

Department of Land and Natural Resources
‘Aha Moku Advisory Committee
Report to the 2015 Legislature

He palapala ‘aelike kēia no ka māhele 171-4.5 o ka Hawai‘i Revised Statutes (HRS), no ke au o Ianuali 2014 a i ka lā 30 o Kēkēmapa, 2014.

KA HO‘OLAUNA

Na ka Department of Land and Natural Resources (DLNR), ke ke‘ena o ka Chairman’s Office, kēia “‘Aha Moku Advisory Committee” wahi a Act 288 Session Laws of Hawai‘i 2012. He kānāwai maoli nō ua hui a‘oa‘o ‘o ka ‘Aha Moku, a koikoi ‘ia lākou e palapala hō‘ike i ka ‘Aha Kolokolo a me ke Po‘o o ka Board of Land and Natural Resources (BLNR) e like me nā mana‘o i ho‘olale ‘ia e ka hui a‘oa‘o ‘o ka ‘Aha Moku, a me kā lākou hana i hana ‘ia e ka DLNR.

Ua pūlima ‘ia ka Senate Bill 3053, House Draft 2 (pili i ka po‘e ‘ōiwi kanaka Hawai‘i) i kānāwai Act 288 i ka lā 9 o Iuali, 2012. I mea kēia kānāwai e ho‘okahua i ke kuleana o ka ‘Aha Moku System a me ka hui a‘oa‘o ‘o ka ‘Aha Moku Advisory Committee (AMAC) i loko o ke kuleana o ka DLNR, i hoa a‘oa‘o i ke Po‘o o ka BLNR. Ma lalo o kēia kānāwai hiki i ka AMAC ke a‘oa‘o ma nā kumuhana pili i ka mālama ‘āina ‘ana ma lalo o ka ‘Aha Moku System. ‘O ka ‘Aha Moku System ke ‘ano o ka mālama ‘āina e like me ka lolina kahiko- nānā ‘ia nā palena ‘āina e like me ke ‘ano o ka ‘āina a me nā kumu waiwai o kēlā me kēia wahi, pēlā pū me ka no‘ono‘o e ola pono ai nā kumu waiwai a me ka po‘e o ia ‘āina.

Wahi a Section 171-4.5, HRS, koikoi ‘ia ka AMAC e palapala hō‘ike i kēlā me kēia makahiki i ka ‘Aha ‘Ōlelo Kau Kānāwai a me ke Po‘o o ka BLNR. Eia nā mea e hō‘ike ‘ia:

- I. Ke kumu a me ke makia o ka ‘Aha Moku Advisory Committee (AMAC)
- II. Ko lākou mau pahu hopu, kumuhana nui, a me ka wā e ho‘okō ai i ia mau pahu hopu
- III. Nā mana‘o ho‘olale i ka BLNR

I. Ka makia o ka ‘Aha Moku Advisory Committee (AMAC)

‘O ke kumu o ka AMAC ‘o ia ka ho‘olaukahi ‘ana a me ka ho‘okumu ‘ana i ka ‘ike Hawai‘i a me nā lolina Hawai‘i i mea e mālama a ho‘oulu a kia‘i i nā kumu waiwai no nā haunauna e hiki mai ana; a me ka hana ‘oi loa e hiki ai ke mālama i nā kumu waiwai e like me ka hana o ka po‘e o nei ‘āina ma loko ho‘i o nā palena ‘āina ‘o ka moku a me ke ahupua‘a.

II. Nā Pahu Hopu

A: Ka ho‘ohana ‘ana i nā lolina o ka ‘ōiwi a me ka po‘e o ka ‘āina ‘ē i mea e mālama ai i kēlā me kēia moku

Pahu hopu a me ka Papa Manawa i mahu‘i ‘ia:

Pahu hopu A: E ‘āwili pū i ka ‘ike kūpuna o ko Hawai‘i a me ko ka ‘āina ‘ē no ka mālama ‘ana i kēlā a me kēia moku.

