

Resolution

No. 22-205

SUPPORTING A COMMUNITY-BASED SUBSISTENCE FISHING AREA DESIGNATION FOR KĪPAHULU MOKU

WHEREAS, in 1994, the Hawai‘i State Legislature enacted Section 188-22.6, Hawai‘i Revised Statutes (“HRS”), giving the Department of Land and Natural Resources (“DLNR”) the authority to designate community-based subsistence fishing areas (“CBSFA”) “for the purpose of reaffirming and protecting fishing practices customarily and traditionally exercised for purposes of native Hawaiian subsistence, culture, and religion”;

WHEREAS, the DLNR can establish management strategies for CBSFAs by adopting rules in accordance with the administrative procedure for State agencies outlined in Chapter 91, HRS, and community organizations can propose CBSFAs to the DLNR for consideration by submitting a management plan that includes regulatory recommendations; and

WHEREAS, as a result of international advocacy by indigenous people and local communities—in some cases led by grassroots Native Hawaiian communities—global environmental institutions have recognized the significance and importance of indigenous tribal-nation or community-based natural resource management; and

WHEREAS, developments in science and social science research have documented the role of traditional ecological knowledge and its efficacy in an age of climate change and massive natural resource concerns; and

WHEREAS, less than 200 years ago, the Hawaiian Islands sustained a thriving and substantial Native Hawaiian population through a resource governance system founded on observational, place-based, and experiential knowledge and tried and true centuries-long practices; and

WHEREAS, Native Hawaiian traditional and customary practices for sustaining fisheries were adaptive and based on time-tested intimate knowledge of ahupua‘a resources and included kapu or lāhui on certain

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flora and fauna species, temporary fishery closures, and harvest limits based on species, size, sex characteristics, natural celestial cycles, and spawning times; and

WHEREAS, nearshore fisheries in Maui County and throughout the State play a key role in household subsistence, the statewide socio-economic fabric, and the quest for food security; and

WHEREAS, beyond providing food, subsistence fishing contributes to largely unquantifiable yet extremely valuable benefits, including: serving the cultural and environmental ecosystem; upholding long-held community practices, values, and virtues, such as generosity, industriousness, and self-reliance; developing healthy social roles, skills, and networks; building communal reciprocity; and advancing community and societal insurance, especially for rural communities that serve as kīpuka, or oases of our most cherished cultural legacies; and

WHEREAS, nearshore ocean resources and systems have been compromised by overfishing, abuse of fishing technologies, insufficient enforcement capacity or legal infrastructure, coastal development, local and global pollution, conflicting ocean uses and purposes, invasive species, continent-focused and over-centralized resource management paradigms, and climate change; and

WHEREAS, regulatory agencies are often under-funded and under-resourced even as rapid human population expansion and exploitation of ocean resources are at their peak; and

WHEREAS, top-down, centralized decision-making processes are often ineffective in managing complex and unique place-based ecosystems that would greatly benefit from local and indigenous knowledge and traditional resource management; and

WHEREAS, our local communities are concerned about these important issues, and many knowledgeable individuals are eager to collaborate with appropriate government agencies in the effort to mālama our natural resources; and

WHEREAS, it is essential to our cultural identity, sense of place, and sustainability as ka pae'āina o Hawai'i that our collective values and

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intergenerational traditions passed down by our kūpuna are renewed, practiced, and perpetuated; and

WHEREAS, since the 1990s, communities at Kīpahulu on Maui island; Mo‘omomi on Moloka‘i; Miloli‘i, Ho‘okena, and Kalapana on Hawai‘i island; Hā‘ena and Hanalei on Kaua‘i; and ‘Ewa and Wai‘anae on O‘ahu, among others, gathered to help establish a movement for nearshore community fishery governance and management, and this movement inspired the vision for networks and organizations such as Kai Kuleana, Maui Nui Makai Network, E Alu Pū, Limu Hui and Kua‘āina Ulu ‘Auamo; and

WHEREAS, a two-year pilot project managed by Hawaiian homesteaders and integrating indigenous ecological knowledge and complementary scientific approaches to management of Mo‘omomi and Kawa‘aloa Bays on Moloka‘i inspired eight communities to establish their own traditional management structure and rules customized to their unique place under the CBSFA process for which they continue to await State approval; and

WHEREAS, in 2005 Miloli‘i on Hawai‘i island became the first permanently designated CBSFA in the State, followed by Hā‘ena on Kaua‘i in 2006, and many other communities continue to actively pursue CBSFA designation; and

