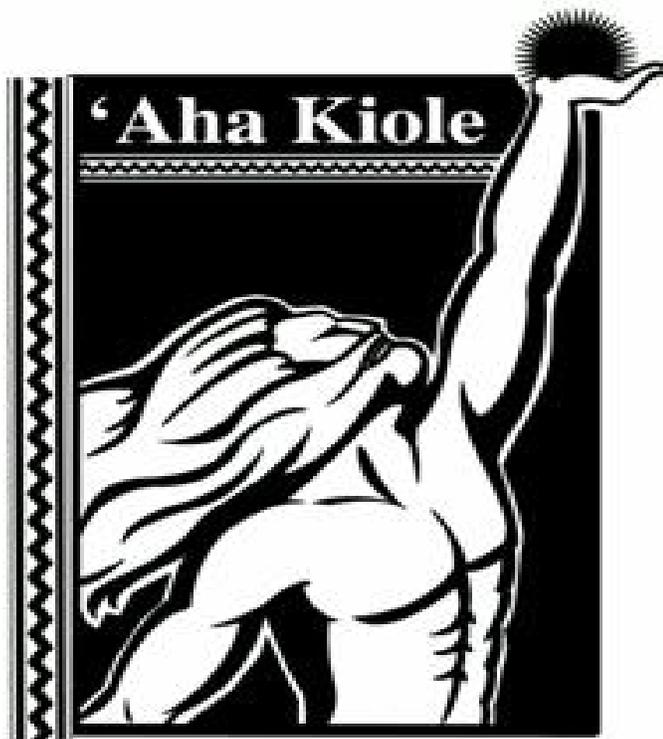


**Report to the Twenty-Fifth Legislature
2009 Regular Session**

**Final Report
Aha Kiole Advisory Committee**



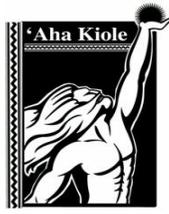
**Best practices and specific structure for the cultural management of natural
resources in Hawaii.**

Prepared by:
Aha Kiole Advisory Committee
State of Hawai'i

In Response to:
Act 212 Relating to Native Hawaiians

December, 2008

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December, 2008

Senator Colleen Hanabusa
Senate President
Hawaii State Legislature
State Capitol
Honolulu, Hawaii 96813
And

Representative Calvin Say
Speaker of the House
Hawaii State Legislature
State Capitol
Honolulu, Hawaii'I 96813

Dear Senator Hanabusa, Representative Say and Members of the Legislature:

The Aha Kiolo Advisory Committee hereby submits its final report containing information on the best practices for the traditional management of the natural resources. The committee recommends the creation of an Aha Moku natural and cultural resource management system for the State of Hawai'i. This report contains information and recommendations on regulatory changes, a non-regulatory process, educational programs, community consultation, and eligibility criteria for participation, as well as the development and implementation of the Aha Moku natural and cultural resource management system.

The Committee would like to express its gratitude to the Legislators, Administration, State and County Agencies for their cooperation, assistance and expertise throughout the Aha Kiolo Advisory Committee's tenure and fact finding process. The Committee also appreciates the contributions made by many citizens, organizations, and businesses.

It is and has been an honor and privilege to serve the people of Hawai'i. Thank you for the opportunity.

Sincerely,

Vanda Hanakahi, Moloka'i, Chair

Leslie Kuloloio, Kahoolawe, Vice-Chair

Timothy Bailey, Maui

Winifred Basques, Lana'i

Hugh Lovell, Hawai'i

Charles Kapua, O'ahu

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Best practices and specific structure for the cultural management of natural resources in Hawaii

Executive Summary

The Aha Kiole Advisory Committee (Committee), created by the Hawaii Legislature, continues to work to provide the information that the Legislature requested through Act 212. The task is daunting, but Committee members have committed themselves to complete the effort and begin implementing the process to work with the Hawaii State Legislature and government agencies to restore Hawai'i's environment. The committee is making four recommendations in this report for legislative consideration—regulatory, non-regulatory, education and community consultation—as well as proposed eligibility criteria. Act 212 mandates that the committee continue to June 2009. After the filing of this report the committee will assist in the formation of the management structure, development of regulations and the development of the educational curricula and organization to support the implementation of the Aha Kiole/Aha Moku management system.

The integration of the traditional cultural natural resource management system into the existing government regulatory policy will not be an easy task. The Committee recognizes that there will be animosity and acrimony in the restoration of the traditional natural resource system from current resource managers. Traditional resource management is about food and sustainability. Preservation and protection of food resources was vested in the local community, the community most directly dependent on the health of the food resources ecology, and not with a central authority. Today, there are many reasons for a central authority to govern, i.e., ease of enforcement, consistency of regulations, public access to public resources, etc. However, the traditional resource management system created a healthy, sustainable ecosystem that fed and maintained the Hawaiian community for more than 1,700 years, but, 230 years after Western contact, 109 years after annexation, 49 years after statehood and after 30 years of Western style natural resource management, we find the Hawaiian environment and ecosystems in precipitous decline. It has been the observation of nearly every *kupuna* and elder *kama`aina* interviewed over the past 30 years, that when Hawaiian resources, land, water and ocean were managed under the old system that these resources were capable of sustaining hundreds of thousands of residents (Maly, 2003). The Committee believes that this decline can be arrested and reversed with some simple but demanding solutions and programs that include: 1) regulatory changes, 2) a non-regulatory process, 3) educational programs and 4) development of a community consultation process. Included in this report are proposed eligibility criteria for participation in the Aha Moku system. This is your Aha Moku natural resource management system.

Introduction-History of the Aha Moku Initiative

The Office of Hawaiian Affairs, Association of Hawaiian Civic Clubs, Hawaii Tourism Authority, Hawaii Coastal Zone Management Program, Kamehameha Schools and the Western Pacific Regional Fishery Management Council partnered to sponsor a series of conferences in 2006 and 2007 for native Hawaiian cultural practitioners. The conferences, the *Ho`ohanohano I Na Kupuna Puwalu* conference series, addressed the participation of the native Hawaiian community in natural resources management. At the request of the practitioners, one conference held in December 2006 invited legislators and agencies to participate.

The 2007 legislature enacted SB1853 SD2 HD2 CD1, A Bill for an Act Relating to Native Hawaiians. Governor Linda Lingle signed Act 212 into law on June 27, 2007. “The purpose of this Act is to initiate the process to create a system of best practices that is based upon the indigenous resource management practices of moku (regional) boundaries, which acknowledges the natural contours of land, the specific resources located within those areas, and the methodology necessary to sustain resources and the community.” (Act 212, Section 1).

On November 1, 2007, the Governor of Hawaii selected eight members, one from each of the eight Main Hawaiian islands, to an Aha Kiole advisory committee from a list submitted by the Association of Hawaiian Civic Clubs. The Act appropriated funds for the committee to organize, conduct community meetings and discussions to determine the best practices for a traditional natural resource management system.

The Aha Kiole Advisory Committee is mandated with providing the Hawaii Legislature a report for the 2009 legislature that will:

- Provide information to the legislature on the creation of an Aha Moku Council system, whose purpose will be to advise the State of Hawaii on Native Hawaiian resource management practices; derive a comprehensive set of native Hawaiian best practices for natural resource management; foster understanding and practical utilization of this knowledge; ensure the future sustainable use of marine, land, cultural, agricultural and natural resources; enhance community education and cultural awareness; and participate in the protection and preservation of the State’s natural resources,
- Engage in discussion with the community to develop consensus on establishing an Aha Moku Council System and Aha Moku Council Commission,
- Develop an administrative structure for the creation of an Aha Moku Council Commission with eight Aha Kiole members representing each of the eight main Hawaiian Islands,
- Establish standard eligibility criteria and a selection process for each Aha Kiole and the selection of an executive director,
- Establish goals and objectives for an Aha Moku Council Commission to accomplish, including benchmarks and sustainable objectives, and;
- Submit an operational budget for the Aha Moku Council Commission to conduct meetings, cover administration expenses, and disseminate information and advice for the creation of an Aha Moku Council Commission.

The Act appropriated \$111,000 for fiscal year 2007-2008 and the same sum for fiscal year 2008-2009 for administrative costs related to carrying out the duties of the Aha Kiole Advisory Committee and for allowing each of the thirty-seven moku statewide to actively participate and engage in discussion on the creation of the Aha Moku Council System. The sums appropriated were to be expended by the Department of Land and Natural Resources (DLNR) for the purposes of this Act.

Administrative restrictions prevented the expenditure of the funds appropriated. Though some conditions for expenditure were developed by the DLNR, the funds remained untapped. Administrative requirements of DLNR to allow for reimbursement of expenditures were met by the Aha Kiole Advisory Committee, yet funds were not released. The Committee funded the entire effort with personal funds that were largely never reimbursed.

Association of Hawaiian Civic Clubs

Founded in 1918 by Prince Jonah Kalanianaʻole Kuhio, the Association of Hawaiian Civic Clubs (AHCC) is a grass roots ensemble comprised of fifty-four (54) member clubs. Guided by five District Councils – Oʻahu, Hawaiʻi, Maui, Kauai, and the Mainland, the AHCC has been a strong partner and supporter of the Aha Moku Systems. Many of the Hawaiian Civic Club members are native practitioners and were part of the Na Hoʻohanohano I Na Kupuna Puwalu Series that gave birth to the restoration of the Aha Moku System.

The AHCC played a pivotal role in the inception of Act 212 by being the vehicle through which the Aha Moku Bill was introduced to the Legislature in 2006 by way of a resolution passed at their Annual Convention at the Waikiki Beach Marriott Resort & Spa, Waikiki, Oahu, on October 28, 2006. The resolution asked that the Hawaiʻi State Legislature create a permanent ‘Aha Council comprised of representatives of each moku of each island to be the Advisory component to the governmental agencies involved with regulatory policies pertaining to the ocean and to the land. (Association of Hawaiian Civic Club at Convention, Resolutions 2006)

From 2006 to date, the Association of Hawaiian Civic Clubs has strongly supported the Aha Kiole Advisory Committee and the Aha Moku structure. On October 25, 2008, the Association, in their annual Convention at the Kauai Hilton, passed a resolution calling for the Aha Kiole Advisory Committee to become a part of the Hawaii State Sustainability Plan. (Association of Hawaiian Civic Clubs at Convention, Resolutions 2008)

Compliance with Hawaiʻi 2050 Sustainability Plan

The goal of the Aha Kiole Advisory Committee is the establishment and restoration of the traditional cultural Aha Moku natural resource management system. The practices are ancient, proven and still used today. The survival of the Hawaiian culture is proof that this system works. The Aha Kiole Advisory Committee is confident that achievement of the establishment and restoration of the traditional cultural Aha Moku natural resource management system addresses the five main goals the Hawaiʻi 2050 Sustainability Plan. In addition to directly achieving Goal Five, the Aha Moku System contributes to the accomplishment of Goals One to Four.

Goal One. A Way of Life—Living sustainably is part of our daily practice in Hawaii.

The traditional Aha Moku natural resource management requires that the community be a part of the monitoring and management of the natural and cultural resources. The community will be more aware through community monitoring and discussion, of natural cycles, patterns and processes. That awareness will translate into sustainable thinking. Citizens will understand the consequences and benefits of his or her actions relevant to sustaining a natural or cultural resource without compromising traditional values.

Goal Two. The Economy—Our diversified and globally competitive economy enables us to meaningfully live, work and play in Hawai`i.

A healthy well managed environment will augment the ability of Hawai`i's people to work effectively and competitively. By ensuring the restoration of the environment, through this proven Aha Moku System of natural resource management, Hawai`i's people will be able to focus more of their potential on living, working and playing activities and purposes.

Goal Three. Environment and Natural Resources—our natural resources are responsibly and respectfully used, replenished and preserved for future generations.

The Mission Statement of the Aha Moku natural resource management system, parallel to Sustainability 2050 and Goal Three is **“To incorporate appropriate native Hawaiian generational knowledge and protocols for the preservation, cultivation, and management of all native Hawaiian natural and cultural resources for future generations.”**

Goal Four. Community and Social Well-being—our community is strong, healthy, vibrant and nurturing, providing safety nets for those in need.

A recommendation of the Aha Kiolo Advisory Committee is a community consultation process. On O`ahu, the City and County of Honolulu, the neighborhood board system is a very good example of a community consultation process. Community consultation empowers communities, enhancing their ability to be strong, healthy and dynamic.

Goal Five. Kanaka Maoli and Island Values—Our Kanaka Maoli and island cultures and values are thriving and perpetuated.

Establishment of the Aha Moku natural resource management system is exactly this goal. The Aha Moku Structure provides for sustainability by incorporating kanaka maoli and island cultures and values.

The Aha Kiolo advisory committee reviewed the Hawai`i 2050 Sustainability Plan to identify those sections of the plan that directly related to the establishment of the ahupua`a and aha moku resource management system. References, citations and research on this traditional resource management system are found throughout the report. Establishment of the aha moku system will

enhance and support all of the goals and activities of the Plan. It is clear that the aha moku system is being established within and in partnership with Hawai'i 2050 Sustainability Plan and its government organization.

Natural Resources Management

The needs of humankind are the foundation of the environmental assessment of the state of the World. Plants and animals, whales and fish don't debate or participate in natural resource management decisions, people do. People see and shape the World to their personal visions. The process is political and one vision of the World competes with another - a battle of values. Recognition of realities is fundamental but environmentalist dogma and the environmentalist litany have reached a point where even blatantly false and misleading information is repeated over and over and taken as truth (Lomborg, 2001). Basing natural resource management decisions on falsehood is detrimental to the environment and, by extension, detrimental to humankind, people and communities. Taking the broad view, environmentalist dogma fools itself by attempting to construct the concept that actions of humankind are irreparably damaging the Earth.

Estimates of population in Hawai'i at Cook's arrival, was 200,000 – 250,000 (Schmitt, 1971) to 800,000 (Stannard, 1989). Since 1971 Schmitt has increased his population estimate range to not more than 300,000 at the time of Cook's arrival. Stannard is widely criticized in his estimates but Schmitt praises his scholarship. Kamakau stated that, prior to contact, the land was covered with people from Hawai'i to Ka'ula. Lt. James King of the 1778 Cook expedition estimated the population at 400,000, a number in wide use but widely criticized because of the methodology (based on an estimate of number of people per coastal mile). Some estimates of population, based on food production and living conditions, approach one million or more. The highest estimate of population in pre-Cook Hawaii approaches the current population. Current population of 1.2 million people (2000 census) relies on over 80% of food imports. This would seem to indicate that since less food and fewer materials are being harvested locally, the environment would be healthy and diverse with all of the food and materials resources available in abundance. We know that this is not true. There is less of everything and less of everything that defines our native Hawaiian culture.

Why is this so? Coastal development, pollution, reduced stream flow, beach nourishment and a host of other practices and activities have changed the natural environment and the habitat and changed ecosystem processes that once supported many of our most important and favored species. This has decreased our opportunity for food security and increased our dependence on imports.

Management of natural resources is a necessary element to ensure the survival and well being of people. If the resources that traditional people depended on were healthy the people were healthy.

Interest in traditional knowledge and practices worldwide grew with the rise of environmentalism in the latter half of the 20th Century. Environmentalism demonstrates a growing popular interest in environment and environmental concerns. Environmentalism organizes life and life experiences on a set of shared but largely unexamined assumptions about ecosystems, environment, nature and biodiversity.

Traditional natural resource management is about managing natural resources for life.

Traditional Natural Resource Management

“Traditional and Generational knowledge” is difficult for Western researchers and Western thinking. It carries with it the Victorian belief that traditional “indigenous” knowledge was simple, static and savage. It was romantic and appealing. Government top-down command and control of ocean, agricultural, aqua cultural (both marine and fresh water), and natural resources management in general, does not work well. Typically, it is insensitive to the diversity of customary and traditional practices and local ecological knowledge (Jentoft, 2003, *The Fisheries Co-management Experience*, Wilson et al, editors; *Native Planters in Old Hawaii*, Handy, Handy, and Pukui). What the Aha Kiōle Advisory Committee has uncovered is that management tools for natural resources can be compatible between traditional management and Western management of these resources. However, the application of these tools without understanding real environmental and ecological conditions is detrimental to natural resources. Without participation of the community in the decision to apply these management measures, even if the community agrees that these are the right measures, results in ambivalence within the community and animosity toward the central authority. When those management measures fail, the community loses faith in the central authority and enforcement of those measures becomes difficult. The Aha Kiōle Advisory Committee process reiterates that traditional management tools are the basic method for management of natural resources. The `Aha Ki`ole believes that traditional management is adaptive.

Traditional communities have long histories and empirical knowledge of the environments and ecosystems of which they are aboriginal. The resulting empowerments of communities to take responsibility for the consequences and reap the rewards of the actions that impact their ecosystems have great social, economic and cultural value. The newly empowered community will look critically at actions outside of their immediate community that impact their local environment and ecosystem.

Traditional natural resource management in Hawaii was to ensure the survival of the community and the culture. All of the food and cultural materials for the population came from the ecosystems and environment of Hawai`i. Resources were managed to be sufficient and sustainable.

Summarizing some of the key differences of traditional and contemporary management determined in discussions with the community. These are some examples of the differences between traditional and contemporary management.

