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P.O Box 2338

Kamuela, HI 96743

January 21, 2021

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

Re: Fiscal Year 2021 Legacy Land Conservation Program Grants to the Ala Kahakai Trail Association for the Protection and Purchase of Kiolaka'a and Manāka'a (located in the ahupua'a of Kāwala)

Aloha Leimana DaMate and Aha Moku Advisory Committee,

Mahalo for sharing the Aha Moku Advisory Committee's mana'o and concerns about Ala Kahakai Trail Association's (ATA) involvement in the protection of Kiolaka'a and Manāka'a. We have deep respect and aloha for the 'ohana and kūpuna of Ka'ū and protecting Kiolaka'a and Manāka'a for future generations cannot happen without you. We sincerely wish we could have had the opportunity to kūkākūkā with you all so that we could resolve any concerns or misinformation collaboratively. After receiving the letter, The Trust for Public Land (TPL) reached out to both Aha Moku Executive Director, Leimana DaMate and ATA reached out to Advisory Committee Chair Rocky Kaluhiwa, to try to address these concerns and to request a meeting with the signatories. However, we were told that the signatories are not open to meeting with us, which saddened us to hear. So instead we are doing our best to address the concerns raised in your letter, here in writing, and continue to welcome an open dialogue with you where we can all share with aloha.

Public Access

Your letter expresses concern that 'ohana have been denied access by ATA to Waikapuna and that access can only be had by permit controlled by Kuahiwi Ranch whose fences block access. Please rest assured that this claim is untrue. We understand the mistrust and fear Ka'ū families have about being cut off from their shoreline and their wahi pana, given the history of the overthrow, the displacement and dispossession of native Hawaiians from their 'āina, and sugar plantations in Ka'ū denying community access to the coastline.

Currently, there is open pedestrian access into Waikapuna via the Ala Kahakai Trail from the adjacent State-owned lands to the south at Kamilo and north at Kawala. All members of the public have the right to use that trail access. In addition, there are no gates or fences along the entire 3.5 mile boundary between Waikapuna and the State-owned Waiohinu property. Vehicular access to the beach at Waikapuna Bay is provided via an access easement which crosses over the adjacent Kāwala property owned by Kuahiwi Ranch. The ranch provides vehicular access to Waikapuna through their cattle gates installed on the adjacent Kāwala property. The 4-mile long dirt ranch road leading to Waikapuna crosses through a series of cattle pastures and gates. A four-wheel drive vehicle with a high clearance is required to safely navigate the roads. According to the terms of the County Conservation Easement, public access will be an element of the proposed resource management plan. The County is currently in the process of hiring a consultant to develop the plan for Waikapuna. In the interim, our Waikapuna Stewardship Hui has adopted the vehicular access procedure that has been in place for the last two decades. Vehicular access is limited to one group with no more than three vehicles per weekend. Occasional weekday access has also been granted depending upon the schedule and ongoing ranch activities. The responsible individual must demonstrate familiarity with the ranch roads and agree to be responsible for the actions of the others in the group. All individuals must sign a liability waiver and acknowledge rules respecting the natural and cultural resources. The key is available for pick up and drop off at the Kuahiwi Ranch office in Naalehu at no charge. The interim process is also posted on our ATA website.

ATA is required by both the State and County to provide managed public access to properties acquired with public conservation funds and ATA has committed to doing so in its Kiolaka'a and Manāka'a applications. In addition, ATA is committed to community-based stewardship and management of the trail as well as the associated cultural and natural resources of these 'āina. To achieve this goal, ATA has made a commitment in its applications to work with the community to develop a Community Management Plan for both Kiolaka'a and Manāka'a within 18 months after the preservation purchase.

