

# **PUBLIC/PRIVATE SECTOR PARTNERSHIPS TO PRESERVE NATIVE ECOSYSTEMS -- THE DEPARTMENT OF HAWAIIAN HOME LANDS EXPERIENCE**

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## **ABSTRACT**

The Department of Hawaiian Home Lands manages 190,000 acres for native Hawaiians in Hawai'i. Homestead leases are provided for about 99 years, with renewal provisions, and general revenue-producing leases are also available. Eight biologically sensitive areas have been identified on Department lands, each with present and potential threats. Major land stewardship programs for preservation and management of native ecosystems are not yet possible, but cooperative arrangements with other organizations and individuals are being emphasized.

## **INTRODUCTION**

This paper will focus on public sector involvement in native ecosystem preservation in Hawai'i. Examples for discussion are drawn from activities being conducted by the Department of Hawaiian Home Lands (the Department). However, before embarking on a brief review of Department activities, a few personal observations regarding public sector involvement are in order.

## **DEALING WITH BUREAUCRACY**

One of the major problems conservationists have in dealing with the public sector is structural bureaucracy. Individuals in public bureaucracies sometimes have different perspectives, not about basic needs or concerns, but rather about the methods to achieve desired ends. Bureaucrats, by definition, have rules according to which they must make decisions. They are often confined to specific areas, and this is not always understood by those outside the bureaucracy. Bureaucratic decision-making sometimes manifests itself in negative reasoning, *i.e.*, telling people all the reasons why something "can't be done." To counter this, there has to be an active awareness -- by bureaucrats and environmentalists alike -- of each other's constraints and restraints. Constraints often are brought about by mandates from legislative acts or

judicial opinions. To remove constraints, legal action is usually necessary. Restraints, however, are self imposed and may become the basis for non-action. To remove restraints, legal action should not be necessary. Statements like "the boss won't like it" or "it's not popular" are examples of restraints, not constraints. Those who support change must distinguish between these two. If restraints are problems, it is our responsibility as bureaucrats or conservationists to reevaluate our thinking, to educate ourselves, and to be open to new ideas and thoughts. One of the ways this can begin to occur is through dialogue. Whether we are bureaucrats or conservationists, there needs to be a basic agreement in values. Discussions of disagreements caused by constraints should eventually receive our major emphasis.

Within public agencies, decisions are made at two levels -- at the policy level (boards, commissions, trustees, etc.) and at the staff level (department, etc.). How conservationists integrate and involve people from these two levels is important. Individuals from the policy level need to attend symposiums, workshops, and conferences; yet, all too often, they don't. Policy makers may be attorneys, business people, educators, or accountants, and they may have little or no professional training or education in the sciences. It is the task of conservationists to begin educating these people, to develop in them an awareness and appreciation of Hawai'i's environment, and to get them to attend and contribute to meetings concerned with conservation. Similarly, public agency staffs need to be encouraged to attend meetings and contribute. Staff people can make things happen. From secretaries to administrators, all should have some degree of knowledge about Hawai'i's natural heritage.

In brief, conservationists have two challenges with regard to public agency personnel. First, they must raise awareness levels about environmental issues in ways that are meaningful; second, they must include and involve public agency people in meaningful projects and activities.

The public sector has a responsibility to be reactive rather than proactive. This often is frustrating for conservationists, who tend to be action oriented. But the wheels of government bureaucracy turn slowly, and, more often than not, bureaucrats are concerned with what is about to or has already occurred. Conservationists should keep this in mind when approaching the public sector for support. Conservation projects must be developed completely and should fall into already-existing public agency mandates. If they do not, perhaps private sector support should be attempted.

Impacts on the integrity and vitality of Hawai'i's native ecosystems are occurring daily. Yet the job of protecting the environment has become too large and too critical for only the public or private sector alone. Mother Nature does not make the distinction between lands owned by public and private interests. It will undoubtedly take a concerted effort by all parties through public-private sector partnerships to successfully preserve for future generations the native ecosystems that can serve us in so many ways. The Department of Hawaiian Home Lands is attempting to establish such partnerships.