Traditional Management	Contemporary Management
People an integral part of the natural ecosystem	Communities divorced from resource harvesting
Continuous observation of the resource, substantial cumulative knowledge	Short term studies of the resource, brevity of data
Source of knowledge was experiential (generational and empirical)	Source of knowledge is documentation, data and literature
Fishery access rights were tied to customary tenure system	Public ownership of the resources, (fisheries part of the commons)

Management of resources at the community level	Management of resources through a remote bureaucratic authority
Fishing methods using proper conduct at specific times and places	Fishing methods often using codified harvest and effort limits-where there are no regulations harvest is open
Long management planning horizons (spanning generations)	Short management planning horizon (political appointments of managing agency heads)
Tighten and relax controls on the resource use to match low or high cycles of resource productivity and social needs	Conserve each species at its present abundance
Conservation and utilization integral, conservation built into culture	Conservation and utilization are different agendas – meeting social needs is often secondary to the conservation model

These concepts drive the decision-making process for natural resource management, traditional and contemporary. A traditional population may or may not have traditional ecological knowledge about everything that exists in the environment that the population survives in, but they will have specific traditional knowledge about those things that are important to the culture. A traditional community has a long history of occupying an area and has specific knowledge about the environmental and ecological activity that happens in that area. Resource management is site specific and long history at a site yields important information about the site, ecological principals and patterns and cycles of abundance and scarcity. Traditional management often has a built in conservation ethic – “take only what you need,” “fish only in your area,” ask permission if not in your area.”

“I well remember the hilarity of Marques and friends in the valley of Pua-ma`u, Hivaoa over the (to them) fatuous interest of the botanist of our expedition in 1921, who was collecting nameless (“useless”) “weeds” and asking their names. Useless weeds naturally had no names. The lack of interest of the modern scientific horticulturalist in native domesticated plants and their cultivation is of the same order! And likewise, we might add the disregard of most modern fisheries experts, for the native fishermen’s knowledge of marine life; and of the habits of fish and *factors of environment affecting them-E.S.C.H.*” (Handy and Pukui, VI, p. 119, 1998)

Handy compares this native indifference to “useless weeds” to the indifference shown by western scientists to phenomena which have no direct relevance on their own field of study. “Use” and “interest” are not equivalent—“use” implies a practical matter and “interest” a theoretical matter. Survival is experience burdened with precise and unambiguous significance. Traditional natural resource management was practical, not theoretical.

“The appraisal of the local ethno-botany is, then as essential to a comprehension of the life of the `ohana of Ka`u as is that of ocean, land, weather and climate. Within the limitations of their knowledge, ingenuity and cultural heritage, these native Hawaiians' utilization of their available natural assets was well-nigh complete -- infinitely more so than that of the present commercial era which ruthlessly exploits the few things that are financially profitable for the

time being, neglecting and often obliterating the rest. Modern scientific conservation seeks to remedy this situation.” (Handy and Pukui, VIII, p. 212, 1998).

Handy and Pukui states that Hawaiian utilization of the natural resources was “complete” and different from the, then, commercial utilization that resulted in damage and waste of natural resources. They state that modern scientific conservation seeks to remedy the situation. Handy and Pukui’s ecological and historical perspective identifies the loss of water flow, the changing botany and biology of this area as well as the changing patterns of habitation, but provide no recommendations of how this remediation could be effected. The study, though, is a representation of the family systems and resources in this area of Hawaii. It is a snapshot in time. Should we aspire to preserve or restore it?

Contemporary management weakens traditional management by degrees, insinuation and intimidation. The concept of open access to benefit the general public weakens the existing tenure system and rights of access to the resource. The lack of scientific data, even when generational knowledge is widely available, often results in poor management decisions and gives too much discretion to the managing authority. Management of natural resources by a central authority through a distant bureaucracy is not an effective means of conserving and managing a natural resource. Management decisions need to be made in a timely and adaptive manner to specific environmental, ecological, economic, social and political stimuli. The decisions must be made in agreement with the community or compliance and enforcement becomes a problem.

There are as many traditional methods of natural resource conservation and management as there are traditional communities. Each community developed a method for these decisions based on site specific, generational, empirical knowledge.

Adaptive Management includes Traditional Management – A regulatory change

The establishment of global longstanding rules and regulations and lack of, or inequitable, enforcement of those rules is detrimental to the health of the environment and places the community at odds with the central authority. The community is penalized for interacting with the environment and penalized again because they are prevented from harvesting resources at the best times and in the best places.

One of the best examples of traditional adaptive management comes from the generational people of Mo’omomi on the Island of Moloka’i who has successfully incorporated traditional knowledge and cultural practices to preserve their ahupua’a resources to benefit their community. They state “People who freely acknowledge the existence of native Hawaiian music, dance, art and history may somehow fail to comprehend and appreciate the indigenous science of Hawaiians. It was this science that originally guided the adaptation of Hawaiian resource use to their island environments. Long-term use of available resources by many generations was critical for the survival and perpetuation of Hawaiian civilization.

Traditional Native Hawaiian ecological approaches fostered, in modern terminology, “Sustainable use” of natural resources. But contemporary managers should not confuse the Hawaiian system with present-day preservation campaigns that discourage resource consumption. Traditional

Native Hawaiian ecological approaches contrast sharply from. Present-day government resource management and the world of Native Hawaiian practitioners are different from the world of scientific researchers.

Practitioners are people who work on projects that are designed to achieve goals related to long-term consumptive use of natural resources. They conduct scientific experiments in the context of everyday living. Implementation is built into this research; ends and means are not separated. Unlike scientific researchers, practitioners are not neutral. Practitioners are similar to scientific researchers in having an interest in understanding the situation but, unlike researchers, practitioners' interest is in improving situations and in avoiding repeating the same mistakes. For the Native Hawaiian resource practitioner, science is a system for adapting in a constantly changing environment. Subsistence practices involve a form of science that is at once a creative process (learning how to adapt to nature), a culturally defined expression (perpetuating traditional practices) and a problem-solving strategy (obtaining food). These practices emerged from traditional roots and have meaningful links with the past as they adapt to the present.

In the real world of Native Hawaiian practitioner, resource conservation problems do not present themselves as givens. They must be constructed from problematic situations which are puzzling, troubling and uncertain. It is the work of practitioners to convert a problematic situation to a problem. They must make sense of an uncertain situation that initially makes little or no sense. Many of these problems are of modern origins and thus, were never addressed by the ancient Hawaiians. However, Native Hawaiian ways of thinking about nature are holistic, so this science is adaptable to dealing with many present-day resource issues never faced by ancestors. Practitioners thus serve as catalysts for both learning and conservation actions.

Unlike government agencies, Native Hawaiian (and other) resource practitioners have the flexibility and opportunity to test what works and what does not. They are in a position to actually practice “adaptive management” — a cornerstone of ecosystem-based conservation. Adaptive management is an approach that treats natural resource policies as experiments to foster learning, to improve imperfect understanding and to correct previous errors in management goals and directions based on what is learned. Adaptive management requires common sense but is not a license to just try anything.” (Kelson K. Poepoe, Paul K. Bartram, and Alan M. Friedlander, The Use of Traditional Hawaiian Knowledge in the Contemporary Management of Marine Resources)

Instrumental Regulatory Changes Mandated by Court Decisions

Governments have failed to conserve fish stocks, to protect endemic or indigenous flora and fauna, have ignored traditional agricultural, aqua cultural and marine practices, and, in many instances they have exacerbated problems through mismanagement (Jentoft, 1998). Many fisheries agencies believe there is little public support for the aims of fisheries management and the necessities of fisheries regulations (King, etal, 2003). In fact, resource management as a whole is often in crisis mode and natural resource management decisions are sometimes being made in the courtroom as evidenced in three significant cases.

PASH v. Hawaii County Planning Commission, 1995

The first and most significant case is our State Supreme Court's 1995 decision in *PASH v. Hawaii County Planning Commission*, 79 Hawaii 425, 903 P.2nd 1246 (1995) cert. denied, 517 U.S. 1163 (1996). This case involved a challenge by Public Access Shoreline Hawaii (PASH) and Angel Pilago to an application filed by Nansay Corporation to the Hawaii Planning Commission for a Special Management Area (SMA) permit for a 450 acre development in the shoreline area of Kohanaiki on Hawaii Island. Both PASH and Pilago requested a contested case hearing and the Hawaii Planning Commission (HPC) denied the request on the grounds that they did not have standing. The HPC then approved Nansay's permit application. PASH and Pilago sought review of HPC's decision by the Circuit Court which subsequently ruled in their favor. Nansay appealed to the Intermediate Court of Appeals (ICA) and the State Supreme Court after the ICA affirmed the Circuit Court's opinion. The Supreme Court upheld the right of Hawaiians to engage in their traditional and customary gathering activities and opined that the government has an affirmative duty to protect the reasonable exercise of traditional and customary rights of Hawaiians on land less than fully developed.

The court addressed PASH's assertion that the proposed development would infringe upon Hawaiians exercise of traditional and customary gathering activities of 'opae in the anchialine ponds located on Nansay's property. An essential feature of this holding is the Supreme Court's view that the county planning commission has a duty to inquire as to the exercise of traditional and customary rights practiced by Hawaiians on lands for which county approvals are sought and the impact proposed county action (such as approving a permit allowing development) will have on such practices. The Court stated: "[T]he State is obligated to protect the reasonable exercise of customarily and traditionally exercised rights of Hawaiians to the extent feasible." *PASH* at p. 450 n.43.

Ka Pa'akai O Ka Aina v. Land Use Commission, 2000

PASH was followed five years later by *Ka Pa'akai O Ka Aina v. Land Use Commission*, 94 Hawaii 31, 7 P.3rd 1068 (2000), a challenge by Hawaiian practitioners, among others, to the Land Use Commission's (LUC) decision to reclassify over 1000 acres of land in the ahupua'a of Ka'upulehu on Hawaii island from a Conservation to an Urban District designation. The issue on appeal was whether the LUC had met its duty to protect the traditional and customary practices asserted by native Hawaiians by approving the land reclassification.

The court found that the LUC had not fulfilled its statutory duties because it had not reviewed and analyzed the "1) the identity and scope of 'valued cultural, historical, or natural resources' in the petition area, including the extent to which traditional and customary native Hawaiian rights are exercised in the petition area; 2) the extent to which those resources—including traditional and customary native Hawaiian rights—will be affected or impaired by the proposed action; and (3) the feasible action, if any, to be taken by the LUC to reasonably protect native Hawaiian rights if they are found to exist." *Kapa 'akai*, slip op. at p.15. The court vacated the LUC's decision to reclassify the land and remanded the matter for further proceedings.

Kapa 'akai is also instructive for another reason. Ka'upulehu Development Company (KD) attempted to justify the LUC's decision to reclassify the land by arguing that its Resource Management Plan would be sufficient to assure identification and protection of cultural and religious practices of Hawaiians. The court rejected this delegation in strong terms stating:

"This wholesale delegation of responsibility for the preservation and protection on native Hawaiian rights to KD, a private entity, however, was improper and missed the point. These issues must be addressed before the land is reclassified" and further, "...we hold that, insofar as the LUC allowed KD to direct the manner in which customary and traditional native Hawaiian practices would be preserved and protected by the proposed development - - the LUC failed to satisfy its statutory and constitutional obligations. In delegating its duty to protect native Hawaiian rights, the LUC delegated a non-delegable duty and thereby acted in excess of its authority." *Kapa 'akai*, slip op. at p.19.

Waiahole Water Use Permit, Hawaii Supreme Court, 2000

The Waiahole case arose from the efforts of small family farmers and Native Hawaiians, led by citizen groups Hakipu'u 'Ohana, Ka Lahui Hawai'i, Kahalu'u Neighborhood Board, Makawai Stream Restoration Alliance and a coalition of supporters (collectively the "Windward Parties"), to restore streams originally diverted by Central O'ahu sugar plantations. O'ahu Sugar's 1993 announcement of its closure in 1995 sparked a monumental legal battle over the diverted water -- in the words of the Hawai'i Supreme Court, a case of "unprecedented size, duration, and complexity." The Windward Parties sought to return diverted flows to the streams to restore native stream life, such as 'o'opu, 'opae and hihiwai; protect traditional and customary Native Hawaiian practices; support the productivity of the Kane'ohē Bay estuary; and preserve traditional small family farming, including taro cultivation. But large scale agricultural and development interests, including Campbell Estate, Robinson Estate, Kamehameha Schools, Dole/Castle & Cooke, and others, joined by the State, pushed to continue the flow of Windward water to leeward lands to subsidize golf course irrigation, short-term corporate agriculture, and housing development.

Under the State Constitution and the public trust doctrine, the State's first duty is to protect the fresh water resources (surface and ground) which are part of the public trust res. Haw. Const. Art. XI, § 7; *Robinson v. Ariyoshi*, 65 Haw. [641,] 674[, 658 P.2d 287, 310 (1982)]. The duty to protect public water resources is a categorical imperative and the precondition to all subsequent considerations, for without such underlying protection the natural environment could, at some point, be irrevocably harmed and the "duty to maintain the purity and flow of our waters for future generations and to assure that the waters of our land are put to reasonable and beneficial uses" could be endangered. *Id.* However, the duty to protect does not necessarily or in every case mean that all off stream uses must cease, that no new off stream uses may be made, or that all waters must be returned to a state of nature before even the first Hawaiians arrived in these islands and diverted stream water to grow taro. The particular level of protection may vary with circumstances and from time to time; but the primary duty itself remains.

Waiahole is a decisive case not only because it defines the protection of traditional and customary activities by Hawaiians with respect to water as a public trust purpose, but because it articulates a methodology by which existing or proposed diversions of life-giving streams may be

analyzed, critiqued, and where such activities are not in the public interest, to have them reversed or rejected. Whatever constitutional or common law rights Hawaiians may have to practice their traditional and customary ways pales in comparison to the need to have resources available upon which those practices may occur. The simple fact is that without the existence of a resource upon which to practice, there can be no practice.

After *PASH, Kapa'akai, and Waiahole*, governmental entities are required to not only define the traditional and customary rights affected by any proposed action but also to render findings on the impacts and mitigation necessary to lessen the impact on the exercise of these rights and practices by Hawaiians.

Ideally, in an adaptive management approach policies are designed and implemented as experiments to probe the behavior of natural systems. Managers and decision makers develop policy incrementally based on ongoing acquisition of new information. Adjustments in policies and practices are made based on this new information. Unexpected outcomes are instructive findings used to make timely adjustments. However, an adaptive approach requires public confidence in the State's capacity and commitment to make needed corrections responsive to real environmental information free of political bias (Umemoto, 2006). This may be a major barrier in the State's willingness to implement an adaptive management approach. However, this adaptive management approach would not be begun as an experiment to test the behavior of a natural system. It would begin as a community's desire to manage, protect, sustain and/or harvest a specific resource. Data and information would be acquired by the community as part of a community-based natural and cultural resource management plan in cooperation with the State. The State has been given the power to recognize community-based fishery management planning in the past as Subtitle 5, Aquatic Resources, chapter 188, § 188-22.6. That authority expired July 1, 1997. It could be re-visited with stronger and clearer conditions and requirements for communities to participate, cooperatively, with the State to establish management regimes that would provide benefits to the community and regulatory control for the State. Similarly, the Hawaii State Departments of Agriculture, Health and other agencies dealing with natural resources can be examined to better benefit communities as a whole.

An adaptive plan for natural resource management requires that the central authority, the State, develop a management schema, or framework, that allows for quick adoption of rules and regulations and amendments initiated by a community organized along prescribed guidelines for natural resource management. The framework would have criteria for the adoption of management rules and regulations and require active review of the regulations and policies at prescribed intervals. Data and environmental information would be collected through consultation with the community. Management would be responsive to the community as well as the environmental conditions.

Adaptive management is an ongoing cycle of designing and checking a plan and then modifying management as new information is gathered. It implies that communities design a management plan that includes a method of checking and monitoring results, regular analysis and discussion of whether the plan needs modifying and action by the community to continue to manage the resource. The basic process can be summarized as:

1. Make a plan,
2. Implement the plan,
3. Check how it is going,
4. Revise the plan (if necessary),
5. Carry on (Govan, et al., 2008).

Communities cited that in specific locations the global, statewide, rules regulating natural resources were often wrong. Maui communities noted that the Hawaii closed season for spiny lobsters, to afford protection during the spawning period of this species, often misses the actual spawning period on Maui allowing gravid (fertile, berried or egg bearing) females to be harvested when the season opens. Moloka`i community, Mo`omomi, reported that *moi* (six fingered Hawaiian threadfin, a favored food fish), *Polydactylus sexfilis*, spawned at least two times in a year and they are aware of a third spawning period. These spawning periods do not necessarily coincide with the State of Hawai`i closed season for *moi*. The community organization *Hui Malama O Mo`omomi* monitors the *moi* stock to determine the spawning times. It uses this information to advise the Ho`olehua community on when this species should be and shouldn't be harvested. The *moi* can be harvested until it becomes clear that they are preparing to spawn, then a *kapu* is imposed and the actual spawning is calculated (They are known to spawn during a specific moon phase). Once they complete a series of spawns the *kapu* is lifted. Good catches are reported immediately following the spawn, before the spawning aggregation disperses. The communities as a whole recognized that the statewide closed seasons were specific to O`ahu populations of these popular species. It is in these little nuggets of knowledge that proper management can be applied at the fine scale level of the community or individual site that can serve to eventually reverse the decline of the environment and the decrease of favored natural resources.

The traditional community agreed that spawning aggregations of important species need to be protected and the best protection comes from the community themselves. To achieve this protection, community members:

1. Agree that a species is important for the community (inventory and prioritization of natural resources by the community),
2. Understand the behavior of the species in the specific location (biology and life cycles specific to the area determined by direct monitoring of the stock by the community or the community's representatives), and;
3. Agree to comply with the rules of behavior and conduct established by the community (voluntary compliance).