ATA has explained in its applications that responsible stewardship needs to balance public access with the protection of cultural, environmental, and agricultural resources on this 'āina. Examples of adverse impacts due to unfettered, unmanaged access include damage and destruction of cultural sites and native plant habitats by off-road vehicles, looting and defacing of petroglyphs and cultural resources, dumping of trash and human waste, and loss of native species due to wildfires. The type of managed access that is best for this 'āina will be determined by the Ka'ū community through the development of a Community Management Plan. We wholeheartedly welcome the opportunity to work with Aha Moku, lineal descendants, and Ka'ū 'ohana to determine what managed access looks like, and to educate residents and the broader public about these threatened cultural landscapes and the proper protocol to follow in order to protect them for future generations. We would love to work with you to educate the community about these wahi, host volunteer stewardship days, post signage when and where appropriate, and make sure the public isn't simply using these lands but becoming active stewards and caretakers of this 'āina.

ATA Governance & Board Membership

Ala Kahakai Trail Association is a registered non-profit established in 2008. Our mission is to support and guide a community-managed trail that honors those who came before and perpetuates for those to follow – with protocols and respect for Hawai'i's past, present and future. Our board is comprised of mostly descendants with ancestral ties to geographic sections of the trail and our goal is to connect our communities with the trail through preservation and community-based management.

ATA is always seeking opportunities to build its capacity by growing its board membership in the Ka'ū District given our recent work in the community. Currently, Keoni Fox serves as a volunteer board member representing the Ka'ū District. A part-time resident of both Waikane, O'ahu and Na'alehu, Ka'ū, Keoni splits his time between the ancestral homelands of both Hawaiian parents. His mother Luana Keanu was born and raised in Na'alehu by her maternal grand-parents, Alfred Kalama Kahakua and Julia Kiaha. They lived at Kaunāmano, on the makai side of the highway next to the State Highways Division Baseyard. Keoni was raised on O'ahu but he spent his summers in Na'alehu, staying at his family homes in Kaunāmano and Kāwala. Keoni through his mother's paternal family, Keanu, is a lineal descendant of Kahilipali, Kāwala and Kaunāmano. The family received multiple land grants and land commission awards in these ahupua'a after the Mahele which included both a 244 acre parcel and 184 acre parcel immediately adjacent to the Manāka'a property.

Ala Kahakai Trail Association has formed a Stewardship Committee/Hui which is comprised of Ka'ū leaders and residents to guide our stewardship and Community Management Planning process for Waikapuna. These community members include the following: Shalan Crysdale, Nohea Kaawa, Michelle Galimba, Kaohi Mokuhalii, Jodie Rosam, Megan Lamson, Pele Harmon and Leilani Rodrigues. We hope to expand our committee membership in the future as we implement the action items outlined in the proposed management plan.

Fear that the Federal Government will own or control these lands

Aha Moku has expressed that if ATA is granted ownership, they fear that the federal government will gain and control of Ka'ū's 80 mile coastline. ATA, a Hawaii Island based, recognized Native Hawaiian Organization (NHO), has always been a completely separate, independent nonprofit entity from the National Park Service. While ATA hopes to work with NPS to ensure the trail is protected, respected and connected to community, ATA is not controlled by or beholden to NPS. ATA partners with a number of different government agencies, non-profit organizations and community groups in an effort to collaboratively protect our island's trail system.

Aha Moku has recommended that the State of Hawai'i purchase and own Kiolaka'a and Manāka'a, but the State has already declined to take on the kuleana of owning these lands. It