## PROGRAMS, POLICIES, AND PARTNERSHIPS

The Department of Hawaiian Home Lands is unique among state agencies in that it was established by U.S. Congressional mandate. The Hawaiian Homes Commission Act of 1920, as amended, set aside some 190,000 a (76,923 ha) for native Hawaiian "rehabilitation" (Fig. 1). Although the Act neglected to define "rehabilitation" directly, the term has come to mean providing for a homesteading process, whereby those individuals of at least 50% Hawaiian ancestry are provided residential, agricultural, and/or pasture allotments for 99 years. In addition, the Department issues general leases that generate revenue to support the Department's operating expenses. The legal status of Department land ownership changed with statehood from that of the Federal government to that of the State, but Department lands are not to be confused with those administered by the Department of Land and Natural Resources. Hawaiian Home Lands are trust lands specifically set aside for the use and benefit of native Hawaiians. While legal questions still exist about whether or not specific Federal, State, and/or county laws and codes apply to Department lands, the Department does have a great deal of latitude in the use of its lands. For example, Department lands are not subject to county zoning or state land use designations if used for homesteading, and the Department has the authority to condemn "surplus water" for homesteader use. These provisions are in the Hawaiian Homes Commission Act, as amended. The Act serves as the Department's constraint. It is the mandate under which it operates, and conservationists who do business with the Department must keep this in mind. If environmental concerns can fit within the parameters of native Hawaiian "rehabilitation," then there is ground for mutual discussion and benefit.

Department of Hawaiian Home Lands policy is established by a nine-member Commission, which meets monthly. None of the current commissioners has a science background, but all have some awareness of native ecosystems as they relate to Hawaiian culture. The expertise of Department staff is focused primarily on land development either for native Hawaiian homestead use or for commercial development. Departmental services include loans and loan servicing for homestead development, and land development activities such as engineering and planning. It may be difficult to see where native ecosystem preservation fits into this picture, but it does. The trick is knowing who does what in the organization. It then becomes a matter of bringing the individuals responsible for native ecosystems up the learning curve, if necessary, and having those individuals interact with appropriate policy makers.

The Department does not operate in a vacuum. As a landowner, it attempts to know its land resources. To date, the Department of Hawaiian Home Lands has identified nine major areas that are biologically sensitive or that have unique ecosystems. Many people have helped in the identification process, especially Jim Jacobi, Sonny Kaniho, Cameron Kepler, Lloyd Loope, Art Medeiros, Mike Scott, and Rick Warshauer. The nine biologically sensitive areas so far identified on Department lands are shown in Table 1.