WHEREAS, the Hā‘ena CBSFA rules and management plan were approved in 2015, and Hui Maka‘āinana o Makana has actively managed their area in partnership with the State, resulting in an increase in fish populations with ongoing monitoring, enforcement, education, and outreach efforts; and

WHEREAS, on September 1, 2016, at the International Union for Conservation of Nature’s World Conservation Congress in Hawai‘i, and as part of the Sustainable Hawai‘i Initiative, Governor David Ige announced the State’s commitment to effectively manage 30 percent of Hawai‘i’s nearshore waters by 2030; and

WHEREAS, the Marine 30x30 Initiative focuses on developing and strengthening essential components of effective management, including partnership with communities to integrate place-based knowledge, pono

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practices, and the best of current science and sociocultural understanding; and

WHEREAS, Kīpahulu ‘Ohana, Inc. is a nonprofit organization founded in 1995 and dedicated to the cultural sustainability of the Kīpahulu Moku in East Maui; and

WHEREAS, Kīpahulu ‘Ohana, Inc. envisions families working in harmony to preserve and enhance the traditional cultural practices of the Hawaiian people through culturally based agricultural and resource management projects from mauka to makai; and

WHEREAS, Kīpahulu ‘Ohana, Inc. manages Kapahu Living Farm, a traditional wetland taro farm, through a Cooperative Agreement with Haleakalā National Park; operates Kīpahulu Kitchen, a certified commercial kitchen and agricultural processing facility; has established a voluntary ‘opihi “rest area” no-take zone adjacent to Haleakalā National Park with educational outreach and regular biological monitoring; and conducts ongoing fishing and human use (creel) surveys; and

WHEREAS, in 2012 Kīpahulu ‘Ohana, Inc. published their Kīpahulu Malama I Ke Kai Community Action Plan, developed over two years with input from more than 50 community members, fishermen, scientists, managers, and teachers, which identified the unsustainable harvest of fish, limu (seaweed), and ‘opihi (limpets) as contributing to the degradation of the marine environment and a threat to the traditional subsistence lifestyle of the area; and

WHEREAS, one Malama I Ke Kai Plan objective is to “locally manage near shore fisheries for the sustenance needs of the Kīpahulu community” with the strategy to obtain CBSFA designation, which would formally recognize local communities as valued co-management partners in protecting natural resources and reaffirm and protect traditional and customary practices for subsistence and culture; and

WHEREAS, Kīpahulu ‘Ohana, Inc. has conducted dozens of community outreach meetings over the last ten years to gather input on the proposed rules and management plan for Kīpahulu Moku, which was submitted to the DLNR in October 2019; and

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WHEREAS, the DLNR plans to begin the formal CBSFA rulemaking process under Chapter 91, HRS, for the proposed Kīpahulu Moku Community-Based Subsistence Fishing Area in 2022; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it supports the designation of Kīpahulu Moku as a Community-Based Subsistence Fishing Area and the creation of rules and a management plan for the Kīpahulu Moku CBSFA;
2. That it supports the Kīpahulu community's continued efforts to integrate place-based and Native Hawaiian traditional and customary practices and values with best practices and contemporary scientific methods for the benefit of present and future generations; and
3. That certified copies of this Resolution be transmitted to the Honorable David Y. Ige, Governor, State of Hawai'i; the Honorable Ronald D. Kouchi, Senate President, State of Hawai'i; the Honorable Scott Saiki, Speaker of the House, State of Hawai'i; the Honorable Maile S. L. Shimabukuro, Chair, Senate Committee on Hawaiian Affairs; the Honorable Mark M. Nakashima, Chair, House Committee on Judiciary and Hawaiian Affairs; the Maui County delegation to the State Legislature; Carmen Hulu Lindsey, Chair, Board of Trustees, Office of Hawaiian Affairs; Suzanne D. Case, Chair, Board of Land and Natural Resources; William J. Aila, Jr., Chair, Hawaiian Homes Commission; the Honorable Michael P. Victorino, Mayor, County of Maui; Richard W. Spinrad, Administrator, National Oceanic Atmospheric Administration; Deb Haaland, United States Secretary of the Interior; Ka'īni Kaloi, Director, Office of Native Hawaiian Relations, United States Department of the Interior; and Hailama V. K. K. Farden, President, Association of Hawaiian Civic Clubs.

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Shane M. Sinenci", written over a horizontal line.

SHANE M. SINENCI