was never ATA's goal to own this 'āina. Ownership is a western concept that we will always be uncomfortable with. The Keanu family started this journey over 20 years ago protecting their family burials at Kaunāmano and Kāwala from development into large luxury subdivisions. The initial subdivision plans were approved by the County Planning Department without any consideration of impacts to cultural resources. With assistance from the Native Hawaiian Legal Corporation, the Keanu family insisted that the developments required a Special Management Area Use Permit Assessment and upon further consideration, the County Planning Department concurred. As part of the permit application, an archaeological inventory survey was required revealing an extensive cultural landscape with hundreds of iwi kupuna. The need for extensive mitigation from the proposed developments revealed an opportunity for preservation of these properties in their entirety. With Kawala which included Manaka'a, plans for development continued which required numerous meetings with the Hawaii Island Burial Council. As the only recognized descendant for the property, Keoni Fox strongly advocated for the protection of iwi kupuna on the property which included mitigating any adverse impacts. With Kaunamano, the owner agreed to postpone the development process while the community explored the possibility of a preservation purchase. The Keanu family and local non-profit, Ka 'Ohana o Honu'apo met with the County and the State about possible County or State ownership of these lands, but they both declined because they did not have the capacity to manage and steward these lands. With few options for protection, ownership by the National Park Service was considered as a possibility, but the Ka'ū families we consulted did not support federal ownership so we continued to seek other solutions. The kuleana of nonprofit ownership was reluctantly taken on by ATA, as a last resort, with the commitment and vision that if preservation was successful, these lands and resources would forever be managed and stewarded by the community itself.

Lastly, both the Deed Restrictions and the Conservation Easement that are mandated by State and County funding require that ATA manage and steward these lands in compliance with complex funding restrictions and the purposes of those public funds: to protect and conserve the land for its valuable cultural, historic, natural, habitat, coastal, open space, agricultural, watershed, and recreational resources.

Community Engagement & Management Plan

We sincerely value the community's participation on these land protection efforts. ATA did engage with the community regarding Waikapuna, Manaka'a and Kaunāmano. This outreach included presentations to local community organizations and information booths at community festivals, cultural fairs and the Na'alehu Farmers Market. ATA has closely partnered with community organizations including: Ka Ohana o Honu'apo, Ho'omalū Ka'ū, Hawai'i Wildlife Fund, The Nature Conservancy and the Mary Kawena Pukui Cultural Preservation Society. ATA has taken every opportunity to consult with kama'āina families especially families who have direct lineal ties to these properties. Keoni Fox has met with Auntie Darlyne Vierra and Auntie Liz Kuluwaimaka many times over the years to discuss ongoing preservation efforts to protect these properties along the coastline. In 2014, Aha Moku organized a community meeting at the request of Keoni Fox to share information about the proposed County wastewater treatment

facility at Kaunāmano and the potential impacts to cultural resources on the makai lands being proposed for preservation. Most recently, Keoni met both Aha Moku representatives in March to deliver invitations for the Waikapuna celebration event which was subsequently cancelled due to the pandemic.

We regret that we were unable to conduct more community engagement this past year regarding the protection of Kiolaka'a and Manāka'a. Limitations due to COVID lockdowns, gathering restrictions, and CDC health and safety recommendations, made it difficult to schedule community outreach. However, we did nominate both properties for the County PONC program and the process provided many opportunities for the public to submit comments and questions during that extensive public review process. We do look forward to meeting and working collaboratively with the community and kama'āina families when it is safe to do so.

Aha Moku closed its letter by stating that it will oppose ATA ownership unless that community groups listed (the Ka'ū Advisory Council, the Ka'ū Hawaiian Civic Club, the Ka'ū Multi-Cultural Society, and the Ka'ū Kuleana) are part of developing a master plan. We welcome this opportunity for engagement and collaboration since ATA's vision is community-based management of the trail and its surrounding natural and cultural resources. We have committed in our public funding applications to developing a Community Management Plan for Kiolaka'a and Manāka'a within 18 months of gaining ownership, if the conservation acquisition is successful. ATA sincerely welcomes Aha Moku and all of the groups listed to participate in the Community Management planning process which will likely be facilitated by a planning consultant hired by the County. Protecting the Ka'ū coast for future generations cannot happen without you and the mana'o, participation, and active stewardship of the Ka'ū community and kama'āina families.

