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

May 24, 2019

RECOMMENDATION OF SUPPORT

Before the Board of Land and Natural Resources

BLNR Agenda Item J-1

Denial of Administrative Hearing requested by Kama'aina Care, Inc. (KCI)
Re: Non-Renewal of Kaneohe Bay Waters Commercial Use Permit No. CO038251

Aloha Chair Case and members of the Board of Land and Natural Resources (Land Board),

On behalf of the Aha Moku Advisory Committee (AMAC), Mokupuni (Island) of Kakuhihewa (O'ahu), and the Moku of Ko'olaupoko which encompasses the Ahupua'a of He'eia, Kaneohe, Kailua, Mokapu, Waimanalo, Kahaluu, Waihe'e, Kaalea, Waihole, Waikane, Hakipuu, and Kualoa, we offer supporting testimony on the recommendation of the DLNR Division of Boating and Ocean Recreation (DOBOR). We ask that the Land Board deny KCI's request for an administrative hearing.

For many years now, the Ko'olaupoko Moku which includes the ahupua'a of Heeia have been deeply concerned about the commercial enterprises of Kama'aina Kids. We had hoped when the Kama'aina Kids first received their Commercial Use Permit (CUP) in 1990, management would have worked closely with the people in protecting and promoting the strong Native Hawaiian Natural and Cultural sustainability practices that went hand in hand with protecting the natural resources of Kaneohe Bay and Heeia. An added hope was that the native Hawaiian significance of where the Heeia State Park is located would have been studied and expanded by the people who were entrusted with the management of the Park – the Kama'aina Kids.

For the following reasons, we cannot support KCI's application for an administrative hearing:

- KCI clearly broke the rules when they did not reapply for their CUP in a timely manner as stated by DOBOR in its submittal (see Background in DOBOR Submittal J-1);
- KCI's commercial activity violates the terms of the CUP, does not comply with the permits limitations, or the rules and regulations for the use of Kaneohe Bay;
- The conditions for the CUP clearly states that commercial tours are limited to direct operating costs for the tour which includes only labor and fuel. According to KCI, that amount comes up to $40 per person. However, the Holokai website clearly and openly advertises for the following:
    - Holokai Hobie Catamaran Sailing Adventure – Adults: $199, Children (5-12) $169
    - Self-guided Kayak and Snorkel Discovery - $109 per person
- And most importantly, in its tours and on its website, KCI clearly advertises kayaking to the Kaneohe sandbar which they call the "Sunken Island". That sunken island is Ahu Laka, one of the most significant culturally important sites on the entire Windward coast.
- And, to add insult to injury, the whole front of the Heeia State Park building is one big advertisement to purchase commercial tours.

Since Aha Moku became attached to DLNR in 2013, we have worked well with DLNR, including DOBOR on all the Islands, including Kakuhihewa, Oahu. A strong level of trust and collaboration has developed – one that we truly treasure. Because of that trust, we must share our concern about Heeia. Where are the Hawaiians who have the lineal and generational knowledge of Heeia, including the area that the park, and therefore, Kama'aina Kids manage?

My family has held the distinction of being the konohiki of Heeia for the past 200 years. And, until my husband Jerry Kaluhiwa died in 2016, the local families who hold the generational knowledge of the Heeia Ahupua'a shared all with DLNR.

Our family has been on this same ahupua'a' for over 200 years. We, along with many others are connected to He'eia in ways that cannot be broken – and need the reassurance from the State of Hawai'I that this connection between the people and our resources will continue through the generations. We do not believe the current lessee understands this kind of connection, nor do they pursue it.

My three-times great-grandmother was the High Chiefess of Koa O Mokumoku O He'eia Ahupua'a. It was her kuleana, carried down through the generations to me, to do what is best for the people. The last konohiki of He'eia Ahupua'a was my husband, Jerry Kaluhiwa, who passed away on December 29, 2016. Now, that kuleana still permeates our community – we must do what is pono for the people of He'eia and Ko'olaupoko.

For the sake of our history, our traditions, our livelihood, and our communities, the people of He'eia and the larger community of Ko'olaupoko, we request that this esteemed Land Board deny the Administrative Hearing that is requested by Kama'aina Care, Inc. (KCI)

Please understand that the Heeia State Park is not just a private park. It is a community place that is steeped in history and tradition that is unique only to Heeia. It should not be used as the personal office of an organization whose sole purpose is to make money for private commercialism.

Respectfully yours,

Leialoha (Rocky) Kaluhiwa, Po'o
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