A.1. E hō‘ola hou i nā lōina ma o ka ho‘olaha ‘ana aku i ka hana o ka po‘e o kēlā me kēia ahupua‘a i mea e maka‘ala ai ka po‘e a pau i nā hana kūmau o nā kumu waiwai. (ke hana ‘ia nei)

A.2. E ho‘okumu a ho‘onohono i mau ‘Aha Ahupua‘a (ke hana ‘ia nei)

A.3. E ‘imi mau i ke kālā pekelala a me nā waihona kūwaho (ke hana ‘ia nei)

Pahu hopu B: E ho‘oku‘ikahi i nā moku a puni ka pae ‘āina o Hawai‘i ma o ka ho‘okumu ‘ana i mau “standards” (ke hana ‘ia nei)

B.1. E ho‘oku‘ikahi i nā moku a puni ke aupuni ‘o Hawai‘i ma o ka hō‘ike ‘ana i nā ana kūlike i mea e hō‘ike ai i ka hana pū a me ka hana like o nā mea e hana ‘ia nei.

Pahu hopu C: Ka ho‘opai ‘ana i a me ka ho‘omaopopo ‘ana i ka hana o nā loea o ka po‘e ‘ōiwi o Hawai‘i e pili ana i ka mālama ‘āina a me ka mālama kumu waiwai

C.1. E ho‘olaha i nā lanakila o ka AMAC a me ka hana pū ‘ana me nā ‘oihana o ka lehulehu- ka ho‘okumu ‘ana i mau ‘oihana a i ‘ole ke kōkua ‘ana i nā ‘oihana e hana nei

C.2. E hana pū me nā agena a me nā hui ‘ē a‘e i hoihoi i ka mālama pono ‘ana i ke ‘ano o nohona, mai uka a i kai (ke hana ‘ia nei)

Pahu hopu D: Ka mālama ‘ana i nā kumu waiwai, mai uka a i kai, no nā kau a kau

D.1. E ho‘oku‘ikahi i ke ‘ano o ka hō‘ike mana‘o ‘ana (ke hana ‘ia nei)

D.2. E kāko‘o i ka hai ‘ana i nā limahana, e like me ka mea e pono ai, i mea e kāko‘o ai i ka ho‘oholo ‘ana i nā papahana ma ke ke‘ena

D.3. E ho‘oikaika i ka pilina ma waena o ka AMAC a me DLNR no ke ka‘ana aku, ka‘ana mai ‘ana ma waena o nā loea mālama ‘āina (ua ho‘okumu ‘ia, ke hana ‘ia nei)

Pahu hopu E: E lawe i ka ho‘ona‘auao i nā kaiāulu, e a‘o i ka lōina mālama ‘āina a me nā mea maika‘i o ka AMAC

E.1. E ho‘ona‘auao i nā hanauna e hiki mai ana, nā kaiāulu, nā hui kaiāulu, e pili ana i ka AMAC (ke hana ‘ia nei)

E.2. E hana pū me nā hui ho‘ona‘auao i ma‘a a kama‘āina lākou i ke ‘ano o ka mālama ‘āina e like me ka hana o ka po‘e kama‘āina o kēlā me kēia ahupua‘a (ke hana ‘ia nei)

E.3. E ho‘omaka i ka hana pū me nā kula ma o ka haku ha‘awina ‘ana e pili ana i ka loina mālama ‘āina o ka po‘e kama‘āina o kēlā me kēia ahupua‘a- a e hō‘ike pū i ke ‘ano o ko ka DLNR ho‘omāhele ‘āina (ke hana ‘ia nei)

E.4. E ho‘omōhala i mau alaha e like me ke pa‘i wikiō a me ke pa‘i palapala e ho‘olaha ana i ka hana a nā loea mālama ‘āina e noho ana ma ka AMAC (ke hana ‘ia nei)

Pahu hopu F: Ka ho‘opai ‘ana i ka ho‘opalekana ‘ana a me ka mālama ‘ana i nā kumu waiwai o ke aupuni ‘o Hawai‘i

F.1. E ho‘ohana i nā ‘ano ‘enehana like ‘ole e like me ka manakuhi i mea e ho‘ona‘auao ai i ka ‘Aha ‘Ōlelo Kau Kānāwai, a me nā hui o ke kaiāulu, a me ka po‘e hoihoi e pili ana i ka AMAC (ke hana ‘ia nei)

F.2. E hō‘ano hou i nā paena punaewehe i hiki ke nānā ‘ia e ka lehulehu (ke hana ‘ia nei)

