



October 26, 2021

To: Representative Leger Fernandez, Chair  
Representative Ed Case, Hawai'i

**HOUSE NATURAL RESOURCE COMMITTEE  
SUBCOMMITTEE ON INDIGENOUS PEOPLE OF THE UNITED STATES**

1324 Longworth House Office Building  
Washington, DC 20515

Re: Kua'āina Ulu 'Auamo's (KUA) Testimony Before House Natural Resource  
Committee Subcommittee On Indigenous People Of The United States  
The Strengthening Indigenous Communities Through Cultural and  
Environmental Preservation.

Dear Chair Fernandez, Congress member Case and members of the House Subcommittee on  
Indigenous People of the United States,

Kua'āina Ulu 'Auamo (KUA) submits this written testimony on "Strengthening Indigenous  
Communities Through Cultural and Environmental Preservation," a subject matter of great  
interest and support not only for our peers in Native America but among the indigenous people  
of the non-contiguous island states and/or territories of the United States like in our home  
Hawai'i. At KUA we believe the federal government can support a number of its trust obligations  
through strengthening indigenous communities through cultural and environmental preservation.

Kua'āina Ulu 'Auamo means "grassroots growing through shared responsibility," our  
acronym KUA means backbone. KUA was founded by, works for and is primarily led by rural  
and Native Hawaiian community fishers, farmers, families and organizations whom seek to  
improve their quality of life through caring for their natural and cultural heritage together. They  
build a spirit of self-governance through the practice of mālama 'āina, or the traditional customs  
and values to not only aloha (love) 'āina (that which feeds; land and water) but to actively  
govern and care for the environment for the benefit of present and future generations. We  
believe empowered community stewardship efforts lead to our vision of abundant, productive  
ecological systems that supports community well-being- 'āina momona (literally "fat lands").

KUA employs a community-driven approach that currently supports three generative  
community-based stewardship communities/networks of practice: 1) E Alu Pū (move forward  
together) more than 36 fishers, farmers, families and community groups of practitioners and/or  
organizational initiatives, 2) the Hui Mālama Loko I'a (HMLI; the group that cares for fishponds)  
comprised of over 40 fishpond restoration projects and 3) the Limu Hui (native seaweed group)  
made up of 60+ limu loea (experts) all from across the state. KUA only works where we are  
asked. Our core work is in convening our network participants with each other and building a  
bridge to the resources and relationship flows that help them transform the context to one that  
supports the achievement of their goals. Our work emerges and is driven by network needs all  
of which focus on cultural preservation and rebuilding a cultural practice of environmental  
governance.

The State of Hawai'i is a unique state of the union often celebrated for its geography,  
indigenous culture and multi-ethnic history 2,500 miles away from anywhere else in the world.



Despite our small size and celebrated profile, the nuances of our unique experience are often unknown or overlooked by our fellow citizens on the American continent. Your average citizen likely doesn't know that the United States has acknowledged and apologized for its role in the illegal overthrow of the Hawaiian Nation in 1893 and has acknowledged responsibility to meet trust obligations to Native Hawaiian people, their cultures preservation and their self-governance. More specifically the United States acknowledged in Public Law 103-150 <sup>1</sup>(1993) that:

*"Whereas, the indigenous Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States, either through their monarchy or through a plebiscite or referendum;"*

*"Whereas, the health and well-being of the Native Hawaiian people is intrinsically tied to their deep feelings and attachment to the land;*

*Whereas, the long-range economic and social changes in Hawaii over the nineteenth and early twentieth centuries have been devastating to the population and to the health and well-being of the Hawaiian people;*

*Whereas, the Native Hawaiian people are determined to preserve, develop and transmit to future generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions; "*

That law then issues the following apology:

*"The Congress*

*(1) on the occasion of the 100th anniversary of the illegal overthrow of the Kingdom of Hawaii on January 17, 1893, acknowledges the historical significance of this event which resulted in the suppression of the inherent sovereignty of the Native Hawaiian people;*

*(2) recognizes and commends efforts of reconciliation initiated by the State of Hawaii and the United Church of Christ with Native Hawaiians;*