After numerous meetings and reviewing notes taken during these meetings, analysis of the comments shows that the best practice for management of marine and land resources is traditional management which is adaptive management - management that is responsive to the true state of the environment and ecosystem. Understanding the true state of the environment and ecosystem requires real time monitoring of the environment and comparison to a real, not theoretical or some "ideal", baseline of data for each specific location for review and management. This type of management is actually site specific empirical knowledge in active use.

Traditional resource management concentrates on the perpetuation of water, agriculture, aquaculture, near-shore and ocean practices that focuses on the sustainability of the resource. Specific practices that are part of the cultural identity of the traditional native community are still upheld today. For example, where the geography of an area made it impossible to cultivate fish ponds, Hawaiians stocked their lo'i with juvenile amaama, aholehole, moi and o'opu. They knew that the pua (juvenile fish) eat the *limu* (seaweed) that grows where the fresh water percolates in the ocean. Putting fish into lo'i helped to fertilize the kalo and ensured fish for consumption. When the kalo was harvested, the children would go into the lo'i; the o'opu would come to the surface to breath, and then would be harvested.

In conclusion, as evidenced by the three Hawaii Supreme Court cases, the protection of a natural resource and traditional practices associated with those resources are of vital importance to the State of Hawaii. It is commonly believed by the Native Hawaiians that if the Aha Moku Structure had been in place, there probably would have been no need for court intervention.

Further, a community should be exempted from statewide regulations if it self-manages, first planning and then rule-making, a natural resource within their area. The community would be responsible for monitoring the resource, enforcing (citizen enforcement with State enforcement support) the rules and regulations and providing the State with their management plan and natural resources data. The State, in cooperative agreement, and through an adaptive management framework, would assist the community by providing for an opportunity for the community to organize, standards for monitoring the resource and analysis of the information, support for enforcement of the community's rules and regulations and education on natural resource management, natural resource monitoring and enforcement procedures. The State would gain data and information that would otherwise not be available. The community is responsible for:

- Inventorying and prioritization of natural resources that are important to the community,
- Monitoring of the natural resource,
- Establishing rules and regulations for the management of the resource,
- Submitting these management plans to the State and County.

Code of Conduct – A non regulatory process

As a non-regulatory process, a code of conduct becomes an informal social control that can complement an adaptive approach to resources management. Close knit communities may supplant law with informal social controls (Ellickson, 1991).

As traditional communities have come forward, specific codes of conduct have become site specific. While generally typical of the Hawaiian foundation of cultural social mores, community codes of conduct are respected although they differ according to their location. And while these differences are acknowledged, their commonalities are reflected in the example of Hui Malama O Mo'omomi who drafted a fishing code of conduct for shore fishing at Mo'omomi Bay:

1. Let the *keiki* and *kupuna* fish the easily accessible shores. Able-bodied adults can walk to more distant grounds.

2. The ocean is your icebox. Take only the fish you need to eat fresh in the next few days. Don't be greedy and fill up the freezer.
3. Don't waste. Use fish that come up dead or dying.
4. Learn the habits of fish. You will know when to catch them and when to leave them alone to reproduce. This way each fisher acts voluntarily as an individual "marine protected area."
5. Each fisher is his own/her own enforcement officer.
6. Whenever possible, share your catch with family, friends and the elderly so they can eat healthy, local seafood.
7. Respect the ocean and its resources as you would your own family.
8. You don't have to blow up or poison the reef to catch fish. Use legal gear.
9. Don't catch fish that are very large (because they are the most important for reproduction) or very small (before they reach reproductive size).
10. Be *Pono*. When you are making a big catch, think about your children and grandchildren. They will need fish too.

This code is a protocol for fishing commonly used through out the islands by the traditional communities. It demonstrates that the code of conduct is about how fishing is conducted and not how much is taken. It demonstrates that knowledge, of the resource and the environment, is necessary. The goal of the activity is sustainable use and the beneficiary of the activity is the people. Harvest controls are based not on the amounts of fish but at the times and in the places that this activity could occur (Pacific American Foundation, 2001). This holds true for any natural resource whether it is fishing, farming, water or land use.

An important cultural value for the code of conduct is *Kuleana*, responsibility. One cannot exercise the privilege to participate in the management of the resource without being responsible for his/her actions and how those actions affect the resource and the community. The code is filled with expressions and demonstrations of *kuleana*.

The challenge for the community then is:

- Identify important resources and prioritize them,
- Learn and share information and knowledge, biological and cultural, about the resource,
- Establish a code of conduct by consensus for any interaction with the resource,
- Write the code of conduct down and make sure that it is known and understood throughout the community.

Community Consultation Process – Aha Moku Structure

All of the communities that met agreed that they wanted to be consulted and to participate in the natural resource management and governance process. Each locality has specific differences that are not served by State-wide regulations.

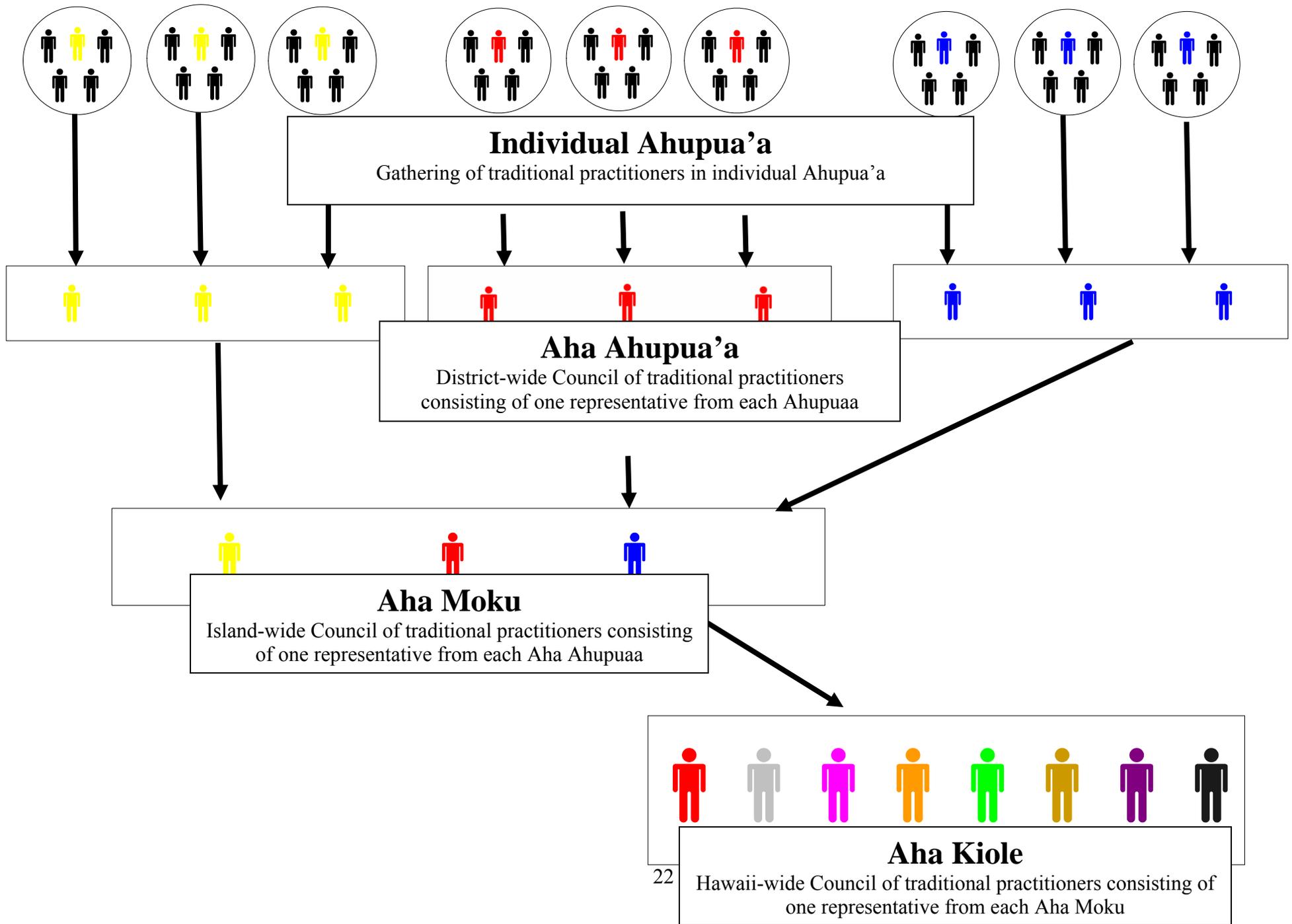
To address this request for representation and participation in the governance process the Aha Kiole Advisory Committee, based upon meetings held statewide, recommends the creation of an Aha Kiole Commission and Aha Moku natural resource management system structure. The Aha Kiole Commission should be a high level commission or Board at the State Department level to effectively advise the Governor and agencies on traditional natural resource and land management issues. The Commission should be made up of representatives, one from each of the main islands, selected by the Aha Moku Council, an island Council of Moku representatives.

The Aha Moku Council will be made up of representatives selected from representatives of the Aha Ahupua'a Councils. Aha Moku Councils will advise Counties on traditional natural resource and land management issues pursuant to County jurisdictions and authorities. They also provide for consultation between communities as well as support and validation of cultural activities and generational knowledge.

Aha Ahupua'a Councils will be made up of representatives selected by communities to serve the will of the communities. Community issues will be addressed first at the community level by being vetted through the community at a community forum. If natural resource management issues can be resolved at the community level through an informal social contract process, then, in this case, there will be no need to go further for resolution. The issue and resolution should be forwarded to the Aha Moku Council and Aha Kiole Council for recording and archiving. If the issue cannot be resolved at the community level or involves more than one community in a Moku, then the issue must be taken to the Aha Ahupua'a Council for vetting through the Moku community (all ahupua'a in a moku).

If the issue is larger or affects more than one moku, or the issue can be identified as being a County issue, then the issue is taken to the Aha Moku Council for resolution. If issues are statewide, they are taken to the Aha Kiole Council for deliberation and resolution. Along with assisting the Ahupua'a, Aha Ahupua'a, and Aha Moku Councils, the Aha Kiole Council will represent the communities in State, national and international forums and arenas. The Aha Kiole Council will also validate cultural values and actions as well as cultural, generational knowledge.

The Aha Moku system would not interfere with a citizen's right to access the government or government agencies but would enhance the community's access to government with support and validation for cultural values, integrity and activities.



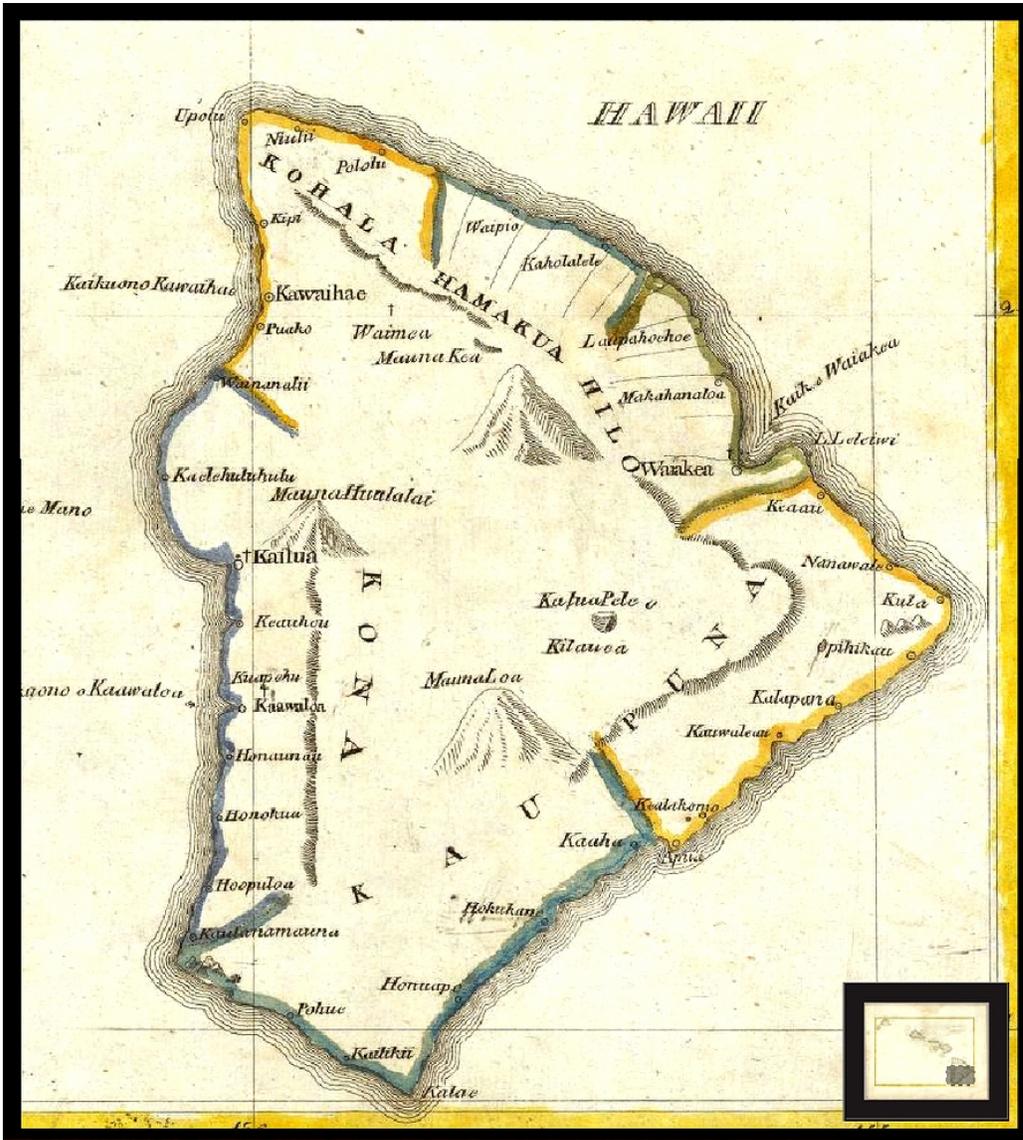
Island Mokuuni Structures

As previously stated, while there has been consensus in the numerous community meetings held statewide from January 2008 through November 2008, on having a voice in natural resource decisions through the Aha Moku System, the issues and concerns of the people differed island to island, moku to moku and were generally based on geographic concerns. To accurately portray the traditional boundaries of the moku and ahupua'a based on natural contours and geography the oldest known maps were used as a base for comparison between "traditional" moku precincts based on oral history and contemporary land demarcations. Thus, in the Pae 'Aina, the listing of island moku and ahupua'a under each island in this section, the maps portrayed were hand drawn by Kalama, a talented Native Hawaiian from Lahainaluna on Maui in 1837. (David Rumsey, Rumsey Map Collection, Na Mokuuni O Hawaii Nei, Kulanui Lahainaluna Maui Maraki 9 1837, Kalama) These maps pre-date the Great Mahele of 1848, the drastic change in Hawai'i's land tenure system from communal trusteeship where all have access to resources and all participated in coordinated cultivation to private ownership causing denial of access to resources and encouraging separate interests.

The term "Aha Kiole" was frequently brought up at community meetings as it is an unfamiliar title to many people in Hawai'i. Hawaiians, as a culture, generally use *kaona*, or deeper meanings and metaphors in their everyday language, or when they describe anything they deem to be important. According to John Kaimikaua, noted Hawaiian historian and cultural expert, "Aha Kiole" is loosely translated to mean "The People's Council".

Per oral history and previously undocumented chants, the Aha Kiole and the Aha Moku System was used on every island prior to the 9th Century A.D. and before other Polynesian cultures came to Hawai'i. This was during a time of peace when the preservation, protection and sustainability of the resources were the driving force of the people. It ensured not only their survival but an abundance of resources for future generations. Thus, although previously retained only by the people of Moloka'i, the term and practice of "Aha Kiole" or people's council survived countless generations from days of old to current times and was a general practice prior to the arrival of the Tahitians in Hawaii.

Moku O Keawe – Island of Hawaii



(1837 Kalama Map, Courtesy of Juan Wilson and David Rumsey Map Collection)

Moku O Keawe, the Island of Hawaii is the largest island with a land area of 4,038 miles representing 62% of the total land area of the Hawaiian Islands. It is comprised of six (6) moku with 397 ahupua'a identified. The six moku are: Kohala with 107 ahupua'a; Kona with 130 ahupua'a; Ka'u with 48 ahupua'a; Puna with 42 ahupua'a; Hilo with 30 ahupua'a and Hamakua with 32 ahupua'a. This listing does not list 'ili which is smaller land divisions within an ahupua'a.

Concerns brought forth by communities to be addressed by an Aha Moku Council are broken down into moku issues and included the following:

Kohala Moku (North)

- Encroachment of development in rural areas that impact the Hawaiian lifestyle and the natural resources;
- Problems with Development & water rights from streams
- Kalo farmers on lower Niulii stream concerned with loss of water. Water flow reduced from 1.4mgd to 32,000 gpd.
- In Kohala Mountain Forest Reserve water diverted within Surety Corp. land.
- Traditional practitioners active in Kohala Community Development Plan,
- Aha Kiole and Moku representatives working with Hawaii County Council to identify Kohala resource issues.
- Identified problems linking cattle with deforestation. Absence of Forest (Wai/Malo'o), compounding problems with Drought & Fire.
- Signed on the Farmers Association as advisors as well as representatives of their own ahupua'a (Waikoloa, Lalamilo, Ouli)
- Attempting to track pollutants from Resorts on S. Kohala shoreline.