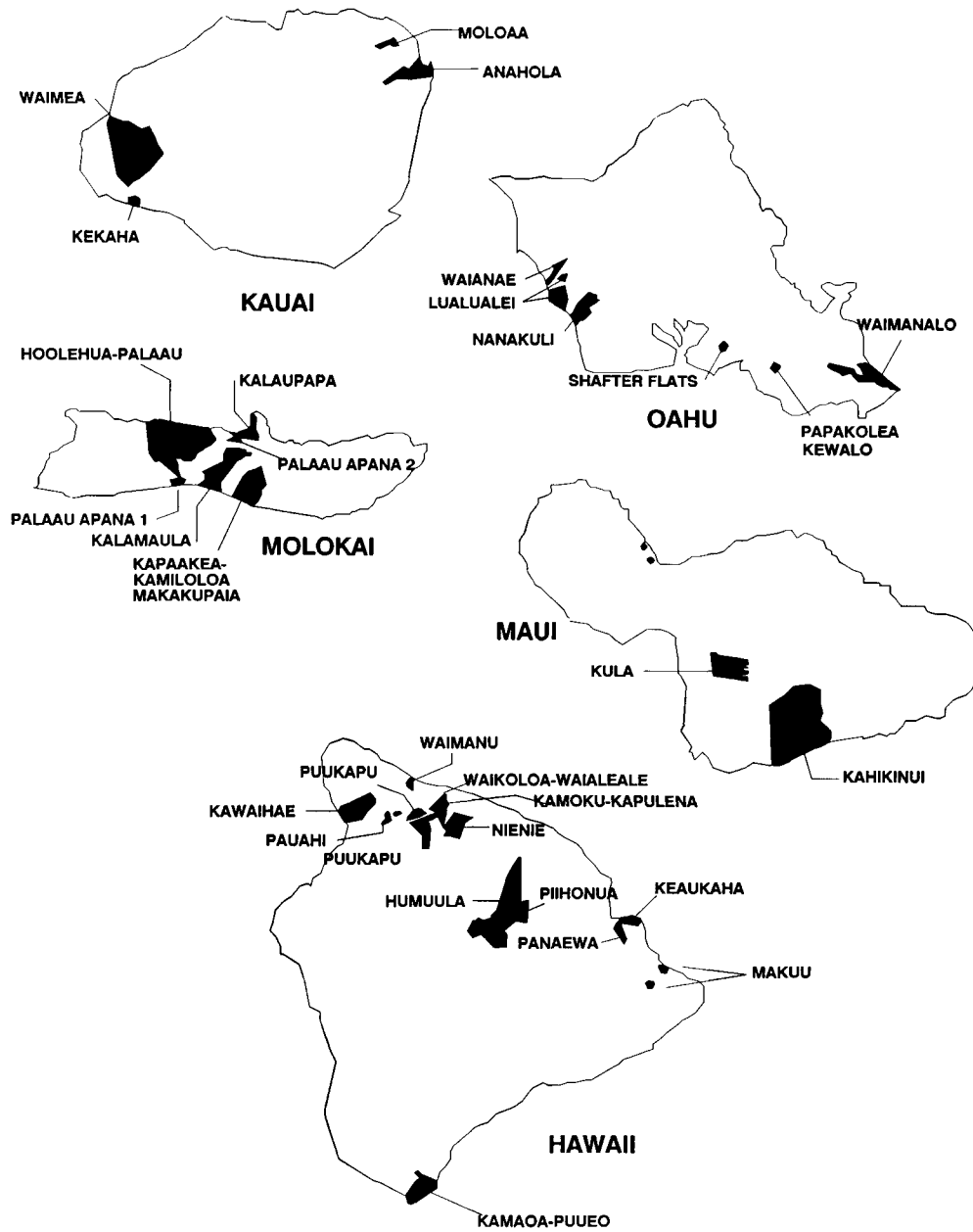


Figure 1. Hawaii Home Lands in the state of Hawai'i.

Table 1. Biologically sensitive areas included in Department of Hawaiian Home Lands holdings.

Area	Location	Biological value	Size (a)
Waimanu Valley	Kohala, Hawai'i	Water estuary	200
Wailuku River headwaters	Humu'ula, Hawai'i	Mauna Kea silverswords	50
Upper Pi'ihonua	Pi'ihonua, Hawaii	Koa forest	1,000
Mauna Kea Forest Reserve	Humu'ula, Hawai'i	Māmane forest	1,500
Pu'u o Kali	Kula, Maui	Native dryland forest	300
Kahikinui Forest Reserve	Kahikinui, Maui	Native forest plants	1,200
Mo'omomi Beach	Ho'olehua, Moloka'i	Beach strand vegetation	25
Waimca gullies	Waimea, Kaua'i	Native dry shrublands	500
Nanakuli Valley	Nanakuli, O'ahu	Native plants	10

There are many present and potential threats to these areas, which the Department cannot begin to control by itself. There will have to be help from concerned and informed agencies and individuals. Gorse (*Ulex europaeus*), banana poka (*Passiflora mollissima*), clidemia (*Clidemia hirta*), lantana (*Lantana camara*), and Christmas berry (*Schinus terebinthifolius*) are already present on Department lands. The Department has begun to build partnerships with public and private sector landowners who have similar problems and concerns. Because of its overriding mandate, the Department is not able to conduct major land stewardship programs that focus on preservation and management of native ecosystems. However, it can assist other groups that are willing to do so. As examples, the Department is participating in the Hawaii Steering Committee on Gorse Control (Tulang, this volume) and has begun discussions with The Nature Conservancy of Hawaii on ways in which the Conservancy's Heritage Program can assist in identifying Federally Threatened and Endangered species on Department lands.

The work of alien plant control on many lands in Hawai'i is just beginning. The preserves of The Nature Conservancy of Hawaii, the U.S. Fish and Wildlife Service Hakalau Forest National Wildlife Refuge, the State Natural Area Reserves, the National Park Service lands, and the many unique ecosystems on private lands cannot be sustained or maintained without cooperative public-private efforts. We must build on current efforts, create new joint ventures where necessary, and together continue the job of native ecosystem identification, preservation, and management.