F.3. E ho‘opai a e ho‘oikaika i ka ho‘ona‘auao ‘ia ana o ke kaiāulu e pili ana i ka mālama ‘āina ma o nā loina kahiko o kēlā me kēia mokupuni, e like me ka hana o ka po‘e kama‘āina nona ia ‘āina

F.4. E ho‘olālā i ka hana e pono ai i mea e ulu ai ka hoi i loko o ka lehulehu e pili ana i nā loina kahiko o ka mālama ‘āina a e ho‘omohala i ka pilina ma waena o ka DLNR, a me ke anaina, a me ke Aupuni o Hawai‘i

F.5. E ho‘okumu i mau pilina me nā hui kaiāulu a me nā hui mālama ‘āina o ke aupuni holo‘oko‘a o ‘Amelika Hui Pū ‘Ia i hiki ke laulima pū ka hana a me nā kumu waiwai a me ka ho‘ona‘auao ‘ana i ka lehulehu

F.6. E noke mau i ka ho‘omohala ‘ana i ka paipai ‘ana i ka lehulehu e pili ana i ka ko‘iko‘i o ka mālama ‘ana i nā kumu waiwai o Hawai‘i a me ka ho‘opalekana ‘ana i nā mea a pau. E hana pū me ka DLNR ma kēia hana (ke hana ‘ia nei)

F.7. E ho‘omohala i nā kumu waiwai kālā no ke kia‘i pono ‘ana i ka ho‘olālā a me ka mālama ‘ana i kēlā me kēia ahupua‘a (ke hana ‘ia nei)

Pahu hopu G: E kukulu i kekahi hui kia‘i ma luna o ka AMAC

G.1. E ho‘olālā pono i kekahi ka‘ina hana no ka mālama ‘āina ma ke kaiāulu ma o nā loina kahiko Hawai‘i i loko o nā hana kia‘i o kēia wā (ua hana ‘ia)

G.2. E haku i kekahi ‘ano no ke ka‘ana aku, ka‘ana mai ‘ana ma waena o ke kaiāulu a me ka hui kia‘i ma luna o ka AMAC a me ka DLNR (ke hana ‘ia nei)

G.3. E ho‘onohono i mau ‘aha li‘ili‘i no nā moku a me nā ahupua‘a i loa‘a kekahi ‘ano waihona ‘ike o ka mālama ‘āina e like me ka hana o kēlā me kēia hanauna o ka ‘āina

G.4. E ho‘olālā ‘ia ka waihona kālā no ka wā o ‘ekolu makahiki a me ‘elima makahiki e hō‘ike ana i nā mea e pono ai ka AMAC ma kēlā me kēia mokupuni i hiki ke ho‘okō ‘ia e ke Aupuni

G.5. E mālama ‘ia kekahi ‘Aha Pūwalu o ke Aupuni i kēlā me kēia makahiki no ka lehulehu (‘a‘ole i hana ‘ia ma muli o ka nele i ke kālā ‘ole)

III. Nā Mana‘o i hāpai ‘ia no ka ho‘oikaika ‘ana i ka BLNR (Board of Land and Natural Resources)

E like me ke kauoha i loko o Act 288, koikoi ‘ia ka AMAC e hō‘ike i ko lākou mau mana‘o no ka ho‘ikaika ‘ana i ka BLNR. E hō‘ike ‘ia ka hana a ka BLNR ma o kēlā makahiki i hala aku nei, 2014-2015 ma loko o kēia hō‘ike palapala i ho‘ouna ‘ia i ka ‘Aha ‘Ōlelo Kau Kānāwai.

Ua hō‘ike ‘ia nā mana‘o hopohopo pili i ka mālama ‘āina o kēlā me kēia ahupua‘a a me moku i ka AMAC. Ma hope aku, ua hō‘ike ‘ia kēia mau mana‘o i ka DLNR a ua ho‘oponopono ‘ia ma waena o ka DLNR a me nā kaiāulu. ‘Oiai ua ho‘oponopono ‘ia, ‘a‘ole i hō‘ike ‘ia kēia mau mea i ka BLNR. A i kēia manawa, mau nō kekahi mau mea e ho‘oponopono ‘ia nei. Ua pāku‘i ‘ia kēia mau mea i kēia palapala hō‘ike.