Kona Moku

- Correction of misinterpreted names and language posted by the state;
- Pu'uwa'awa'awa ahupua'a project State Forestry/DLNR funding extensive and has been running for three years. Responsibility is from Kumauna to Kahakai. Makai of Queen Ka'ahumanu highway at Kiholo was just approved as a State Park with no input from local residents.
- Kona Blue Ocean Farms requesting additional ocean sites for expansion of their Konpachi (Kahala) farming. Indications of massive infestations of Sea Lice in pens off of British Columbia & Norway. Residents concerned that no studies in Hawaii have been done.
- Expansion of Kona International Airport to two runways slated. Area just west of airport, identified burial site with 12 burials, Family lineage established, access denied and land is being considered as State park.

Kau

- Moku consultation with Developer SeaMountain in Punaluu shows positive results with dialogue on sacred sites, setback, cultural sensitivity, and community concerns. However, the Ka'u Preservation opposes any kind of development in Ka'u.
- Diversion of water from streams a problem
- No jobs, no economic base
- In Ka'u there is near-shore ko'a where deep sea fish like ono, mahimahi, aku and ahi can be caught; traditional deep sea fishing methods are still practiced in Ka'u.

Puna

- In Kalapana, kanaka maoli continue to protect their fishing grounds from the shoreline to the deep sea where they still fish by *kaili* (a handline method used in the deep sea over *ko'a* that went down to 200 *anana* (fathoms));
- Concerns arose about tour vans from several companies flooding all the swimming and fishing areas along the shoreline road. Needs regulation.
- Noted extensive development along Puna shoreline by mainland persons buying existing homes then rebuilding (remodeling) without permits for multi level structures.

Hilo

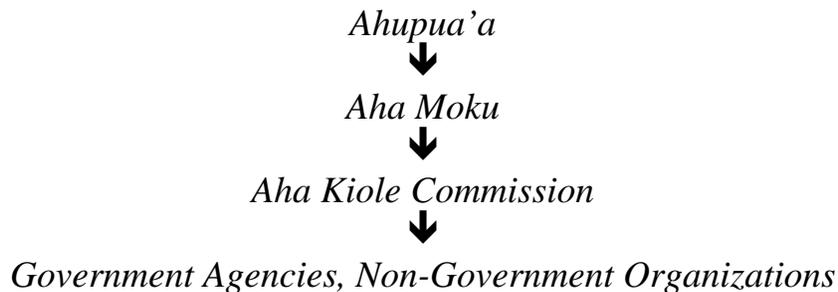
- Water access from mountains into ocean blocked by development; there is opposition to water being diverted from watersheds to commercial enterprises
- There is a need to partner with watershed associations to centralize knowledge on water issues
- In North Hilo at Keanakolu, one patch of Koa grows at 5,500 feet elevation. All other Native forest has been decimated by cattle.

Hamakua Moku

- Piha Forest, one of the last remaining Koa forests on the Hamakua Coast threatened by the introduction of Sugi Pine along the western border. Koa is dying and being replaced by Sugi. Sugi is also threatening the Akala berry and Amau'u Fern.
- Concerns over Native Forest, only one left at Kalopa at about 100 acres at 2,000 ft elevation. All other land was at one time or another plantation, now in pasture or eucalyptus forest.
- Forest at and above 3,900 feet is non existent in Hamakua.
- Community Development Plans are incorporating Aha Moku Councils

The Aha Moku System favored by the native Hawaiian practitioners and resource experts is the Ahupua'a/Moku Structure as this would better serve Moku O Keawe in developing best practices for each moku.

Ahupua'a/Moku Structure for Hawaii Island



MOKUPUNI HAWAII

A Listing of traditional land districts on the Island of Hawai'i.

The Hawai'i Government Survey of Hawai'i Island, Moku O Keawe, in 1886 listed 174 ahupua'a and six moku. Based on oral history and empirical knowledge of traditional boundaries, Native Hawaiian practitioners who attended the Na Ho'ohanohano I Na Kupuna Puwalu Series increased the number to 397.

(Moku – 6)

Ahupua'a - 397

Kohala (107)

Awini	Hukiaa waena	Kipi
Honokane Nui	Hukiaa	Kehenea Ekahi
Honokane Iki	Puu epa Ekahi	Kehena elua
Pololu	Puu epa elua	Pua Nui
Makanikahio Ekahi	Kokoiki 1 & 2	Pua Iki
Makanikahio elua	Upolu	Kiiokalani
Waiapuka	Honoipu	Kaihoa
Niulii	Puakea Ekahi	Pohakulua
Makapala	Puakea elua	Ahulua
Aamakao	Kukuipahu	Kokio
Halawa	Awalua	Kalala Ekahi
Napapaa	Haena	Kalala Elua
Halelua	Kapunapuna	Makiloa
Apuakohau	Kapaa Ekahi	Pahinahina
Kukuiwaluhia	Kapaa elua	Kahuwaliilii
Pueke	Kapaa nui	Kahuwanui
Maulili	Kou	Waika
Halaula	Kamano	Kawaihae Ekahi
Iole	Mahukona Pulehu	Kawaihae Elua
Ainakea Nui	Mahukona Elua	Ouli
Ainakea Iki	Mahukona Ekolu	Lalamilo
Kapaa	Hihiu Ekahi	Puukapu
Honopueo	Hihiu Elua	Waikoloa
Hanaula	Kaoma	Laaumama
Puu Kole	Puehuehu 1	Puehuehu 2
Puu o Kumau	Kapua	Koea
Honomakau	Lapakahi	Pahoa
Koaie	Hawi	Koaeae
Nunuluiki	Kaipuhaa	Kaauhuhu
Lamaloloa	Kahei 1	Paoo Ekahi
Kahei 2	Kahei 3	Kahei 4
Paoo Eha	Hualua	Paoo Elima
Kealahewai 1	Paoo Eono	Kealahewa 2
Kaiholena	Kealahewa 3	Makeanehu
Opihipau	Kaupalaoa	

Kona (130)

Puuanahulu
Puuwaawaa
Kaupulehu
Kukio Ekahi
Kukio Elua
Maniniowale
Awakee
Makalawena
Mahaiula
Kaulana
Awalua Ohiki
Puu Kala
Kau
Honalo
Kuamoo
Kawanui Ekahi
Kawanui Elua
Lehuula Ekahi
Lehuula Mauka
Honoaino Ekahi
Honoaino Elua
Hokukano
Hokukano Mauka
Halekii
Kanakau
Onouli Ekahi
Onouli Elua
Kaawaloa
Kealakekua
Keopuka Ekahi
Kiloa
Kalamakumu
Kalamakapala
Kahauloa
Kahauloa elua
Keei Ekahi

Houaula Ekolu
Puaa Ekahi
Puaa Elua
Puaa Ekolu
Puapuaa Ekahi
Puapuaa Elua
Holualoa
Holualoa Ekahi
Holualoa Elua
Kaumalumalu
Kahaluu
Keauhou Ekahi
Keauhou elua
Pahoehoe Elua
Maunaoni Makuu
Haleili
Haukalua Ekahi
Haukalua elua
Alae Elua
Kaohe Elima
Wainakuu
Kukuiope
Kolo
Olelomoana
Opihihali Ekahi
Opihihali elua
Kaaupuna
Kipahoehoe
Alika
Papa Ekahi
Hoopulua
Honomalino
Okoe Elua
Kapua
Kamanamana
Keei Elua

Honaunau
Keokea
Kiilae
Kauleoli Ekahi
Kauleoli Elua
Kealia Ekahi
Kealia Elua
Hookena
Kauhako
Kalahiki
Waiea
Honokua
Pahoehoe Ekahi
Kalaoa Ekahi
Kalaoa Elua
Kalaoa Ekolu
Kalaoa Eha
Kalaoa Elima
Ooma Elua
Kohanaiki
Kaloko
Honokohau Ekahi
Honokohau elua
Kealakehe
Kealakehe Mauka
Keahuolu
Keopu Ekahi
Keopu Elua
Keopu Ekolu
Hina loli elua
Hina loli Ekolu
Hina Loli elima
Hina Loli Eonu
Auhaukeae Ekahi
Auhaukeae Elua
Honuaula Elua

KAU (48)

Manukaa
Mohokea Nui
Pakini Iki
Makaka Kopu Moaula
Kawela
Paauau Ekahi

Punaluu
Pakini nui
Mohokea Elua
Kiao
Palima
Waiomao

Kahuku
Mohokea Ekahi
Kamaoa
Hionamoa
Palauhulu
Paauau Elua

Kiolakaa
Kauhuhuula
Kahilipali Nui
Halelua
Kioloku
Kaalaala Makai
Hokukano
Puukoa
Hilea Iki
Kapapala

Iliokoloa
Kahilipali Kahaea
Kumu
Kauna Mano
Keaiwa
Hionaa
Makakupu
Hilea Nui
Kailiuka
Wailau

Waiohinu
Kauhuhuula Iki
Kawala
Wailoa
Honuapo
Kaalaala
Kaalaiki
Waimuku
Ninole
Keauhou

PUNA (42)

Apua
Kauaea
Panaunui
Pohoiki
Pulama
Ahalanui
Kapaahu
Kula
Kupahua
Keonepoko Iki
Kaimu
Waikahekahe Ike
Keauohana
Olaa

Kaueleau
Kealakomo
Opihikao
Kamoamo
Laepaoo
Kahaualea
Kapoho
Hulunanai
Kahuwai
Makena
Makuu Popoki Halona
Keokea
Keaau
Keekee

Kahue
Keahialaka
Laeapuki
Oneloa
Poupou
Pualaa
Kaunaloa
Puua
Kaplapan
Keonepoko Nui
Kikala
Waikahekahe Nui
Kehena
Kamaili

HAMAKUA (32)

Manowaialee
Kapulena
Kaohe
Kukuihaele
Koholalele
Waimanu
Paauilo
Nakooko
Kalopa
Honopue
Honokaia

Kapoaula
Kaala
Waikoekoe
Kukaiao
Muliwai
Papalele
Laupahoehoe Elua
Hanaipoe
Waikapu
Paauhau
Kawela

Kaiwiki
Kamoku
Kao
Waipio
Kaohe Elua
Laupahoehoe Ekahi
Pohakuhaku
Apua
Kahawailiili
Nienie

HILO (30)

Waiakea
Kawainui
Kukuau Elua
Kaiwiki
Piihonua

Onomea
Kukuau Ekahi
Honomu
Punahoa elua
Kuhua

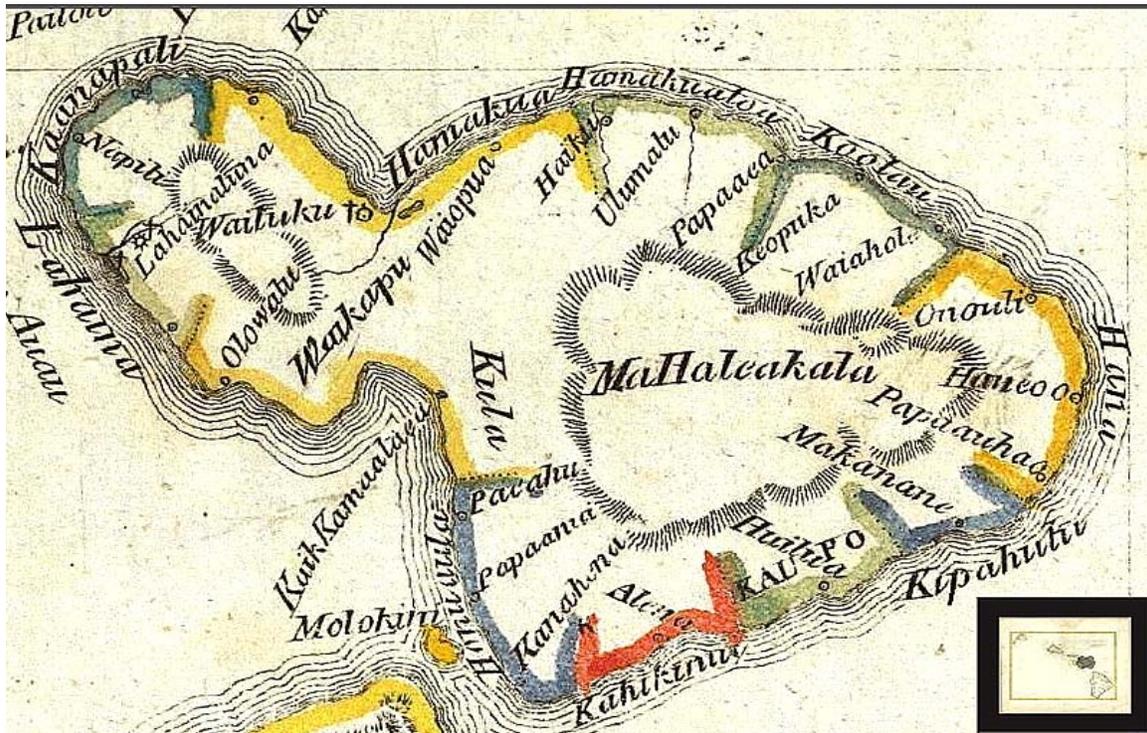
Kulani
Makahana Loa
Punahoa Ekahi
Kaupakuea
Puueo

Hakalau Nui
Alae
Honohina
Kauhiula
Maulua Nui
Kikala
Humuula
Papaikou
Alakahi

Kalalau
Umauma
Wainaku
Waikaumalo
Maumau
Waipunalei
Puueopaku
Aleamai

Kamaee
Paukaa
Piha
Kaiwiki
Laupahoehoe
Pahoehoe
Ookala
Puumoi

Moku O Kahekili – Island of Maui



(1837 Kalama Map, courtesy of Juan Wilson and David Rumsey Map Collection)

The Island of Maui, the third largest island in the main Hawaiian Island chain is 727 square miles with a population of 139,884. With twelve (12) moku and 181 ahupua'a, the Island of Maui has been very active in identifying their issues and organizing their ahupua'a to prepare for the Aha Moku structure. The twelve Maui Moku (with the number of ahupua'a in parenthesis) are: Hamakua (3), Wailuku (9), Kula (7), Kaupo (25), Kaanapali (12), Honuaula (7), Kipahulu (14), Kaupo (25), Kaanapali (12), Honuaula (7), Kipahulu (14), Lahaina (11), Kahikinui (9), Hana (25), Koolau (30), and Hamakualoa (26).

Concerns brought forth by communities that were felt could be addressed by Aha Moku Councils were:

- Aha Moku must take a strong and active role in projects involved with iwi kupuna;
- Removal of marine, land and cultural resources produces sterility rather than fertility;
- Gill net practices are still prevalent regardless of changes in administrative rules
- Haleakala encompasses many different resources;
- Lahaina was a fishing community, but is faced with commercial communities now;

- Lahaina By-Pass Project incorporates serious issues on burials that were taken from project area in 1993 and have not been reinterred. Aha Moku working with Dept. of Transportation on this issue.
- Development areas do not recognize traditional resource areas
- Stream diversion is a serious problem for practitioners and farmers on the East Maui side

The Aha Moku System for Maui includes an additional component. Each of the twelve (12) moku will include committees on land, water, air and ocean.

Ahupua'a/Moku Structure

Ahupua'a (Land, Water, Shoreline, Ocean, Burials, Air)



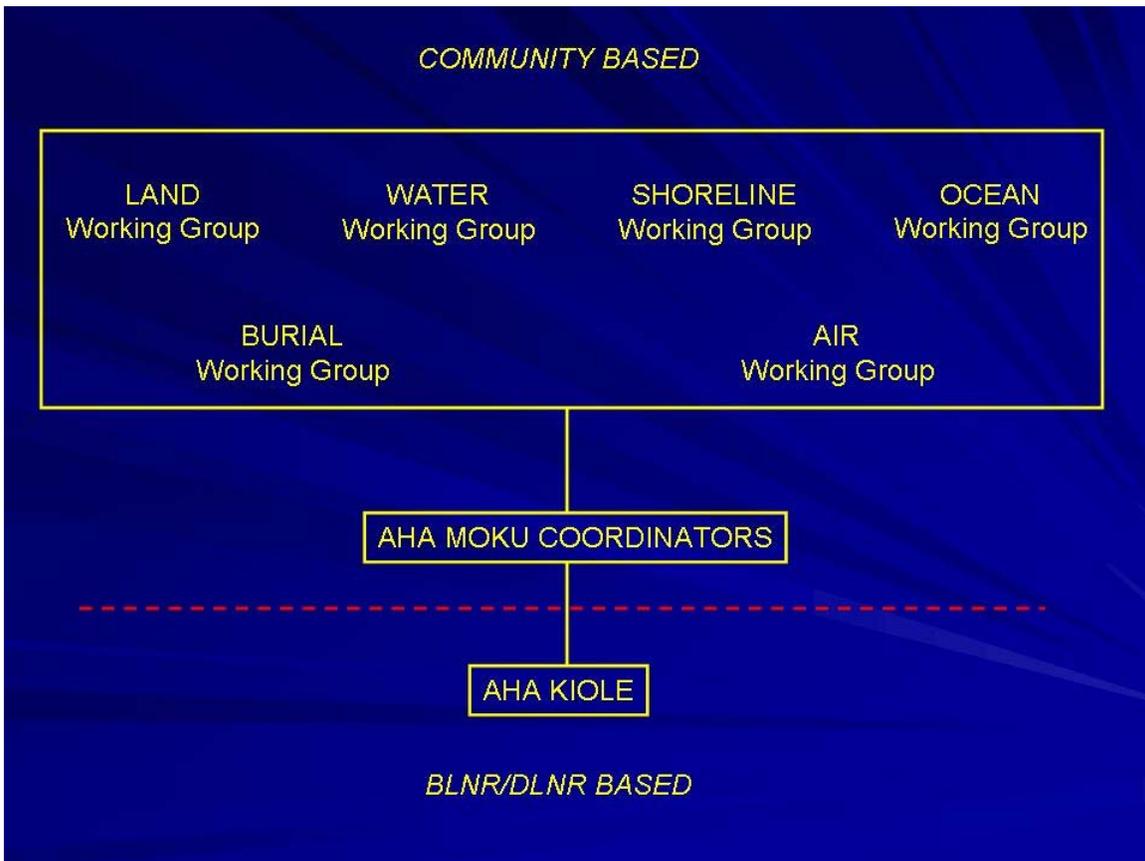
Aha Moku Coordinators – Working Groups (Land, Water, Shoreline, Ocean, Burials, Air)



Aha Kiole



Government Agencies, Non-Government Organizations



Maui Recommendations for Maui:

- Change Aha Moku Council system to the Aha Moku System (remove the idea of a Council)
- Change Aha Moku Council Commission to Aha Moku Community Coordinating Group (AMCCG)
- Change the purpose of the AMCCG from *overseeing* the Aha Moku system to *communicating* with the Aha Moku system
- The role of Aha Moku Coordinators may be filled by more than one person.
- Define the role of the Aha Kiole. The Aha Kiole is a neutral party that serves to relay information from the community to the government.
- Create and implement Aha Kiole Charter and Guidelines.
- Remove the role of an Executive Director. Possibly replace this with a Community Coordinator.