*(3) apologizes to Native Hawaiians on behalf of the people of the United States for the overthrow of the Kingdom of Hawaii on January 17, 1893 with the participation of agents and citizens of the United States, and the deprivation of the rights of Native Hawaiians to self-determination;*

*(4) expresses its commitment to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii, in order to provide a proper foundation for reconciliation between the United States and the Native Hawaiian people; and*

*(5) urges the President of the United States to also acknowledge the ramifications of the overthrow of the Kingdom of Hawaii and to support reconciliation efforts between the United States and the Native Hawaiian people.*

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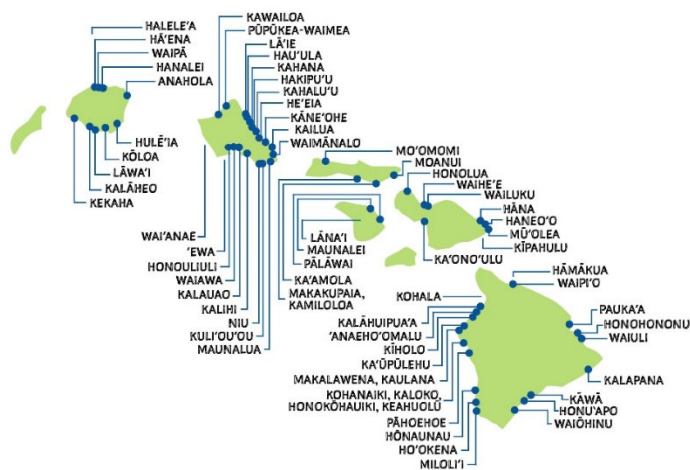
<sup>1</sup> [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=103\\_cong\\_bills&docid=f:sj19enr.txt.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=103_cong_bills&docid=f:sj19enr.txt.pdf)



The Hawai'i State motto is "Ua Mau Ke Ea O Ka 'Äina I Ka Pono," <sup>2</sup> roughly translated as the "the life (self-determination and independence) of the land shall be perpetuated in righteousness." This motto is also tied to the history and impacts of foreign influence and desire of the Native Hawaiian community to determine their own governance, cultural and environmental destiny. It is a motto, but also a call to conscience today mentioned in classrooms, embodied in organizational mission, songs, and poems

At KUA we believe a necessary and core leverage point for the United States to fulfill trust obligations, seek reconciliation, and strengthen the Native Hawaiian community is through the support of cultural and environmental preservation. It is through the care of their cultural and environmental heritage that communities connect with each other, collectively build a voice and accomplish tasks and lay a foundation for environmental governance. In Hawai'i for the last five decades, we reawakened to a traditional cultural practice of environmental governance as fundamental infrastructure to not only empower Native Hawaiian community self-governance but as something essential to our greater survival as an isolated import over-dependent island community. This reawakening was seeded primarily at the rural Hawaiian grassroots level in community efforts to care for the land and waters that nourish and comprise their environmental perspective and values. Today it manifests in a number of ways including the following examples:

- 1) The rise of Native Hawaiian community driven place-based stewardship practices in caring for wahi pana (celebrated cultural and historic sites), agricultural and traditional landscapes (also known as the ahupua'a or moku system; an ecosystem, ridge to reef perspective) and nearshore environments;



<sup>2</sup> This op-ed on the Hawai'i state motto captures its meaning well:

<https://www.staradvertiser.com/2011/07/03/editorial/island-voices/native-sovereignty-encompasses-aina-people-ways/>

<sup>3</sup> This map -updated as of early 2020- only represents regions in which members of the networks KUA facilitates are doing their work. It doesn't represent the greater number of efforts and activities occurring in Native Hawaiian led community based natural resource management efforts statewide.

