mauna Kea is a sacred wahi pana, treasured by Kānaka Maoli cultural practitioners, today and for many generations past. Formal recognition of Mauna Kea as a TCP is long overdue. Please nominate Mauna Kea as a Traditional and Cultural Property on the state and national Registers of Historic Places.

From: donna grabow
Sent: Tuesday, November 7, 2023 2:14 PM
To: Downer, Alan S
Subject: [EXTERNAL] Aloha Alan

Aloha SHPD Director Alan,

There is a large community interest to nominate Mauna Kea as a Traditional and Cultural Property.

Please take a moment to watch this short video, as it explains why the Conservation Zone of Mauna Kea is also Traditional and Cultural Property.

<https://youtu.be/P8y3ybuRDI?si=CJOHJ85e0qaTgdx8>

Please nominate Mauna Kea so the monumental mountain can be recognized as a Traditional and Cultural Property on the state and national Registers of Historic Places.”

Sincerely,
Donna Grabow
Hilo, Moku o Keawe

[EXTERNAL] Testimony for Mauna Kea Nomination for TCP**Scott W. Kekama Amona**

Tue 11/7/2023 3:21 PM

To:Kodama, Mary ML <mary.kodama@hawaii.gov>

Aloha Mary Kodama:

My name is Scott W. Kekama Amona; I am a Kanaka Maoli filmmaker born and raised in Honolulu. I am writing in support of the effort to nominate Mauna Kea as a Traditional and Cultural Property. Mauna Kea is a sacred wahi pana, treasured by Kānaka Maoli cultural practitioners, today and for many generations past. Formal recognition of Mauna Kea as a Traditional and Cultural Property is long overdue. If houses and buildings, which are man-made structures can be protected as historical sites here, why cannot the most sacred place in all these islands? Help stop the desecration of sacred sites for the native people and host culture of this land.

Please nominate Mauna Kea as a Traditional and Cultural Property on the state and national Registers of Historic Places.

Mahalo piha,
Kekama Amona