Recommended Aha Kiole Charter and Guidelines for Maui

Mission Statement

To incorporate appropriate native Hawaiian generational knowledge for the preservation, cultivation, and management of all native Hawaiian natural and cultural resources for future generations

I. Purpose/Objectives

- A. To continue communications and provide information to the community-based resource management participants within each traditional native Hawaiian regional boundaries (moku/ahupua'a)
 1. Forward information to the affected moku/ahupua'a communities. Forward recommendations from the moku/ahupua'a to the statewide agencies and committees, and visa versa.
 2. Continue education on the "legislative process" about the, aha moku system to the community-based participants of each moku/ahupua'a.
 3. Provide and continue to develop a "resource list" of community-based participants from each moku/ahupua'a to ensure proper communications are established.
 4. Be available as a mediator when conflicting discussions have developed within each moku/ahupua'a
 5. Gather information from each moku/ahupua'a through its designated points of contacts, or Moku coordinators.

6. Continue to be a neutral party by not becoming involved with issues as a decision maker or voting party.
7. Continue to improve the framework for the agencies and moku/ahupua'a participants, to use as a guide to improve and forward recommendations accordingly.

II. Expected Outcome

- A) The expected outcome is reports and recommendations made by the moku/ahupua'a participants will be forwarded to the state and county agencies for review, in accordance with ACT 212.
- B) The State and county agencies will communicate with moku/ahupua'a participants if there are issues pertaining to the natural and cultural resources from there regional boundary.

III. Aha Kiole Duties

- A. The state/county agencies will be responsible for communicating through the aha kiole to the moku/ahupua'a participants.
- B. Will not have any decision-making power on any issues that may be brought forward by the moku/ahupua'a.
- C. Main function is to be a community coordinator, to receive information from the moku/ahupua'a participants and then provide that information to all state agencies, and visa versa.

VIII. Charter Approval

Prepared By: Aha Kiole Advisory Committee

/S/

Approved By: Moku o Kula, Koolau,
 Hamakuapoko, Hamakualoko, Hana,
 Kipahulu, Kaupo, Kahikinui, Honuaula, Kaanapali,
 Lahaina, and Wailuku Coordinators

Date

Moku O Kahekili

(Island of Maui)

A Listing of traditional land districts on the Island of Maui.

The Hawaii Government Survey of Maui Island, 1885, Moku O Kahekili, listed 178 ahupua'a and 12 moku. Based on oral history, the traditional ahupua'a and moku of Maui was increased to 181 by the Maui lawaia and mahiai attending the Hanohano I Na Kupuna Puwalu Series 2006 and 2007. Further clarification came from an original 1848 land division map of the Great Mahele that listed the Wailuku Moku as

MOKUPUNI O MAUI

Moku – 12

Ahupua'a – 181

(Updated August 2008)

HAMAKUAPOKO (3)

Hamakuapoko
Hokuula

Haliimaile

PU ALI KOMOHANA (WAILUKU) (9)

Kailua
Aapuea
Omaopio
Paukukalo
Waihee

Keahua
Kaliali
Kalopaokailio
Waieha

KULA (7)

Waia
Kaonoulu
Waiohuli
Kamaole

Alae
Koheo
Keokea

KAUPO (25)

Nuu
Pauku
Hikiaupea
Puuomaiai
Kakio
Pohoula
Kepio
Manawainui
Niumalu
Kahuai
Kalihi
Mokuia

Kou
Pukaaauhuhu
Papaauhau
Kaumahalua
Lole
Alaakua
Kumunui
Niniau
Puulani
Maalo
Pualaia
Kalepa

Kaapahu

Kahakuloa
Honokahau
Honokahua
Honokeana
Mailepai
Mahimahina

KAANAPALI (12)

Keikipalaoi
Honolua
Napili
Alaeloa
Kahana
Honokawai

Paeahu
Keauhou
Waipao
Kaeo

HONUULA (7)

Plauea
Kalihi
Papanui

Kipahulu
Poponui
Kikoo
Wailamoia
Alae
Kaumakani
Puuhau

KIPAHULU (14)

Popoloa
Maalili
Halemano
Kakalahale
Papauluana
Paehala
Wailua

Hanakaoo
Paunau
Waihee
Pahoa
Launiupoko

LAHAINA (11)

Wahikuli
Kalaweia
Puuhau
Polanui
Olowalu

Umekahame

Auwahi
Alena
Na Kaaohu
Mahamenui
Waiopai

KAHIKINUI (9)

Lualailua
Kipapao
Na Kaana
Manawainui

Kaoli
Kawaloa
Haou
Pohue
Waihonu
Kakio

HANA (25)

Muolea
Piapia
Pukuilua
Pauiki
Makaalae
Mokae

Hamoā
Aleamai
Wanānaloa
Niumalu
Wekiū
Kaeleku
Kawela

Haneō
Oloewa
Palemo
Waipapa
Honokalani
Kauamanu

KOOLAU (30)

Ulaino
Kēa
Puupaipaia
Waiaho
Opikoula
Makāpipi
Honolulu
Puhaehae
Paakee
Wailuanuu
Kali
Keanae
Keopula
Puukalanipu
Mooloa

Halelaikeoha
Hānālua
Maluo
Kuhiwa
Kukui
Honolulu Iki
Hopenui
Kapaula
Puala
Pauwalu
Pahoa
Honomaui
Loaloa
Koleu
Makaiwa

HAMAKUALOA (26)

Makaiwa
Papa nea
Hanawāua
Hanehoi
Huelo
Honokala
Honopou
Peahi
Uaoa
Uaoa
Opana
Ulumalu
Kuiaha
Haiku

Papāoa
Puumaile
Hoaloa
Waipio
Mokupapa
Hoolawa
Halehaku
Kealinu
Keaaula
Keaaula
Kaalea
Kapuakulua
Pauwela

Moloka'i Pule O'o - Island of Moloka'i



(1837 Kalama Map, Courtesy of Juan Wilson and David Rumsey Map Collection)

The Island of Moloka'i is known traditionally as “Moloka'i Pule O'o” which translates to “Molokai with its ripening prayers” so named because this island has always been noted for its powerful Kahuna, or spiritual guides. Moloka'i is also known as “Moloka'i koa'upu'upe'I” or “Moloka'i with its dreadful warriors”. Molokai warriors were trained not for war, but to protect the people and their riches, or their abundance of natural resources. This prevented other Polynesian cultures from taking control of the island, and ensured that their practices continued. Moloka'i continues to be one of the least developed of the main Hawaiian Islands with a high percentage of people of Hawaiian ancestry

Noted for their numerous fishponds along the south shore, Moloka'i Hawaiians are rich in cultural history. The five moku of Moloka'i are: Kaluakoi (1), Palaau (10), Kawela (32), Koolau (9), and Halawa (7). The people of Moloka'i are strong believers in the Aha Moku system and have begun identifying the issues that affect the moku.

Upon the arrival of the first Ali'i in the 9th Century, A.D., the Aha Kiole Councils were abolished throughout the Hawaiian Islands, except for the Island of Moloka'i. Moloka'i had long been established by the other islands as the center for Kahuna training. Consequently, in understanding the power of Kahuna, the Ali'i left the island's governance structure as it was and it remained an independent island until the time of Kiha a Piilani. Molokai retained its Aha Councils in the midst of Ali'i rule on the other islands.

The Ho'olehua Hawaiian Homestead continues this tradition in and around Mo'omomi Bay on the northwest coast of the island of Moloka'i. This community relies heavily on inshore marine resources for subsistence and consequently, has an intimate

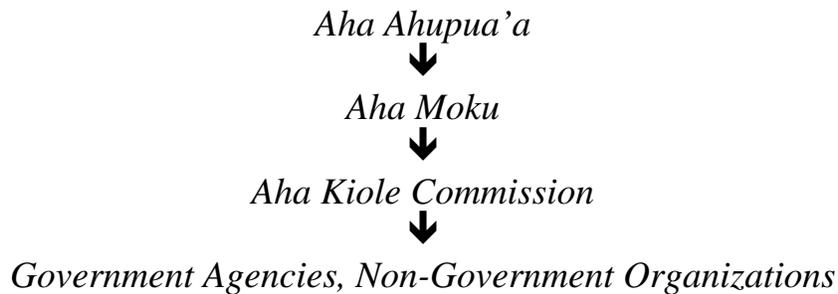
knowledge of these resources. The shared knowledge, beliefs, and values of the community are culturally channeled to promote proper fishing behavior. This informal system brings more knowledge, experience, and moral commitment to fishery and land conservation than more centralized government management and is an example of a successful Aha Moku System.

Concerns brought forth by communities on Molokai are:

- Land speculation and development issues such as La’au Point;
- Water issues and jurisdiction;
- Genetically Modified Organisms (GMO)

The Aha Moku System for Moloka’i is reflected as:

Ahupua’a/Moku Structure



Moku O Moloka’i
(Island of Moloka’i)

A Listing of traditional land districts on the Island of Moloka’i.

The Hawaii Government Survey Map of 1897 originally listed only four moku for Moloka’i. However, the Native Hawaiian lawai’a and mahiai practitioners at the Ho’ohanohano I Na Kupuna Puwala Series 2006 and 2007 adjusted the listings to include the Moku of Halawa per oral history. Further, the traditional name for the Kona Moku is Kawela as related through generational family histories, mo’olelo and chants.

Moku – 5

Ahupua’a – 59 (Updated August 2008)

KALUAKOI (1)

Punako

PALAAU (8)

Palaau

Hoolehua

Naiwa

Kalawao

Kalamaula

Kalaupapa

Makanalua
Kahanui

KAWELA (KONA) (32)

Kaunakakai
Kamiloloa 1
Makakupaia 1
Kawela
Kapuokoolau
Kapualei
Puaahala
Kaamola
Ohia
Kahananui
Kaluaaha
Pukoo
Ahaino
Honomuni
Kainalu
Puniohua

Kapaakea
Kamiloloa 2
Makakupaia 2
Makolelau
Leleiohoku
Kumueli
Puokoolau
Keawanui
Manawai
Ualapue
Mapulehu
Kupeke
Haino
Kawaikapu
Pueleau
Waialua

KOOLAU (9)

Honouliwai
Honoulimaloo
Pohakupili
Keopukauuku

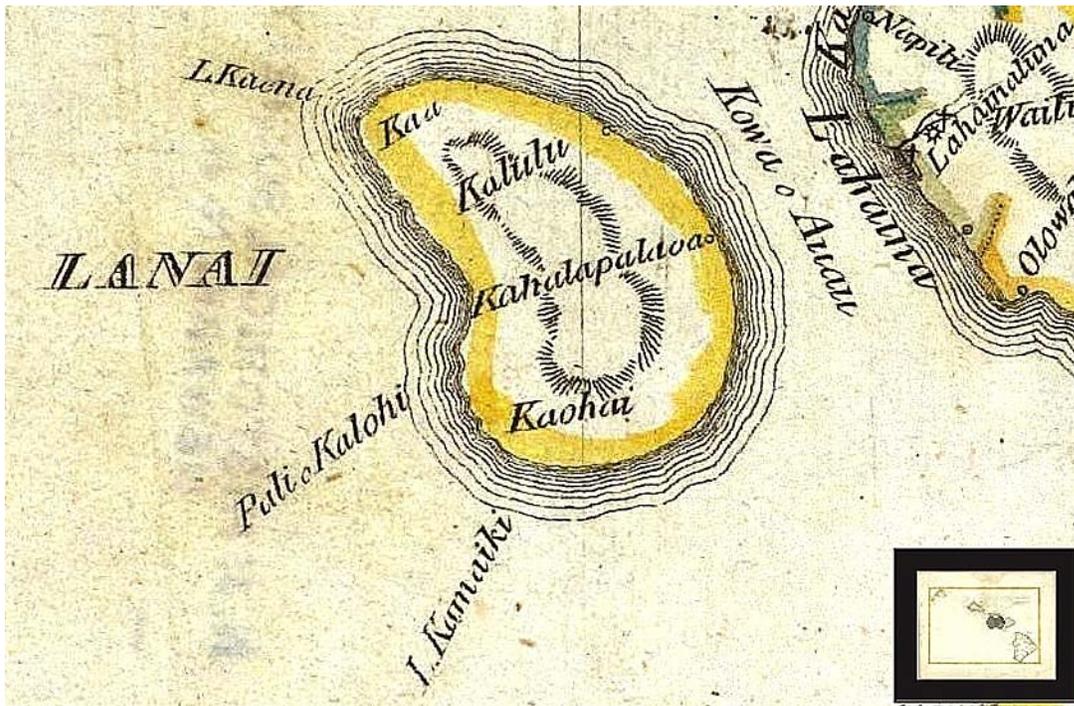
Kalanikaula
Lupehu
Mokea
Keopukaloa

HALAWA (6)

Kikipua
Pelekunu
Kahanui
Moanui

Lau
Waikolu

Nana'i Kaula - Island of Lana'i



(1837 Kalama Map, Courtesy of Juan Wilson and David Rumsey Map Collection)

Once known as the Pineapple Island because of its recent past as an island-wide pineapple plantation, the kanaka maoli of Lana'i is now faced with the unique issue of having most of the island owned by a single landowner, David H. Murdock. In an effort to reinstate Native Hawaiian cultural practices, kanaka maoli have addressed concerns that impact natural and cultural resources as well as bringing to light many Hawaiian cultural practices.

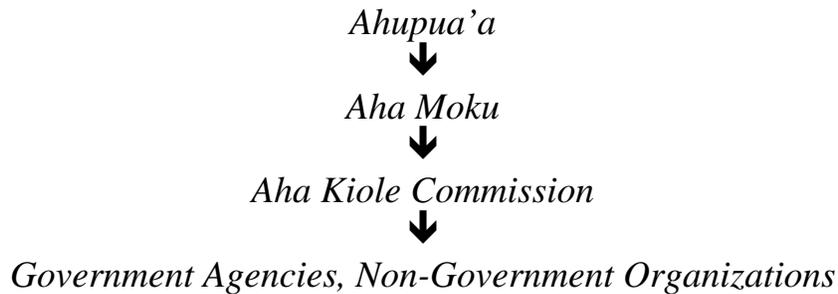
In Lana'i, the cost of living is extremely high forcing the people to rely more and more on subsidizing their living through traditional planting and fishing. Thus, the protection of resources, particularly marine resources is of great import to the community of Lana'i. Issues facing the community are:

- Protection of traditional fishing grounds from development
- Opposition to fish cages, invasive species
- Concern about the proposed wind mills – all energy produced goes to Oahu and is not shared with Lana'i community
- Hawaiians were not consulted by either Maui Fresh Fish or government agencies;
- While the project comes under the State Dept. of Agriculture because this is an aquaculture endeavor, the leasing of submerged lands and impact on marine habitat comes under DLNR. The Aha Kiolo Advisory Committee, and through them, the traditional practitioners of Lana'i and Maui, was not consulted on the

- impacts of this project on traditional fishing grounds in Lana'i, and on the adverse impact of the hatchery in Maui;
- The Aha Kiole Advisory Committee is attached to DLNR as mandated by Act 212, yet DLNR has not, and continues to resist consultation with the island Kiole resulting in community feelings of distrust towards the State of Hawaii.
 - The area chosen is the last traditional and most heavily used fishing grounds by traditional and mainstream fishermen for opakapaka for Lana'i, Maui and Molokai;
 - There is no data given on what other marine species in the area will be impacted;
 - Community fear is that once these cages are situated, they will permanently destroy or at the least, adversely interfere with the traditional fishing koa located in the exact areas for the planned cages.

The preferred Aha Moku System as stated by the Lana'i community is:

Ahupua'a/Moku Structure



Moku O Lana'i
(*Island of Lana'i*)

A Listing of traditional land districts on the Island of Lana'i.

The Hawaii Government Survey Map of 1878 listed two moku, Koolau and Kona for the island of Lana'i. However, an 1837 map by Kalama of Lahainaluna shows 4 moku – Ka'u, Kalulu, Kahalapalaoa (going across the island) and Kaohia. The moku and ahupua'a listed below are reflections of the 1878 government map. Traditional ahupua'a as known by generational families of Lana'i are currently working on the earlier map to correctly align the original ahupua'a boundaries.