Eia ma lalo nei kekahi mau mea i hā‘awi ‘ia i ka BLNR e ka AMAC. Ua pāku‘i ‘ia nā hō‘ike ‘ōlelo i ka AMAC ma lalo o Appendix A.

Ho‘ouna ‘ia ke noi i ka BLNR e Trilogy Corporation no ka Ho‘olō‘ihi ‘ana i ka Wā Ho‘olimalima, Awa Kū Moku ma Manele, Lāna‘i, Helu Tax Map Key : (2) 4-9-017-006-0002

Ka ho‘oholo ‘ana o ka BLNR: Ua ‘āpono ‘ia ma ka mana‘o lōkahi.

Nā mana‘o kāko‘o o ka AMAC: E ‘āpono ka BLNR i kēia noi ‘oiai kāko‘o ka po‘e mālama ‘āina o Lāna‘i i kēia noi Trilogy. ‘O ke kumu no ka ho‘opane‘e ‘ana i ka lā palena pau ke kūkulu ‘ana i kekahi hale hālāwai a me hale no nā hana kai. ‘A‘ole e ho‘opilikia ‘ia ana kekahi mea, ma uka a i kai, ma kahi o ke kūkulu ‘ana.

Ho‘ouna ‘ia ke noi i ka BLNR e ke Kulanui o Hawai‘i ma Mānoa: ‘Aelike i ka Ho‘olimalima hou ‘ana ma lalo o ka Palapala Ho‘olimalima Helu S-4191 i ke Kulanui o Hawai‘i, Mea Ho‘olimalima, i ka TMT International Observatory LLC, Mea Ho‘olimalima Hou, Ka‘ohe, Hāmākua, Mokupuni ‘o Hawai‘i, Helu Tax Map Key: 3rd/4-4-15:09 por.

Ka ho‘oholo ‘ana o ka BLNR: Ua ho‘opane‘e ‘ia kēia noi i ka lā 17 o Iune, 2014 i hiki ke pane ke Kulanui o Hawai‘i i nā nīnau i hāpai ‘ia e ke kaiāulu ma nā hō‘ike ‘ōlelo o ka lehulehu ma ka hālāwai o ka Land Board.

Nā mana‘o kū‘ē o ka AMAC- E kakali ka BLNR a ho‘olaha ‘ia ka ho‘oholo hope e pili iā CDUP HA-3568 ma ka Appeal Process ma ka Hawai‘i State Intermediate Court of Appeals a me ka Hawai‘i State Supreme Court; a i ka manawa e pau ai kūkā kama‘ilio ‘ana e pili ana iā Section 106 e ka po‘e ‘ōiwi Hawai‘i e pili ana i ka papahana TMT e like me ke kāmāwai pekelala ma lalo o ka National Historic Preservation Act; a pau ka nānā ‘ana i nā mana‘o a pau i hāpai ‘ia ma Nowemapa 2013.

Ho‘ouna ‘ia ke noi i ka BLNR no ka ‘Aelike Ho‘ōki, Grove Farm Fish & Poi, LLC, Lessee, Palapala Ho‘olimalima, Helu 5654, ma ke kapakai ‘Ewa, ‘Ewa, O‘ahu, TMK: (1) 9-1-005:000 ma kai.

Ka ho‘oholo ‘ana o ka BLNR: Ua ‘āpono ‘ia ma ka mana‘o lōkahi e like me kona hā‘awi ‘ia ‘ana. Ua nui ke kama‘ilio ‘ana e pili ana i kēia kumuhana a ua ‘āpono ‘ia ma muli o ka puka lanakila o ka papahana hou i ho‘oulu maika‘i i ke ko‘a hou ma luna o nā papa kimeki a ua lilo nō i wahi e noho maika‘i ai ka i‘a a me ke ko‘a. No kēia papahana ho‘okahi wale nō ka ho‘oholo ‘ana, aia nō i ka lanakila a me ka lanakila ‘ole o kēlā me kēia papahana.

Nā mana‘o kū‘ē o ka AMAC- He ho‘olimalima kēia ma lalo o Grove Farm Fish & Poi (GFFP) no ko lākou mau pahu hānai i‘a ma waho o ke kapakai o ‘Ewa, O‘ahu. I ka makahiki 2010, ua panakalupa maila ‘o GFFP a pau loa kā lākou mau waiwai. Ma hope o ke uku ‘ana i ka ‘ai‘ē, ‘a‘ole i hiki iā lākou ke ho‘ohemo i nā ana kaumaha he ‘ehā e noho ana ma lalo loa o ka moana. Ua kū‘ē ka AMAC ma muli o ia mea, ka waiho wale ‘ia ‘ana o nā pono hana o kekahi hui i ka pau ‘ana o ka hana. He mea weliweli nō ia.