Me ka ha'aha'a,
on behalf of the Ala Kahakai Trail Association



Kaleo Paik, Secretary & Board Member
kaleopaik@yahoo.com



Keoni Fox, descendant, part time Ka'ū resident, & Board Member
fox@alakahakaitrail.org

January 21, 2021

State of Hawai'i
Board of Land and Natural Resources
blnr.testimony@hawaii.gov

Re: Testimony in Support of BLNR Agenda Item C(1)(B) & C(1)(C):
Legacy Land Grant Award to Ala Kahakai Trail Association: \$1,475,000, for the acquisition of approximately 1,841.3 acres at Ka'ū, Hawai'i (Kiolaka'a) & \$875,000, for the acquisition of approximately 348 acres at Ka'ū, Hawai'i (Manāka'a Fishing Village)

Aloha Chair Case and BLNR Members,

I would like to express my enthusiastic support for the Legacy Land Grant Award to Ala Kahakai Trail Association to purchase and protect Kiolaka'a & Manāka'a Fishing Village.

The protection of these lands is in our community's interest because it is one of the last remaining pieces in securing the undeveloped coastline that is so highly valued by our community, as expressed in the Ka'ū Community Development Plan (CPD). I was a member of the Ka'ū CPD Steering Committee and protecting Kiolaka'a & Manāka'a advances the vision and goals our community articulated:

"The Ka'ū CDP should honor Ka'ū's unique rural lifestyle, its connection between people and place, and its distinctive Hawaiian cultural heritage. It must plan for the future in ways that: increase economic opportunities through a diverse, resilient, and sustainable economy; and protect and provide reasonable access to natural and recreational resources including the mauka forests, the coastline, open spaces, and park facilities and programs."

"Objective 2: Preserve prime and other viable agricultural lands and preserve and enhance viewsapes that exemplify Ka'ū's rural character."

"Objective 10: Encourage and enhance agriculture, ranching, and related economic infrastructure."

Keeping these lands in agriculture will support the rural economy in Ka'ū and provide the land base for agricultural production that supports the County and State of Hawai'i. My family owns and operates Kuahiwi Ranch and we currently graze approximately 200 head of beef cattle on the Manāka'a parcel. We have been ranching on this parcel for the last five years and its protection would allow our lease to continue.

Kuahiwi Ranch specializes in local, free-range, grass-fed beef which contributes to our local food security and self-sufficiency, which have become so critically important during this health crisis. We market about 450,000 lbs of meat annually to grocery stores and restaurants throughout Hawaii including: Whole Foods, Foodland, and Foodland Farms, Alan Wong's, Town, and Honolulu Burger Co. We also provide secure jobs to eleven employees and our work also supports other food system jobs that enables our beef to get from ranch to table.

We strongly believe in the agricultural, open space, and cultural value of these lands. We are committed to working together as close partners with the Ala Kahakai Trail Association and the broader community so that our ranching operations can co-exist and compliment the preservation of both the cultural and natural resources on the property. Kiolaka'a & Manāka'a, as part of the Ka'ū coastline, should be preserved for the people of the State and County of Hawai'i. The pristine Ka'ū coastline is a treasure that we can steward and a gift that we can pass on to future generations.

Mahalo,

Michelle Galimba

Michelle Galimba, VP
Kuahiwi Ranch
PO Box 24
Nā'ālehu HI 96772
(808)430-4927

From: olivia ling
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] I oppose Ala Kahakai Trails Association acquisition of Kau lands
Date: Thursday, January 21, 2021 12:41:47 PM

To the DLNR:

Re: Concern for DLNR participating in acquisition of defective deeds.

I oppose any funding for Ala Kahakai Trails Association for acquisition of any land in Ka`u: Manaka`a Fishing Village and Kiolaka`a.

The deeds need to be examined by an experienced title examiner, producing an accurate title abstract, as negligence can be claimed if title not clearly cited.

The Hawaiian Kingdom, heirs, kuleanas, Crown and government own title to most lands, not EMW, or C. Brewer, etc. They want to control or own Kau' lands, which belong to Ka`u, a part of Ko Hawaii Pae Aina.

Please diligently examine the deeds because negligence is a crime and those involved can be liable.

Let the people of Kau malama the aina—steward our own lands.

Please kokua,

Olivia S. Y. Ling