Moku – 2

Ahupua'a – 13 (Updated August 2008)

KOOLAU and KONA (13)

Kaa	Paomai	Kamoku
Mahana	Maunalei	
Kaiulu	Kaunolu	
Palawai	Paawila	
Kaohai	Kamao	
Kealiaaupuni	Kealiakapu	

Moku O Kanaloa – Island of Kahoolawe



(1837 Kalama Map, Courtesy of Juan Wilson and David Rumsey Map Collection)

The island of Kaho'olawe is actually the summit of a single volcanic dome. It is one of the oldest of the main group of Hawaiian Islands and is part of the geological birthing of the volcanic series that birthed Maui, Molokini, Kahoolawe, Moloka'i and Lana'i. Kaho'olawe is 11 miles long and six miles wide it has a land area of 45 square miles. Kaho'olawe is separated from Maui by the 6.9 mile wide Alalake'ike Channel and from Lana'i by the 17.5 mile Kealaikahiki Channel.

Kahoolawe has three (3) traditional moku: Kona, Ko'olau and Molokini with sixteen (16) ahupua'a as identified by Kauwekane, the noted historian and practitioner of Kahoolawe.

Kaho'olawe is a sacred island to Hawaiians. It is a place deeply rooted in the history, culture and religion of the Hawaiian people. Archaeological evidence supports the fact that Hawaiians were on Kahoolawe as early as 400 A.D., settling in fishing villages along the coast. To date, nearly 3,000 archeological and historical sites and features, inventoried through 2004 show Kahoolawe as a navigational center for voyaging, the site of an adze quarry, an agricultural center, and a site for religious and cultural ceremonies. Traditionally, the island has been revered as a wahi pana and a pu'uhonua.

Although much as been learned about Kahoolawe through archaeology, more needs to be brought forth on how the island traditionally and currently is still used by Hawaiian lawaia (fishermen) for its marine resources. Native Hawaiian communities on

Maui, Lana'i, and Molokai still use the currents surrounding Kahoolawe and its seasons to gather and fish. Traditionally and through generations, the resource practitioners of Honua'ula of Makena, Maui frequented and used Kahoolawe as a gathering and fishing area. It is this community that knows the natural resources of Kahoolawe best although there are still traditional fishing communities and families in Maui, Lana'i and Moloka'i who connect to the currents of Kahoolawe for fishing.

The Legislature created the Kaho'olawe Island Reserve Commission (KIRC) to manage the Kaho'olawe Island Reserve while it is held in trust for a future Native Hawaiian sovereign entity. The Protect Kaho'olawe 'Ohana, a grassroots organization is dedicated to the Island of Kahoolawe.

The Aha Moku System for Kahoolawe is unique. Because the island is unoccupied, the ahupua'a structure encompasses the genealogical native practitioners and community of Honua'ula of Maui as the ahupua'a connected to the island. Further, the System would include the Kahoolawe Island Reserve Commission and the Protect Kaho'olawe 'Ohana in lieu of the Aha Moku Council to work hand-in-hand with the Aha Kiole Commission.

Ahupua'a/Moku Structure

Honua'ula Community (Ahupua'a)



KIRC, PKO, Aha Kiole Commission (Aha Moku)



Government Agencies, Non-Government Organizations

Moku O Kanaloa

(Island of Kahoolawe)

A Listing of traditional land districts on the Island of Kahoolawe.

There have been no government survey maps showing the Moku or Ahupua'a for Moku O Kanaloa. However, traditional practitioners who have generationally used this island concurred with the Kahoolawe Island Resource Commission in the original place names, ahupua'a and moku. These names were confirmed by lawaia and mahiai at the Ho'ohanohano I Na Kupuna Puwalu Series 2006 and 2007, and by generational descendents in November, 2008

Moku – 3

Ahupua'a - 22

KONA (8) - Unoccupied

Hana Kanaia
 Lua Kealia Laio
 Kamohio

Wai Kahalulu
 Aleale Puu Koae
 Puu Moiwi

Kanapou

Hakioawa

Honokoā
Kuheia
Papahaiki
Hakioawa

KOOLAU (7) - Unoccupied

Ahupu
Kaulana
Lua Kealia Luna

MOLOKINI - Unoccupied

HONUAULA (7) – (Maui)

Paeahu
Keauhou
Waipao
Kaeo

Plauea
Kalihi
Papanui

community. Response from Kupuna: This is a different time from when our ancestors took care of the resources. However, the ancient system worked because it was centered on the resource – it can work today.

- Concern: There are 1600 units of affordable housing to be built on the Waianae coast. The government will not listen to our concern that this will affect our watershed and our estuaries;
- If the community comes together to base a plan on the ahupua'a principles, how can this help? (Response) The agencies will know who to talk to in the community – that is a first step.
- We must initiate our seasonal closures on fishing and farming. Our traditional practices are still being used regularly but government and scientists who are not from here do not acknowledge this because they do not know it. We must teach.
- Concern: Neighborhood Boards only help developers, and they are connected only to the City and County of Honolulu.
- Concern: Boundaries must be established on the ahupua'a to determine who has jurisdiction and resources, both past and present, must be identified.
- Jet Ski's in the Ahupua'a O Kahana - Scare away all the akule, moi and mullet/all fish. We need to also have laws on "recreational ocean activities".
- Jet Ski's should be outside the breakers/Reef is the feedback from group.
- Closing off areas that the native Hawaiians fish/Sanctuaries/kapu system
- Fish spawning seasons must be acknowledged
- Other issues regarding squid and opihi were also discussed
- Banning Night diving/pole fishing
- Netting is a big concern- the amount of nets allowed to catch fish 135 feet to 150 feet one piece /Lau -deprive fishermen of teaching children
- A request to add Kiole responsibilities into any educational presentation to be given to the communities;
- Use one model of community participation on all islands;
- Informational presentations are focused in a universal tone to include all ethnic races;

Ahupua'a/Moku Structure

The Aha Moku System for O'ahu, as agreed upon by communities follows as:



Moku O Kakuhihewa
(Island of O'ahu)

A Listing of traditional land districts on the Island of O'ahu.

The original listings for the moku and ahupua'a of Moku O Kakuhihewa were from the Hawaii Government Survey map of 1902. However, the listings were updated by using the Pre-Mahele Moku and Ahupua'a Listing prepared by the Hawaiian Studies Institute, Kamehameha Schools, 1987.

Moku – 6

Ahupua'a – 88

WAIALUA (14)

Kawailoa	Pa'ale'a
Kikahi	Kapaeloa
Auku'u	Lauhulu
Kuikuiloloa	Punanue
Kamananui	Mokuleia 1
Kawaihapai	Mokuleia 2
Kaena	Kealia

WAIANA E (8)

Kahanahaike	Keawaula
Makua	Ohikilolo
Keaau	Makaha
Waianae	Nanakuli

EWA (13)

Halawa	Honouliuli
Hoaeae	Waikele
Waipio	Waiawa
Manana	Waimano
Waiau	Waimalu
Kalauao	Ili
Aiea	

KONA (6)

Moanalua	Kahauiki
Kalihi	Kapalama
Honolulu	Waikiki

KOOLAUPOKO (12)

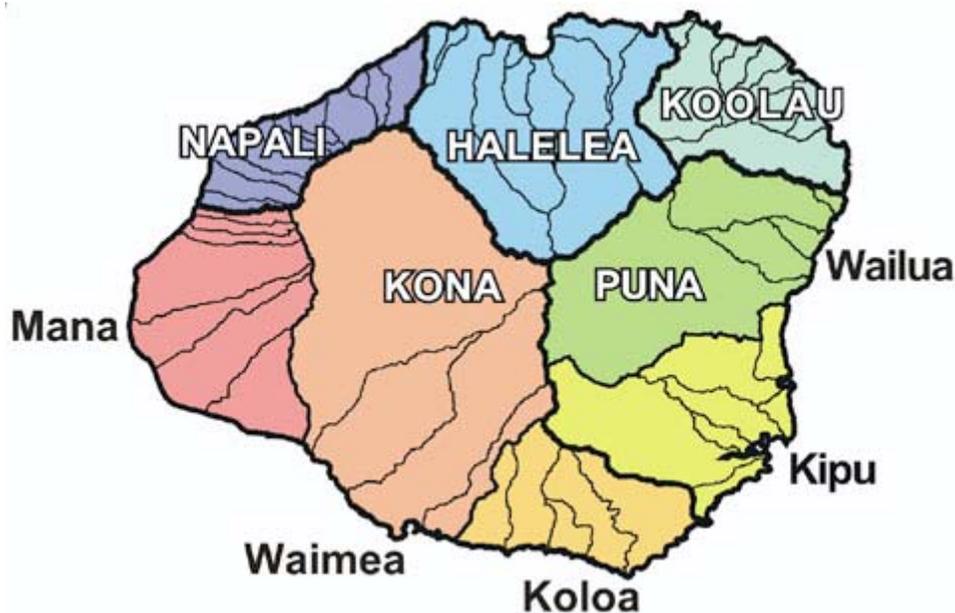
Waimanalo	Kailua
Kaneohe	Heeia
Kahaluu	Waihee
Kaalaea	Waiahole
Waikane	Hakipuu
Kualoa 1	Kualoa 2

KOOLAULOA (35)

Kaaawa
Punaluu
Hauula
Laiemalo'o
Keana
Punaluu
Oio 1
Hanakaoe
Pahipahialua
Kaunala
Pupukea
Laiewai
Opana 1
Makana 1
Puheemiki
Haleaha
Kapaka
Kaipapa'u

Kahana
Kaluanui
Kaipapau
Malaekahana
Kahuku
Ulupehupehu
Oio 2
Kawela
Waialea
Paumalu
Waimea
Waiono
Opana 2
Makana 2
Kapano
Papaakoko
Makao

Mano Kalanipo – Island of Kaua’i



(1837 Kalama Map, Courtesy of Juan Wilson and David Rumsey Map Collection)

The oldest island in the Hawaiian Island chain, Kaua’i is traditionally known as Mano Kalanipo, yet also known as the Garden Isle because of its lush scenery and frequent rainfall. With its strong Hawaiian history, kanaka maoli of Kaua’i are protective of their resources. The six Moku of Kauai are: Koolau (10), Halele’a (7), Napali (7), Waimea (13), Puna (12), and Kona (12).

In public community meetings held in early part of 2008, concerns brought forth were:

- Business permits approved on the South Shore – 1500 new homes to be built with no infrastructure
- Fresh water fishing on Kauai very low
- Water diversions are continuous with streams being diverted for personal use
- Half of Kauai is not inhabitable. There are 20 to 30 miles of coastline that is currently inaccessible, but Hawaiians lived there for thousands of years
- Invasive species attacking the maili laulii – agencies not responsive
- Kuleana lands in Koloa and Poipu being threatened by development
- Fish stock around Kauai low due to a number of reasons: overfishing by people who do not know the resources; unchecked erosion; large population affecting marine resources on the coastline; golf courses.
- Kauai is home for the akuli. Must take care of harbors and streams to protect the akuli.

Subsequent community meetings were held in November, 2008 with concerns broken down by Moku:

Halele'a/ Na Pali Moku

- Iwi Displacement
- Coastline erosion
- Water/stream flow to lo'i
- Moi (fish) replenishment
- Access to fishing grounds
- Beach access
- Stream diversion in uplands
- Removal of invasive species, i.e. Limu, fish, etc.
- Regrowth and replenishment of sustainable limu, fish, etc.
- No GMO of taro until studies are complete
- Runoff of stream, reef, ocean
- Farms, new construction, golf course maintenance
- Need for enforcement/monitoring
- Fishing rules, / etc.
- Rock removal, etc.
- funding for enforcement, i.e. Entrance fee to Haena State Park

Ko'olau Moku

- State (DLNR)
- Cement stream flow into Kaloko Res.
- Reestablish stream flow above Kaloko to original flow.
- Illegal stream diversions
- Stream energy into electricity
- Quality of stream and food resource for native fish
- Eradication of invasive (plants)
- No GMO of plants/ need edu.
- Need more accurate info on GMO not from manufacturer
- More land for farming at lower cost
- Agriculture land zoning to permit more workers
- Building codes to make more affordable housing
- "If ocean is healthy, mountains will be healthy"
- Structure: start with moku while trying to develop Ahupua'a council (breakout#2)

Puna Moku

- Protection of iwi from development.
- Pollution in river
- Restoration/maintenance of sacred sites in river area
- Board walk being built on sand ---monitor and report on issues
- Inventory of resources by & for the community identifying responsibilities of Konohiki or Kahu
- Health care for Kupuna
- Identify lands set aside for diversified agriculture for food security

- Stop privatization of water resources for water security
- Traffic congestion
- Over development of beaches
- Ships/runoff/pollution of waterways (EPA)
- Association too big, need to be broken down into 'ili

Kona Akau Moku

- Water quality – (ocean, stream) lack of fish, loss of Habitat, runoff from golf courses: hotel pools (chlorine), stream diversions: illegal fishing (size) tourism (sun block)uses, make a booklet for incoming tourists, no more fishponds.
- Agriculture (lack of) – GMO presence in Hanapepe (Mansanto), Leasing of CARO lands (H20), soil is destroyed (cane production), community garden is good, reforestation (invasive species removed).
- Archaeology – Hapa Trail Preservation and Sacred sites. Koloa lo'i field/auwai system unique to Kauai: “Kane-i-olo-uma,” Makahiki Grounds. Restore, preserve, educate.
- Cultural Preservation (education). Perpetuation of cultural knowledge
- Gathering rights – something to gather for healing.
- Military presence & experimentation causing damage to the environment. I.e. Dead killer (Orca) whale.
- Sustainable – Canoe Club; community gardens; clean up; hunting access; shoreline access.
- Wetlands (fishponds) preservation.

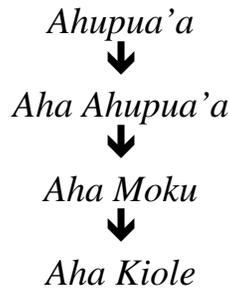
Kona Hema (Mana, Kekaha, Waimea, Pakala/Makaweli)

- Resource Management in area:
 1. Control of invasive species, restoration of native endemics, maintenance and monitor.
 2. Water Issues: Water purity- Potable/drinking, Non-potable/Agriculture (control & usage): Testing (including soil): Pesticides, herbicides, chemicals. Use of GMO in Agriculture- More education and research development needed to be given to community.
 3. Resource Management of consumable products used by the public whether private or commercial. Needs regulations. Monitoring and control.
 - Flora and fauna of area: mailelauli'i, pohaku, pupu, koa, kauila, iliahi, la'au, etc.
 - Hunting game-Feral animals: pig, goat, deer, sheep, turkey, wild fowl, etc.
 - Fishing game-any and all types of freshwater or ocean.
 - Sacred Sites - preservation, restoration and maintenance, designated Kahu for area needed.
 - Ko'a, Kilo, Heiau, ancient settlement sites, 'iwi, etc.
 4. P.A.S.H. – Native Gathering Rights, Public Access need regulations, monitoring/limitations.

5. Recreational Areas – Management/Regulations, commercialization, monitoring, etc.
 - Recreational vehicles, ships, boats, water-skis, jet skis, motorized water vehicles including Kayaks, helicopters, planes, etc.
 - Monitoring/taxation funds for the native people to use native lands.
6. “Greening” of Kauai- everyone should get involved in “going green,” “reuse/recycle,” and not filling the landfill with foreign wastes. Mālama Āina.

Ahupua’a/Moku Structure

The Aha Moku structure approved by the communities of Kauai is:



*Mano O Kalanipo
(Island of Kaua’i)*

A Listing of traditional land districts on the Island of Kaua’i.