Ho‘ouna ‘ia i ka BLNR to Grant a Term, Non-exclusive Easement to Lana‘i Resorts, LLC dba Pulama Lana‘i for Tide Pool Stairs Encroachment Purposes, Pulawai, āana‘i, Seaward of Tax Map Key: (2) 4-9-017:002

Ka ho‘oholo ‘ana o ka BLNR: Ua ‘āpono ‘ia e like me kona hā‘awi ‘ia ‘ana mai.

Nā mana‘o kāko‘o o ka AMAC: Kapa ‘ia kēia wahi o ke alapi‘i ‘o Tide Pool, ‘o “Keiki Pond”, aia ma nā pali hikina o Hulopo‘e a ua ho‘ohana ‘ia e ka po‘e o Lana‘i mai ka makahiki 1951 mai. I kēia mau lā, ua hele ā palekana ‘ole kēia alapi‘i. Ua kūkulu ‘ia ka “Pipi Chute” i ka makahiki 1919-1920 a ma laila i ho‘ouka ‘ia ai nā pipi, nā lako hana, a me nā ‘ōhua ma luna o nā mokuahi e holo ana i waena o nā mokupuni. He wahi kokoke nō kēia i Keiki Pond a aia nā mea ‘elua i kahi like. No ka po‘e kama‘āina he ‘ano kia ho‘omana‘o kēia o ka wā i hala, a hiki ke hō‘ea ma laila ma o ka iho ‘ana i ke alapi‘i ‘o Tide Pool. Kāko‘o ka AMAC iā Pūlama Lana‘i i ko lākou hana e ho‘oponopono a pa‘a ke alapi‘i ‘o Tide Pool, a kāko‘o pū nō ho‘i ‘ia ka BLNR no ko lākou ‘ae ‘ana e ho‘oponopono ‘ia ke alapi‘i.

Submitted Request that the Conservation District Use Application (CDUA) ST-3703 for a Statewide Programmatic General Permit and Programmatic Agreement for the repair, restoration, maintenance, and operation of traditional fishpond systems in Hawai‘i by the Department of Land and Natural Resources, Office of Conservation and Coastal Lands be granted

Ka ho‘oholo ‘ana o ka BLNR: Ua ‘āpono ‘ia ma ka mana‘o lōkahi e like me kona hā‘awi ‘ia ‘ana mai.

Nā mana‘o kāko‘o o ka AMAC- ‘o Ho‘ala Loko I‘a ka inoa o kēia papahana a puni ke Aupuni ‘o Hawai‘i (Statewide Programmatic General Permit). Ke ‘āpono ‘ia, e hiki ana ke loa‘a ka palapala ‘ae i ka po‘e kama‘āina mālama ‘āina, kumu, a pēlā aku ma o ke noi ho‘okahi a me ka palapala ‘ae ho‘okahi. E hiki ana i ka po‘e ‘ōiwi Hawai‘i ke a‘o e pili ana i ka ‘ike mai nā hanauna o mua mai no kēlā me kēia moku a me ahupua‘a, a me ka ‘ike no ka mālama loko i‘a. Ma o kēia palapala ‘ae, e ka‘analike ‘ia ana, e ho‘omau ‘ia ana, a e a‘o ‘ia ana nā lōina kahiko o ka Hawai‘i pili i ka mālama loko i‘a i pono ke ola o kai a me uka.

Nā paku‘ina:

Nā mea i hā‘awi ‘ia e ka AMAC i ka BLNR

Ka papa helu o nā kumuhana e kūkā ai nā kaiāulu a me ke ke‘ena o ka DLNR

(The Aha Moku Advisory Committee is deeply grateful to Alicia Perez for providing the Hawaiian translations to the 2015 Aha Moku Advisory Committee Legislative Report. Alicia serves as an educational assistant for the Kawaihuelani Center for Hawaiian Language at the University of Hawai‘i, Manoa)