- 2) The development of community-based subsistence fishing areas (CBSFA) in Hawai'i to support place-based fishery management and protect subsistence fishing based on Native Hawaiian customary and traditional practices of a place. The first CBSFA rules were implemented in Hā'ena, North Kaua'i <sup>5</sup> in 2015. Today, three other communities wait in the wings at Mo'omomi (Moloka'i island), Kīpahulu (Maui Island) and Miloli'i (Hawai'i island), for the State of Hawai'i Board of Land and Natural Resources (BLNR) to review and adopt rules. Fulfilling the goals of this policy and other community collaborative fishery efforts will be necessary to meet Hawai'i's 30x30 marine management goals;
- 3) The restoration of Native Hawaiian aquacultural practices at loko i'a <sup>6</sup>(traditional fishponds) as a means of community development and education and a foundational model for a restorative and more sustainable aquaculture that feeds Hawai'i's ecosystems and people;
- 4) Increased awareness and legal and policy progress that recognizes the need for healthy waters and watersheds, equitable access and water rights for traditional farmers and crops and the health of our aquifers and nearshore environmental health<sup>7</sup>,
- 5) The growth in support of 'Āina Based Education <sup>8</sup> (outdoor cultural and place-based education) as a growing part of our State Department of Education, charter and private education institutions in which community stewardship sites become classrooms that take children outdoors to learn about their culture and its role in the ecology;
- 6) The slow but growing development in the State Department of Land and Natural Resources (DLNR) Divisions of Aquatic Resources (DAR)<sup>9</sup>, Forestry and Wildlife (DOFAW),<sup>10</sup> Conservation and Enforcement (DOCARE) <sup>11</sup> and Office of Coastal and

<sup>5</sup> See the short documentary "The Hoa'āina of Hā'ena to learn a little about the journey of the Hui Maka'āinana o Makana of North Kaua'i and the E Alu Pū network in passing Hawai'i's first CBSFA rules here: <https://vimeo.com/227219204> Today the Hui maintains their families lands in the Hā'ena State Park and has curatorship agreements with the State and Kaua'i County to care for sacred sites, family burials and traditional taro ponds in their traditional homelands.

<sup>6</sup> As an example, the University of Hawai'i SeaGrant has partnered with KUA for among other things to conduct a needs assessment for Native Hawaiian aquacultural restoration efforts: <https://seagrant.soest.hawaii.edu/loko-i%CA%BBa-needs-assessment/>

<sup>7</sup> Ho'i I ka Wai is a short documentary detailing recent victories and developments in the struggle of Native Hawaiians to return water diverted for nearly 150 years from streams in East Maui: <https://vimeo.com/409972152>

<sup>8</sup> As an example, KUA and Hawai'i education leaders have worked to map out the growing effort in 'Āina Based Education (ABE) <https://kumu.io/hlf/aina-based-education>

<sup>9</sup> The State of Hawai'i Department of Land and Natural Resources (DLNR) Division of Aquatic Resources is in the process of launching their 30x30 Holomua Effective Marine management plan with the intention of increasing community collaboration. Under this plan the State currently has some 58 designated areas (6% of the 30% goal) of which only one currently has a management plan and that is the Hā'ena community-based subsistence fishing area management plan. Four other communities currently wait in the wings to submit their already drafted CBSFA management plans to the state for administrative rulemaking.: <https://dlnr.hawaii.gov/dar/30x30/>

<sup>10</sup> The DLNR Department of Forestry and Wildlife (DOFAW) is also working to boost its capacity to do community outreach and forestry: <https://dlnr.hawaii.gov/dofaw/>

<sup>11</sup> The DLNR Division of Conservation and Resource Enforcement is working to improve relations and partnerships wit nearshore communities on environmental enforcement collaboration through its Makai (ocean) Watch program: <https://dlnr.hawaii.gov/makaiwatch/>



Conservation Lands (OCCL)<sup>12</sup> staffing and institutional shifts to more community collaborative models in conservation;

- 7) Federal collaborative relations with the Office of Hawaiians Affairs a state semi-autonomous agency and Native Hawaiian community leaders in the management of Papahānaumokuākea National Historic Monument<sup>13</sup> and outreach with other Native Hawaiian community concerns within the National Parks System in Hawai'i