Taken from the Na Mokupuni O Hawaii Nei, Kulanui Lahainaluna Maui Maraki 9 1837, Kalama. Kauai uses the term “Kalana” to group a number of ahupua’a within a Moku. The Kalana often takes on the name of the largest ahupua’a within a specific area. The Ahupua’a listed were confirmed by Native Hawaiian lawai’a and mahiai practitioners at Hanohano I Na Kupuna Puwalu Series 2006 and 2007

Moku – 5

Ahupua’a – 73

(Updated November 21, 2008))

KOOLAU (9)

Aliomana	Anahola
Kilauea	Lapauli
Moloaa	Namahana
Papaa	Pilaa
Waiakalua	

HALELEA (9)

Haena	Hanalei
Kalihikai (Anini)	Limahuli
Lumahai	Wainiha
Waikoko	Waipa
Waioli	

NAPALI (11)

Awawapuli	Hanakapiai
Hanakoā	Honopu
Kalalau	Kauhao
Kawaiki	Makaha
Milolii	Nualolo
Pohakuao	

KONA (18)

(*Kalana – Koloa, Mana, Waimea)

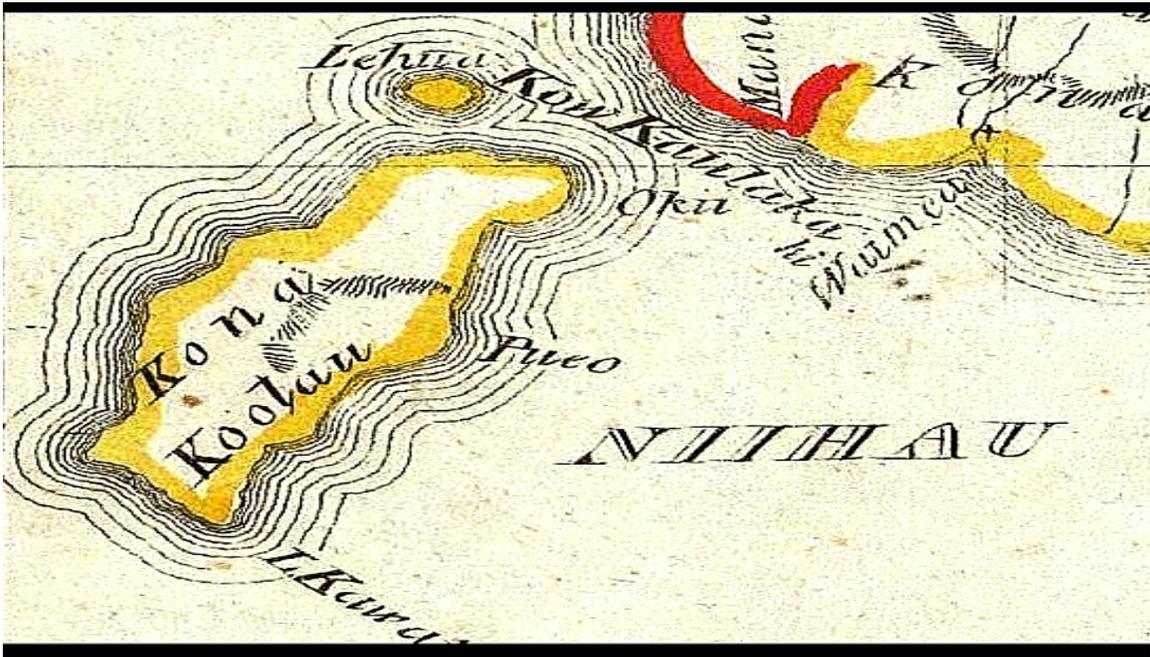
*Koloa	*Mana	*Waimea
Kalahe’o	Haelele	Hanapepe
Kukuiula	Kaulaula	Hoanuanu
Lawai	Niu	Makaweli
Mahaulepu	Pokii (Kekaha)	Wahiawa
Weliweli	Polihala	
	Waiawa	

PUNA (13)

(*Kalana – Wailua and Kipu)

*Wailua	*Kipu
Kapaa	Haiku
Kealia	Hanamaulu
Kamolomalo’o	Kipukai
Waipoli	Lihue
	Nawiliwili
	Ninini
	Nukolii

Mokupuni O Ni'ihau - Island of Ni'ihau



(1837 Kalama Map, Courtesy of Juan Wilson and David Rumsey Map Collection)

The island of Ni'ihau, located eighteen miles southwest of Kaua'i, is a privately owned island. It is the only island whose population of native Hawaiian, Kanaka Hawaiian, still speaks its indigenous Hawaiian language. The majority of its population is pure Hawaiian. Deliberately cut off from the influences of the outside world, for over a century access has been limited to those Hawaiian families who live and work on its privately owned cattle and sheep ranch.

Ni'ihau is about eighteen miles long, three to six miles wide, and relatively flat. Most of its seventy square miles are less than five hundred feet and its highest point, Mt. Paniau, is only 1,281 feet above sea level and gets about twelve inches of rain a year. Because of its size, dry climate, and minimal amount of fresh water, Ni'ihau people know of generational water conservation methodology and seasonal drought and water conditions which are strictly shared community responsibilities. Ni'ihau people practiced generationally throughout the Northwest Hawaiian Islands, particularly using the Island of Nihoa.

Today the island shelters about 250 residents, all Native Hawaiians whose basic needs are provided by subsistence living. Ni'ihau Ranch supplements their lifestyle with salaries, basic foods, and medical care.

There are two Moku on Niihau: Kona and Koolau. Ni'ihau also has numerous 'ili (smaller land divisions). The island's pasture lands support cattle, wild turkeys, and sheep grown mostly for wool. Other exports include honey and charcoal made from keawe trees. Niihau is also known for the tiny seashells that families gather off the beaches and string into beautiful leis. The lifestyle is traditional Hawaiian with gathering, planting and fishing all in their native language. The people follow a seasonal Mahina calendar for Niihau and live under a genealogical konohiki system using traditional resource methodology to sustain natural resources.

While always protective of their island resources, the people now face modern intrusions into their traditional lifestyle. Their concerns include:

- The need for recognition and acknowledgement of a living traditional and genealogical Konohiki kapu system;
- the need for stronger protection of their ocean resources – marine recreation vessels bombard Niihau waters and desecrate the reefs; destroy and Clorox fishing holes;
- there is NO enforcement from government regulators responsible for the permits given to these vessels;
- the need for a Ni'ihau personnel Dept. of Conservation and Resource Enforcement (DOCARE) officer from Ni'ihau and based on Ni'ihau;
- the need for a one-mile kapu zone for seasonal closures to manage resources;
- the possibility of making Ni'ihau a *wahi pana* or sacred place – a refuge Pu'uhonua;
- The possibility of using Ni'ihau as a breeding refuge for monk seals.

A further concern for the people of Niihau is the issue of the Northwest Hawaiian Islands. Community meetings were sponsored throughout the State in June 2008 by the Co-Trustees of the NWHI by way of a Memorandum of Agreement (MOA) signed on December 8, 2006 between the Secretary of Commerce, the Secretary of the Interior, and Governor Lingle.

The MOA provided that management of the Monument is the responsibility of the three parties acting as Co-Trustees:

- The State of Hawai'i, through the Department of Land and Natural Resources
- The U.S. Department of the Interior, through the Fish and Wildlife Service
- The Department of Commerce, through the National Oceanic and Atmospheric Administration
- The MOA also established the institutional arrangements for managing the Monument, including representation of Native Hawaiian interests by the Office of Hawaiian Affairs on the Monument Management Board.

The people of Ni'ihau have traditionally been connected to the Northwest Hawaiian Islands for generations. Their lawai'a practices have always included the NWHI for which the people have empirical knowledge. Their concerns are:

- No input on the draft cultural plan for the NWHI was requested of the traditional Hawaiian community beforehand;
- The Hawaiians were not consulted or asked about the NWHI becoming a monument in the first place;
- DLNR does not consult with the Hawaiian community through the Aha Kiole although the Kiole is attached to DLNR through Act 212.

Ahupua'a/Moku Structure

Because Ni'ihau is an island that follows the konohiki system of resource management with genealogical managers, the Aha Moku System would be:



Eligibility Criteria for serving in the Aha Moku Resource Management System

By far, the most important of all the eligibility criteria required to serve in the Aha Moku natural resource management system is the requirement for cultural, generational knowledge. Generational knowledge may be criticized as implying a racial bias in the selection criteria for Aha Ahupua'a, Aha Moku or Aha Kiole service. This is not true. The focus of the Aha Moku System is the sustainability of the resource. Nor does it imply that the workings of the Aha Moku system will be without rancor or criticism. After all, each member in a position of responsibility will have to balance the needs and desires of the community with what is known about the resource. Excellence in service and excellence in knowledge are cultural values (Kanahele, 1993).

Knowledge is an excellent criterion for participation in the decision-making process for this natural resource management system. The participating community confirms generational knowledge of a practitioner. The criteria for serving in the Aha Moku Resource Management system:

1. *Malama`ahupua'a*-(know and care for the entire `ahupua'a);
2. Understand issues related to water, land, ocean and shoreline;
3. *Pulama noi, `ae, ho`ole*-(understanding the value and being capable of making requests, consenting and denying);
4. *`Ike hanauna*-Has generational knowledge of fishing, farming, land, water and ocean use methodology based on the traditional `ahupua'a system;
5. *Mauli ola*-Has knowledge of the spiritual connectedness between natural resources and Native Hawaiian culture;
6. *`Elele Ho`ohiki*-Can respectfully communicate with wisdom and insight among `ahupua'a constituents, fellow `ahupua'a representatives and Government, and;
7. *Kuleana*-is sanctioned by the community and acknowledged as an expert traditional practitioner responsible for ahupua'a accountability.

A recommended document supported by the traditional practitioners has been drafted to assist communities in identifying those who can best assist in integrating generational and empirical knowledge to the protection and preservation of natural resources in their specific land districts.

(Sample application for selection/election of ahupua'a/moku leadership)

Ka Palapala Ho'ike Pilina 'Aina

Aloha e ka hoa, Aloha 'Aina,

*'A'ohe kanaka e kama'aina ai ka mahi'ai koe wale ka mahi'ai.
'A'ohe kanaka e kama'aina ai ka lawai'a, koe ka lawai'a.*

*No man is familiar with farming except the one who farms (mahi'ai).
No man is familiar with fishing except the one who fishes (lawai'a).*

From ancient times those sources from the highest lewa, the wao akua, the ‘aina, kai, and even from the deepest depths of the ocean, the papakuokamoana sustained our kupuna. They acknowledged Ke Akua and understood their kinship or pili to those sources that fed them, housed them, healed them, provided their transport and even adorned them.

Today we have the opportunity to malama those sources in ways taught by kupuna, applying your ‘ike or knowledge as a practitioner. Mahalo for your interest in serving your ahupua’a. It is indeed a commitment of aloha and selfless service.

Name: _____

Contact information:

Phone: _____

Address: _____

Email: _____

Ahupua’a that I reside in: _____

Leadership Criteria

Please fill in this portion which clarifies your position on issues of ‘Aha Kiole leadership expectations. Your moku community will review this portion of your application for the election process.

Has knowledge handed down generationally regarding fishing, agriculture, land use methodology based on the ‘ahupu’ a’a system, and/or practitioners of Hawaiian cultural arts

_____ ‘Ae, I am a practitioner in the area of _____ (lawai’a, mahi’ ai, etc) and I received this knowledge from _____.
Who taught you your knowledge? _____.
How long were you a practitioner? _____.

- *Has knowledge of the spiritual connection between natural resources and native Hawaiian values and practices*
Explain what your spiritual connection and understanding of your ahupua’a/moku is: _____

Must always perform service for the common good of the community, without a personal motive or agenda for self or interest groups
Are you able to put the needs of your community and moku before your own personal needs in the interest of good natural and cultural resource management?

- *Must be able to adhere to a code of conduct and protocol guidelines established by the ‘Aha Kiole council and based on the traditional Hawaiian value system*

Are you able to conduct yourself in a fair, mannerly and concerned fashion whether dealing with your constituents or representing your moku in ‘Aha Kiole meetings?

- *Has the ability to communicate with ‘ike pono: wisdom, insightfulness and respect among ‘ahupua’ a constituents, fellow ‘Aha Kiole members and the governance system.*

Please make your commitment statement below:

Supporting Educational Programs in the Community

The depth and wisdom of Hawaiian natural resource knowledge is underappreciated. Hawaiian culture survived and flourished for over 1,700 years because of their understanding of their natural resources and the natural patterns of scarcity and abundance. For over 60 generations this knowledge was transmitted traditionally. Contemporary Hawaiian students—descendents of *ka po`e kahiko*, ancient Hawaiians—are underachievers in Western science. The traditional approach to teaching has been replaced by Western style curricula, teaching methods and teacher training and a Western world view resulting in a student that is disconnected from his environment and the generational teaching and learning methods of his ancestors. The norm in public education is detrimental to the traditional teaching and learning (Bartram, et al, 2003). The lack of achievement of Hawaiian students in science may mask the teaching and experiential learning that is taking place at home. Traditional ecological understanding and learning is more holistic and experiential than what is taught at school. The protocol in traditional learning systems is different than Western style education. It combines understanding with spirituality. The student does not question the elder. It is nature centered and not human centered. It is learning by watching and *kupuna* will recognize when an individual is ready to apply what is learned. It is learning general principals and learning the pattern in which it is applied. *Kupuna* learned this way and generational knowledge is passed on this way.

Because generational knowledge is a requirement for serving on the Aha Moku system Councils, practitioners and *kupuna* must be relied upon to pass on their knowledge of the environment, ecosystem and culture to *kamali`i*, *`opio* and *makua*. The traditional method still operates but the method to further pass this knowledge on should come from the Aha Moku Councils and Aha Kiole, whether it be development of curricula, modifying the traditional approach to learning or creating and implementing the circumstances to permit this generational knowledge to be passed on.

With adaptive management there is a need to monitor the resource and report information to the decision-makers and managers so that decisions can be made in managing the resource. Monitoring and reporting on the resource will require training and commitment by community members. Monitoring activities can be as simple as

mapping the course of a stream or taking in-stream flow measurements to assessing the stock and biology of marine species. The resource management educational needs would be determined by the community's interest in what they wish to manage and why. It would be the community's responsibility to include the educational needs in their management plan and seek partnerships with practitioners, schools, colleges and universities to fulfill these educational needs.

Proper funding to meet these special education requirements must be secured and educational partners developed. Additionally, students would benefit from first responder training, CPR training, drown-proofing and safe terrestrial practices when going *mauka* (land navigation, awareness of weather conditions) or *makai* (seaward).

Paralegal training must occur to ensure the proper conduct of citizens in enforcement of natural resource regulations. The Aha Kiole should approach the judiciary and police to negotiate agreements that citizen citation of natural resource violations is proper and legal and will receive fair treatment in the judicial system. This would empower communities in their creation, implementation and enforcement of their regulations.

The Aha Kiole must sponsor a conference or *puwala* annually for the purpose of sharing cultural knowledge, information and traditional practices. The Council should initiate a speaker's forum with a group of knowledgeable speakers to address cultural, scientific, commercial and regulatory initiatives and needs arising out of actions by the communities.

Proposed Budget for Aha Moku System Implementation

	Year One
Personnel	\$42,000

Coordinator/Executive Director – The Aha Kiole coordinator shall work under the direction of the Chairperson of the Aha Kiole Committee and be responsible for providing support and coordinating the activities of the Aha Kiole to include:

1. Scheduling, record keeping, and planning for the Aha Kiole,
2. Coordination, planning and preparation of outreach and community organizing meetings and workshops for the Aha Kiole,
3. Dissemination of information and documents about the Aha Kiole and Aha Moku natural resource management system,
4. Monitor and report on community organizing activities to the Aha Kiole,
5. Works with contacts in the indigenous community, various county, State, and federal agencies, legislatures, universities, and the general public to exchange and coordinate information, ideas and concepts, and to assist in identifying, defining and solving problems as they relate to the Aha Ki`ole,
6. Participates in coordinating the collection of information for incorporation into management plans as it relates to the work of the Aha Kiole and implementation of the Aha Moku natural resource management system,
7. Coordinates meetings and workshops in support of the Aha Ki`ole, including arranging for meeting facility, preparation of agendas, briefing material, placement of notices, press releases and reports.
8. Prepares correspondence, reports, briefing documents, and other products, as assigned by the Aha Kiole Committee through the Aha Kiole Committee Chairperson.
9. Responds to written and oral inquiries from indigenous communities, government agencies, and the general public concerning the Aha Moku and Aha Kiole, as assigned by the Chair of the Aha Kiole,
10. Distribute educational and other materials made available by the Aha Kiole,
11. Other duties as assigned by the Chair of the Aha Kiole.

Administration	30,408
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The Administration category is for overhead costs for the program: Lease, office cell phone, phone line for fax, DSL service, Internet Service Provider, electricity, parking, etc.

Fringe Benefits	6,300
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Estimated at 15% of Personnel costs, this is to provide medical/dental insurance, retirement or other fringe benefits for the Aha Kiole coordinator.

Travel **117,690**

Travel includes the costs for two Aha Kiole Committee or Board meetings per year, Moku meetings on each island twice a year and ongoing Ahupua'a workshops in two four-month periods a year and a statewide Puwalu. Travel includes air transportation, ground transportation, accommodations, per diem, meeting facility and services.

2 Aha Kiole Committee or Board meetings	13,440
2 Aha Moku meetings	6,400
8 Ahupua'a Workshops	20,800
1 Statewide Puwalu (worksheet attached)	<u>77,050</u>
Total	117,690

Supplies **25,000**

There are two categories of supplies. Office supplies are for consumable supplies, i.e., paper, pens, pencils, folders, binders, etc. Equipment represents hardware items: computers, printers, fax, desk, table, etc. It is hoped that vouchers could be obtained to provide Kiole members with laptops.

Contracts **5,000**

It is expected that there will be a need to contract for some services to complete work outside of the expertise of the coordinator, i.e., Web site maintenance, computer maintenance, etc.

Other **6,460**

Other costs cover printing, advertising and mailing costs.

First Year Total **232,858**

The second year operational cost is \$201,358, resulting in a 2 year total proposed budget of \$434,216. Budget categories remain the same for both years.

