

'Aha Moku o Maui Inc. 562A Front Street Lahaina, Hawai'i 96761 <u>www.ahamoku.org</u> (808) 250-1479



Puwalu Resolution Regarding the 'Aha Moku Advisory Committee

WHEREAS the purpose of Act 288 was to formally recognize the 'Aha Moku system and to establish the 'Aha Moku Advisory Committee, placed within the Department of Land and Natural Resources for administrative purposes and allowed to hire an Executive Director, and

WHEREAS on July 9, 2012, Governor Neil Abercrombie signed into law Act 288, Relating to Native Hawaiians, and

WHEREAS the outlined duties of the 'Aha Moku Advisory Committee are limited to two activities,

- 1) may advise the Chairperson of the Board of Land and Natural Resources and
- 2) shall submit an annual report to the Legislature and the Chairperson of the Board of Land and Natural Resources, to include a list of all recommendations made by the Committee and the resulting action taken by the Department over the course of the prior year, and

WHEREAS the 'Aha Moku Advisory Committee members were confirmed in March 2013 and held the first of four Committee meetings in April 2013, and

WHEREAS the November 2013 report from the 'Aha Moku Advisory Committee to the Legislature

- listed only one recommendation made to the Board of Land and Natural Resources, i.e., testimony in opposition to the University of Hawai'i at Mānoa's request for an issuance of new direct lease for Mauna Kea Science Reserve Purposes, and
- 2) the Board of Land and Natural Resources deferred action on this item at its December 13, 2013, meeting [note: this date is reported in the Advisory Committee's report to the Legislature even though it occurred in December], and

WHEREAS, the 2013 report to the Legislature additionally states that the 'Aha Moku Advisory Committee will undertake numerous activities in 2014, such as,

- 1) complete the organization of the 43 moku,
- 2) continue to work on the proposed Hawaiian Konohiki Management Areas and
- 3) implement Administrative Rules for the 'Aha Moku system, and

these activities overstep the advisory and reporting duties of the Committee as detailed in Act 288, and

WHEREAS the 'Aha Moku Advisory Committee's report to the Legislature neglected to include the information submitted to the Committee by the 'Aha Moku o Maui Inc. because, according to the 'Aha Moku Advisory Committee's Executive Director, it was not submitted on the form she had developed, and

WHEREAS the 'Aha Moku Advisory Committee's Executive Director submitted a letter of support purportedly from the 'Aha Moku Advisory Committee to the Department of the Interior in August 2014 stating that

"the grassroots people who live within the natural and cultural resources of all of Pae 'Āina, or lands of Hawai'i STRONGLY SUPPORTS the Advanced Notice of Proposed Rulemaking (ANPRM) that has been offered by the federal government and the Department of the Interior that would reestablish a government-to-government relationship with the official Native Hawaiian government formed by the qualified Native Hawaiians on the certified base roll," and

WHEREAS 'Aha Moku island councils and members were not informed of this letter and its content prior to submission by the 'Aha Moku Advisory Committee's Executive Director, and

WHEREAS the 'Aha Moku Advisory Committee works by consensus and was in disagreement on this topic and had not directed the Executive Director to send the letter, and

WHEREAS the 'Aha Moku Advisory Committee's website has only one publicly available minutes of its meetings and documents for only two meetings in 2013 (even though the report to the Legislature said four meetings were held) and does not include the 2013 Report to the Legislature,

NOW, THEREFORE, BE IT RESOLVED that the Lawelawe Hana Ke 'Aha Moku Puwalu, meeting September 12 and 13, 2014, at the Westin Maui Resort in Ka'anapali, Maui, hosted by the 'Aha Moku o Maui Inc. and constituting approximately 60 members of 'Aha Moku island councils from the islands of Maui, Lāna'i, Kaho'olawe, Kaua'i, O'ahu and Moku O Keawe, urges the Chairperson of the Department of Land and Natural Resources, who has administrative oversight of the 'Aha Moku Advisory Committee,

- to admonish the 'Aha Moku Advisory Committee and its Executive Director for lack of transparency, misrepresentation and overstepping their role, and
- to require the Committee and its Executive Director accept reports from 'Aha Moku island councils regardless of the format of the submission, and

BE IT FURTHER RESOLVED, that the Lawelawe Hana Ke 'Aha Moku Puwalu participants urge the 'Aha Moku Advisory Committee's Chair to immediately notify the Department of the Interior that the letter from the 'Aha Moku Advisory Committee's Executive Director is rescinded, and

BE IT FURTHER RESOLVED that the Lawelawe Hana Ke 'Aha Moku Puwalu participants urge the 'Aha Moku Advisory Committee and its Executive Director to undertake as its first next step to share with the 'Aha Moku island councils the operations of the Committee and its organizational process, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the 'Aha Moku Advisory Committee chair, Board of Land and Natural Resources chairperson, the Governor of the State of Hawai'i, the Speaker of the House and the President of the Senate of the State of Hawai'i, the eight 'Aha Moku island councils, Office of Hawaiian Affairs and the Association of Hawaiian Civic Clubs;

Agreed to by consensus, this day, September 13, 2014, by the participants of the Lawelawe Hana Ke 'Aha Moku Puwalu.

Kieaunoko-Kap

Signed by Ke'eaumoku Kapu Chair/Host, Lawelawe Hana Ke 'Aha Moku Puwalu