This list is far from exhaustive but we hope provides some understanding for what is happening on the ground in Hawai'i when it comes to indigenous people's cultural and environmental preservation. Most of these efforts are being carried by the fisher, farmers, families and small organizations in our networks who operate on budgets comprised of duct tape and shoestrings, sweat equity, volunteers and personal time. Meanwhile, our state government tries to meet these efforts and expectations in a spirit of collaboration with a budget for environmental care that currently comprises less than 1.5% of the annual budget. In Hawai'i where our economic pillars are tourism, development and military it is evident that our environment is our economy. All this to say the we collectively, the State of Hawai'i and the federal government, have relied on a tax base of passive income derived from Hawai'i's environment with little investment in infrastructural maintenance and support now for over a century.

The United States has begun to meet trust obligations in formal education, language preservation, and healthcare among other things but less in re-connecting or nourishing Native Hawaiian community connection to place in the ways that healthy environment and landscape and its governance serves as fundamental infrastructure for their culture. Further, as this committee may know, the US has made a series of attempts at the state and federal level to seek and support some of the reconciliation iterated in the apology law. Over the years federal attempts to support a nation in a nation building process has happened in fits and start but have not taken off. We believe greater federal support of the spirit, habits, institutions, processes, relationships and resource flows for indigenous community strengthening through environmental governance and cultural preservation provide a practical and collaborative solution for real people and their aspirations in governance. Indeed, the current state of affairs among the greater US indicate that we all need to become more grounded and founded in better ways to govern our lives and work together.

Furthermore, beyond US trust obligations we have responsibilities to our greater planetary family and increased local, national and global policy dialogue, research and literature on effective community-based natural resource management (CBNRM) point to indigenous and local community capacity as key to successful conservation outcomes and addressing climate

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<sup>12</sup> The DLNR Office of Coastal and Conservation lands (OCCL) has worked with fishpond restoration practitioners to better streamline the restoration permitting process. <https://dlnr.hawaii.gov/occl/hoala-loko-ia/>

<sup>13</sup> For info on the Papahānaumokuākea management see <https://www.papahanaumokuakea.gov/new-about/management/>



change as a planet. <sup>14</sup>According to the UN Permanent Forum on Indigenous Issues, there are 370 million indigenous people worldwide who make up 5% of the global population but govern and manage at least 20–25% of the Earth's land surface, and that lands and waters conserved by indigenous peoples and local communities are some of the most diverse on earth, holding an estimated 80% of the planet's biodiversity.

Despite our location - 2,500 miles from anywhere in the world- the potential positive force of an empowered Native Hawaiian community and culture for Hawai'i and the world is not lost on us. In Hawai'i, there is an 'ōlelo no'ēau (poetical saying), "He ali'i ka 'āina, he kauwā ke kanaka," which means the land is a chief, man is her servant. The grassroots organizations that make up KUA's networks of land stewards, resource managers, practitioners, educators, and 'ohana (families) share a common understanding that people are nothing without the 'āina we serve. The health and abundance of our ecosystems are directly tied into the health and well being of people. Our existence is grounded on this humble proverb, we convene so our people can find each other, see that they are not alone and that their private concerns are public and build the trust and find the ways to move them forward together.

Mahalo for this opportunity to testify.

Pūpūkahi i holomua e ho'okanaka  
(Let us unite to better the human condition)

Kevin K.J. Chang  
Executive-Director

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<sup>14</sup>Dawson et. al, The Role Of Indigenous Peoples And Local Communities In Effective And Equitable Conservation, Vol. 26, No. 3 Article 19 (2021) <https://www.Ecologyandsociety.Org/Vol26/Iss3/Art19/> Also see, the International Union for the Conservation of Nature's Indigenous People's Organization Members developed *The Global Indigenous Agenda for the Governance of Indigenous Lands, Territories, Waters, Coastal Seas and Natural Resources* available here: [https://www.dropbox.com/sh/w97j4xuiniid5ohl/AADjFd6abfc4\\_zlhPM269EDja?dl=0](https://www.dropbox.com/sh/w97j4xuiniid5ohl/AADjFd6abfc4_zlhPM269EDja?dl=0)