* *Fiscal management shall be the responsibility of Aha Kiole board of directors. An annual audit shall be arranged for the program.*

Puwalu Work Sheet

Puwalu (3 day conference)

Facility	1500	
A/V	800	
Parking	600	
Phonelines	500	
Insurance		
Equipment	1100	
Facility Costs		4500
Air Transportation		7700
Ground transportation		2080
Lodging		12760
Per Diem		4400
Graphics design	1000	
Name badges/lanyards	200	
Bags	1500	
Cart Rentals	530	
Support costs		3230
Photo/video		1770
Transcription		5000
Lunch	6000	
refreshments	1800	
		7800
Cultural Consultant		500
Leis		610
Luau		8700
Facilitators		10000
Event Coordinator		8000
Puwalu total		77050

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	Total
Aha Kiole Year One													
Coordinator	3500	3500	3500	3500	3500	3500	3500	3500	3500	3500	3500	3500	42000
Administration	2534	2534	2534	2534	2534	2534	2534	2534	2534	2534	2534	2534	30408
Fringe Benefits (est.)			6300										6300
Travel													
Kiole Meetings	6720					6720							13440
Moku meetings					3200						3200		6400
Ahupua'a Workshops	2600	2600	2600	2600			2600	2600	2600	2600			20800
Puwalu/conference												77050	77050
Supplies													
Office	5000			2500						2500			10000
Equipment (Laptops, etc.)	9000			6000									15000
Contracts												5000	5000
Other													
Printing	500		500										1000
Advertising/Public Notice	500			500	500					500	2200		4200
postage	420			420				420					1260
Monthly costs	30774	8634	15434	18054	9734	12754	8634	9054	8634	11634	11434	88084	
Total Year One Total													232858
Aha Kiole Year Two													
Coordinator	3500	3500	3500	3500	3500	3500	3500	3500	3500	3500	3500	3500	42000
Administration	2534	2534	2534	2534	2534	2534	2534	2534	2534	2534	2534	2534	30408
Fringe Benefits (est.)			6300										6300
Travel													
Kiole Meetings	6720						6720						13440
Moku meetings					3200						3200		6400
Ahupua'a Workshops	2600	1200	1200	1200		900		900	900	900			9800
Puwalu/conference												77050	77050
Supplies													
Office	1000			1000					1000				3000
Equipment (Laptops, etc.)	1000			500									1500
Contracts												5000	5000

Other													
Printing	500		500										1000
Advertising/Public Notice	500			500	500					500	2200		4200
postage	420			420				420					1260
Monthly costs	18774	7234	14034	9654	9734	6934	12754	7354	7934	7434	11434	88084	
Total Year Two Total													201358
Two Year Operating Costs													434216

Bibliography

_____. Compendium of 2000 Hawaii Fishing Laws, *Unofficial (unproofed) transcription of selected Chapters from Hawaii Revised Statutes 1993 Replacement and 2000 supplement series, scanned, interpolated and re-paginated.*

Association of Hawaiian Civic Clubs, Resolution 2006: Requesting the Hawaii State Legislature to Create a Permanent Moku ‘Aha; passed at the Annual Convention in Waikiki, O‘ahu, Oct. 28, 2006

Association of Hawaiian Civic Clubs, Resolution 2008: Urging the Support of the Establishment of the Aha Moku System for Natural Resource Management in the State of Hawai‘I by the creation of a permanent Aha Kiole Commission in a new Department of Planning and Sustainability to advise the Executive and Government agencies on natural resource management and planning. Passed at the Annual Convention at Nukoli‘i, Kauai, Oct. 24, 2008

Bartram, Paul K., Karen K. Poepoe and G. Mahinahou Ross, “Hapa (Half) –Hawaiian Approach to Science Education for Indigenous 7th – 8th Grade Students, Island of Moloka‘i Hawai‘i,” Paper presented at National Association for Research in Science Teaching Annual Meeting, March 23-26, 2003, Philadelphia, PA.

Cordy, Ross, The Rise and Fall of the O‘ahu Kingdom, Honolulu, Hawaii, Mutual Publishing, 2002.

DLNR/DAR, Getting Involved in Caring for Hawaii’s Coastal Resources: A Community Guidebook, (2006). Department of Land and Natural Resources/Division of Aquatic Resources, Hawaii.

Ellickson, Robert C., Order without law: How neighbors settle disputes. Cambridge, MA. Harvard University Press, 1991.

FAO, Code of Conduct for Responsible Fisheries, Food and Agriculture Organization of the United Nations, Rome, 1995.

FAO, What is the Code of Conduct for Responsible Fisheries?, Food and Agriculture Organization of the United Nations, Rome, 2001.

Govan, H., Aalbersberg, W., Tawake, A., and Parks, J. (2008). Locally Managed Marine Areas: A guide for practitioners. The Locally-Managed Marine Area Network.

Handy, E.S. Craighill and Mary Kawena Pukui, The Polynesian Family System in Ka‘u, Hawaii, Honolulu, Hawaii, Mutual Publishing, 1998.

Haw. Const. Art. XI, § 7; *Robinson v. Ariyoshi*, 65 Haw. [641,] 674[, 658 P.2d 287, 310 (1982)].

Hawaii 2050 Sustainability Task Force, Hawaii 2050 Sustainability Plan: Charting a course for Hawaii's sustainable future, Honolulu, Hawaii, State of Hawai'i, 2008.

Hui Malama O Mo'omomi/Pacific American Foundation, Na Mea Ola ma Mo'omomi: Life Science, curriculum for 7th and 8th grade Earth Science Unit for Moloka'i Intermediate School, 2006.

Impact Assessment, Inc. Indigenous Fishing Practices and Management of Marine Resources in the Main Hawaiian Islands: A Geographic Compendium of Historical Sources, In prep.

Jentoft, Svein 2003, "Co-management—the Way Forward." In The Fisheries Co-management Experience: Accomplishments, Challenges and Prospects, edited by Douglas Clyde Wilson, Jasper Raakjaer Nielson and Poul Degnbol, pp 1-13, Dordrecht, Netherlands, Kluwer Academic Publishers, 2003.

Jentoft, S., B.J. MCay and D.C. Wilson, Social Theory and Fisheries Co-management, Marine Policy, Vol. 22, No. 4-5, Ecopolicy Center, Rutgers University, New Jersey, Elsevier Science, Ltd., 1998.

Kamakau, S.M., Ruling Chiefs of Hawaii, Revised Edition, Honolulu, Hawaii, Kamehameha Schools Press, 1992.

Kanahele, George H. S. Ku Kanaka, Stand Tall: A Search for Hawaiian Values, University of Hawaii Press, Honolulu, Hawaii 1993.

Ka Pa'akai O Ka Aina v. Land Use Commission, 94 Hawaii 31, 7 P.3rd 1068, Hawaii State Supreme Court (2000)

King, Michael, Ueta Faasili, Semisi Fakahau and Aliti Vunisea, Strategic plan for fisheries management and sustainable coastal fisheries in Pacific Islands, report to the Secretariat of the Pacific Community, New Caledonia, 2003.

Lomborg, Bjorn, The Skeptical Environmentalist: Measuring the Real State of the World, New York, New York, Columbia University Press, 2001.

Mackenzie, Melody K. (Editor), Native Rights Handbook, Honolulu, Hawaii, University of Hawaii Press, 1991.

Malo, David, Hawaiian Antiquities Bishop Museum Press, Honolulu, Hawaii, 1976.

Maly, Kepa and Onaona Maly, Volume1: Ka Hana Lawai'i A Me Na Ko'a O Na Kai Ewalu – A history of fishing practices and marine fisheries of the Hawaiian Islands, unpublished report prepared for the Nature Conservancy, August 2003.

Meyer, Philip A., Niihau: Ka noho ana o ka poe Hawaii o keia Manawa a me ka pono waiwai no nee hou ana aku, Present circumstances and Future Requirements in an evolving Hawaiian Community, report for the Hoomana Ia Iesu Church, Niihau, Hawaii, 1998.

Okiihiro, Gary Y., Columbia Guide to Asian American History, New York, New York, Columbia University Press, 2001.

Pacific American Foundation and Hui Malama O Mo'omomi, Application of Hawaiian Traditions To Community-Based Fishery Management, Completion report for two year demonstration project in and around Mo'omomi Bay, Moloka'i, Hawaii to Administration for Native Americans, 2001.

Parker, Linda S. Native American Estate: The Struggle Over Indian and Hawaiian Lands, University of Hawaii Press, Honolulu, Hawaii, 1989.

Public Access Shoreline Hawaii (PASH) vs. Nansay Hawaii, Inc. Supreme Court Descision, 1995

Poepoe, Kelson K., Paul K. Bartram and Alan M. Friedlander, *The Use of Traditional Knowledge in the Contemporary Management of a Hawaiian Community's Marine Resources*, Paper presented at Putting Fishers' Knowledge to Work conference held in Vancouver, British Columbia, 2001.

Ranger, Terence O. and Paul Slack, Epidemics and Ideas: Essays on the Historical Perception of Pestilence, Melbourne, Australia, Cambridge University Press, 1992.

Rumsey, David, Rumsey Map Collection, Na Moku-puni O Hawaii Nei, Kulanui Lahainaluna Maui Maraki 9 1837, Kalama

Schmitt, R., New estimates of the pre-censal population of Hawaii, *Journal of the Polynesian Society*, 80:2 (June, 1971).

Stannard, David, Before the Horror: the population of Hawai'i on the eve of Western contact, Honolulu, Hawai'i, University of Hawaii Press, 1989.

Te Rangi Hiroa (Sir Peter H. Buck), Arts and Crafts of Hawaii, Honolulu, Hawaii, Bishop Museum Press, 2003.

Umemoto, Karen and Krisnawati Suryanata, Technology, Culture and Environmental Uncertainty: Considering social Contracts in Adaptive Management, *Journal of Planning Education and Research* 25: 264-274, Association of Collegiate Schools of Planning, 2006.

UN General Assembly, A/61/L.67, *Report of the Human Rights Council, United Nations Declaration of the Rights of Indigenous People*. September 7, 2007.

Waiahole Water Use Permit, Final Decision, Supreme Court, State of Hawaii, No. 21309,
August 22, 2000

Wilson, Douglas Clyde, Jasper Raakjaer Nielson and Poul Degnbol, editors, The
Fisheries Co-management Experience: Accomplishments, Challenges and Prospects,
Dordrecht, Netherlands, Kluwer Academic Publishers, 2003.

**REQUESTING THE HAWAII STATE LEGISLATURE TO CREATE A
PERMANENT MOKU 'AHA**

RESOLUTION NO: 2006

WHEREAS, Native Hawaiian traditional and cultural practices as they pertain to the land and the ocean, 'aina and kai, are in immediate danger of further loss in the main Hawaiian Islands; and,

WHEREAS, the Kupuna Islands, Moku Manamana, may be forever lost to Hawaiians as they were converted to a National Monument by President Bush in June, 2006; and,

WHEREAS, the Constitution of the State of Hawaii, in its Preamble states, through its motto, "Ua mau ke ea o ka aina I ka pono" the life of the land is perpetuated through righteousness; and,

WHEREAS, Native Hawaiians for thousands of years before foreign contact successfully controlled their own destiny, nurtured the integrity of their people, and protected and preserved their native cultural traditions, and reserve the right to continue to do so, particularly as these traditions reflect their deep spiritual connection to the ocean and to the land; and,

WHEREAS, various Western statutes and rules that have been propagated since the arrival of foreigners to Hawaii have not been successful in protecting the oceans, coastlines, forest areas, watersheds or rivers and streams from becoming degraded, polluted or destroyed; and,

WHEREAS, Hawaiian indigenous and endemic species of marine and terrestrial life, found no where else on the earth, are in imminent danger of extinction; and,

WHEREAS, the U.S. Commission on Ocean Policy - in its vision and strategy for the 21st Century and beyond envisions clean, safe, prospering and sustainably managed ecosystems while preserving a high level of biodiversity and a wide range of critical natural habitats; and,

WHEREAS, the guiding principles of the Commission on Ocean Policy are, among others, sustainability, ocean-land-atmosphere connections, ecosystem-based management and the use of best available science and information; and,

WHEREAS, in 2005, Hawaii Governor Linda Lingle acknowledged through her Executive Order No. 2005-01, the creation of the Hawaii Ocean and Coastal Council, that there is a need to protect Hawaii's near-shore waters and coastline, to gather information and provide advice and recommendations on direction and planning for addressing

Hawaii's ocean and coastal matters throughout the State to foster coordinated approaches that support local initiatives on ocean and coastal concerns; and,

WHEREAS, because the State of Hawaii is comprised of separate islands, it is difficult, if not impossible to impose blanket laws that affect the marine resources as they differ island to island, and sometimes district to district; and,

WHEREAS, the Native Hawaiian people, as the host culture and those most familiar with the specific natural resources, district to district, have not been consulted on the policy-making level on laws that directly impact their culture; and,

WHEREAS, as stated in the U.S. Commission on Ocean Policy and in Governor Lingle's mandates, ecosystem-based management and the use of best available science and information is desired; and,

WHEREAS, Native Hawaiians have proven that traditional cultural methods as defined under ahupua'a management systems have sustained the Hawaiian Islands for thousands of years and is the best available science, through observation and practice, to protect and perpetuate a pristine ecosystem; and,

WHEREAS, in August, 2006 a puwala consisting of traditional lawaia (fishing) and mahiai (agriculture) kupuna and experts from every district in Hawaii was held to address the critical impacts to the Native Hawaiian culture and resources, and to come to consensus on a process to protect and perpetuate Hawaii's pristine and unique ecosystem; and,

WHEREAS, this puwala, through a resolution, called for the continuation of the ahupua'a management system using Konohiki, kapu, and the creation of an 'Aha Moku through which the ahupua'a management system can be applied.

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs in Convention at the Waikiki Beach Marriott Resort & Spa, Waikiki, Oahu, on this 28 day of October, 2006, that the Hawai'i State Legislature create a permanent 'Aha Council, comprised of representatives of each moku of each island to be the Advisory component to the governmental agencies involved with regulatory policies pertaining to the ocean and to the land; and,

BE IT FURTHER RESOLVED, that the members of the 'Aha Moku be appointed to sit on this 'Aha by the most knowledgeable kupuna or traditional practitioner accepted by that specific moku; and,

BE IT FURTHER RESOLVED, that the 'Aha Moku be the Hawaiian entity consulted by all governmental agencies in matters of ocean, coastal and land issues; and that this 'Aha be supported and funded by the State of Hawai'i; and,

BE IT FINALLY RESOLVED, that certified copies of this Resolution be transmitted to Senator Daniel K. Inouye, Senator Daniel Akaka, Congressman Neil Abercrombie, Congressman Ed Case, Vice-Admiral Conrad C. Lautenbacher, Administrator, National Oceanic & Atmospheric Administration and Kitty Simonds, Executive Director, Western Pacific Regional Fishery Management.

Submitted by: AOHCC Ocean Resources Committee
 Ho'opuloa Hawaiian Civic Club

***ASSOCIATION OF HAWAIIAN
CIVIC CLUBS
A RESOLUTION***

08-51

**URGING THE SUPPORT OF THE ESTABLISHMENT OF THE AHA MOKU
SYSTEM FOR NATURAL RESOURCE MANAGEMENT IN THE
STATE OF HAWAII BY THE CREATION OF A PERMANENT AHA KIOLE
COMMISSION IN A NEW DEPARTMENT OF PLANNING AND
SUSTAINABILITY TO ADVISE THE EXECUTIVE AND GOVERNMENT
AGENCIES ON NATURAL RESOURCE MANAGEMENT AND PLANNING**

WHEREAS, the Maunalua Hawaiian Civic Club is dedicated to the care and preservation of Hawaiian practices and rights to such practices as fisheries, art, crafts, chants, legends and lore, navigation, access to historic sites, care of na iwi kūpuna and other related cultural issues; and

WHEREAS, the Maunalua Hawaiian Civic Club is committed to education and promoting the understanding of Hawaii's rich cultural history; and

WHEREAS, the Maunalua Hawaiian Civic Club is committed to inventorying all cultural sites in the `ili of Maunalua in Ko`olaupoko in the belief that the proper husbanding and utilization of this area is historic and understanding the cultural uses of this area can contribute to the ecological and economical health and the social and cultural well-being of this area; and

WHEREAS, the Hawaii State Legislature supported the creation of the Aha Ki`ole/Aha Moku Advisory Committee to advise the legislature on a system of best practices for traditional management of Hawaii's natural resources with the passage of Act 212, in 2007; and

WHEREAS, the Aha Ki`ole Advisory Committee was selected from a list submitted by the Association of Hawaiian Civic Clubs; and

WHEREAS, the Aha Ki`ole Advisory Committee has worked since November 2007 to educate the public and gather information on the best practices for Moku management of natural resources; and

WHEREAS, the Aha Ki`ole Advisory Committee will submit a final report to the State Legislature in December 2008 to advise the legislators on the creation of enabling legislation to advance Ahupua'a and Moku management of natural resource management; and

WHEREAS, it is now understood that traditional natural resource management is site specific, generational and comprehensive; and

WHEREAS, the Association of Hawaiian Civic Clubs is dedicated to the care and preservation of cultural knowledge, traditional practices, genealogy and civic responsibility,

WHEREAS, the State of Hawaii supports, through their Ocean Resources Management Plan, reducing soil erosion and pollutant loads, developing beach management plans, and protecting priority coastal areas and communities from coastal hazards, improvement of coastal water quality, strengthening of marine protected area management, enhancing the ability of communities to restore and operate Hawaiian fishponds, need for community participation in cultural and natural resources management and the exploration of place-based approaches, including traditional Hawaiian principles of land division such as ahupua'a; and

WHEREAS, 'Aha Moku management addresses all of these issues through a community consultation process;

NOW, THEREFORE, BE IT RESOLVED by the Association of Hawaiian Civic Clubs at its 49th Annual Convention at Nukoli'i, Kauai, Hawaii, this 24th day of October 2008, that it supports the establishment of the Aha Moku System for natural resource management in the State of Hawaii by urging the creation of a permanent Aha Ki'ole Commission in a new Department of Planning and Sustainability to advise the Executive and government agencies on natural resource management and planning; and

BE IT FURTHER RESOLVED, that the Counties of Hawaii create 'Aha Moku Councils to advise the Mayors and County Councils on natural resource management, land utilization and planning and community consultation; and,

BE IT FURTHER RESOLVED, that member organizations of the Association of Hawaiian Civic Clubs create Aha Moku advisory committees to assist the Hawaii 'Aha Moku Council and the County 'Aha Moku Councils on cultural and generational knowledge and information, known traditional practices and community cultural information; and,

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to Governor, President of the Senate, Speaker of the House, Senate Committee on Judiciary & Hawaiian Affairs Chair, House Committee on Hawaiian Affairs Chair, OHA Chair of the Board of Trustees and all County Mayors.

The undersigned hereby certifies that the foregoing Resolution was duly adopted on 24th day of October 2008, at the 49th Annual Convention of the Association of Hawaiian Civic Clubs at Nukoli'i, Kaa'i, Hawai'i

President