

COUNTY COUNCIL

COUNTY OF KAUAI

Resolution No. 2023-44, Draft 2

**RESOLUTION URGING THE STATE OF HAWAII BOARD OF LAND AND
NATURAL RESOURCES TO CONSIDER PUBLIC ACCESS, USES, AND
PURPOSES FOR STATE PARCELS AT WAILUA**

WHEREAS, the area of Wailua, Puna District of Kauai, also known as Wailuanui, Wailuanuihoano, Wailuanuihoano, Wailuanuilani, and Wailua Nui A Hō'ano—meaning great, sacred Wailua—as its name suggests, is one of the most sacred places in the Hawaiian archipelago and was an area primarily reserved for royalty, with a rich, documented history; and

WHEREAS, Wailua is the site of numerous ancient *loko i'a* (fishponds), including two (2) known as Weuweu and Kawaiiki, estimated to be at least 600-800 years old or more, integral to a *pu'uone* coastal wetland drainage system; and

WHEREAS, coconut groves were an essential part of the Hawaiian cultural landscape, providing foundational survival tools and security, especially in times of famine, drought, and war, and coconut palms have been dominant in the area from the time of the ali'i to the present; and

WHEREAS, the Mahunapu'uone burial grounds are located at Wailua, along with other verified and speculated additional burials of *iwi kūpuna*; and

WHEREAS, Hawaii's highest concentration of *heiau* were established in the area, starting from the mouth of the Wailua River and extending to the summit of Wai'ale'ale, including: Hikinaakalā Heiau, Holoholokū Heiau, Malae Ha'akoa Heiau, Poli'ahu Heiau, and Lae Ala Kukui Heiau; and

WHEREAS, Wailua and Waimea served as alternating royal residences for the *ali'i* and their courts, with Wailua further serving as a royal birthing site; and

WHEREAS, the Wailua River State Park was established in 1954 in recognition of the splendid beauty of the Wailua River along with the significant historical and archeological features. The Wailua Complex of Heiau was included in the state park and designated a discontinuous National Historic Landmark in 1962 and listed on the Hawaii State Register of Historic Places in 1981 as Site 50-30-08-0502; and

WHEREAS, a hotel that once stood on the site was destroyed on September 11, 1992, when Hurricane Iniki struck the island of Kauai; and

WHEREAS, since that time, parcels within Wailua have languished for over thirty (30) years; and

WHEREAS, the area is subject to extensive traffic congestion on Kūhiō Highway and along Kuamoʻo Road and Haleilio Road, which would be exacerbated by intensive use of the area; and

WHEREAS, the area is subject to additional considerations such as: Base Flood Elevation, Sea Level Rise Constraint District, property line setback limitations, and presence of endemic endangered waterbirds; and

WHEREAS, Hawaiʻi Revised Statutes, Chapter 6E (Historic Preservation), Section 6E-1 (and previously codified in the Revised Laws of Hawaiʻi 1955) states: “The Constitution of the State of Hawaiʻi recognizes the value of conserving and developing the historic and cultural property within the State for the public good” and “it shall be the public policy of this State to provide leadership in preserving, restoring, and maintaining historic and cultural property, to ensure the administration of such historic and cultural property in a spirit of stewardship and trusteeship for future generations, and to conduct activities, plans, and programs in a manner consistent with the preservation and enhancement of historic and cultural property”; and

WHEREAS, the Council has been informed that the Board of Land and Natural Resources may soon be reviewing revocable permits for parcels within Wailua; and

WHEREAS, TMK (4) 4-1-003:017 (Revocable Permit 7444) (0.842 acres) is a parcel with hardened surfaces immediately *mauka* of Kūhiō Highway at the intersection of Kuamoʻo Road, which could once again be appropriate for parking access to the County of Kauaʻi Wailua Beach Park, especially due to the increasing erosion at Wailua Beach, which has completely eliminated the once-plentiful beach-adjacent parking area; and

WHEREAS, TMK (4) 4-1-005:017 (Revocable Permit 7613) (0.12 acres) is a parcel *makai* of Kūhiō Highway and adjacent to Wailua Beach Park, which could also be appropriate for public access to and use of the ocean; and

WHEREAS, TMK (4) 4-1-003:005 (General Lease No. 4878) (14.83 acres) is a parcel that includes the longstanding “coconut grove,” which could once again be appropriate for public access to and use of the “coconut grove”; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, that the Council urges the Board of Land and Natural Resources to act within its power to prioritize public access, uses, and purposes when considering requests for leases, licenses, permits, or other agreements relating to the above-referenced or other relevant parcels in the sacred Wailua area.

BE IT FINALLY RESOLVED, that copies of this Resolution be sent to Governor Josh Green, M.D., the State of Hawai'i Department of Land and Natural Resources and Board of Land and Natural Resources, and the County of Kaua'i Planning Department, Planning Commission, Kaua'i Historic Preservation Review Commission, and Office of the County Attorney.

Introduced by: /s/ FELICIA COWDEN
/s/ KIPUKAI KUALI'I

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	Aye	Ray	Excused	Recused
Bulosan			X	
Carvalho		X		
Cowden	X			
DeCosta		X		
Kagawa	X			
Kuali'i	X			
Rapozo	X			
Total	4	2	1	0

Certificate Of Adoption

We hereby certify that Resolution No. 2023-44, Draft 2 was adopted by the Council of the County of Kaua'i, State of Hawai'i, Lihu'e, Kaua'i, Hawai'i, on May 31, 2023.



County Clerk
Dated June 1, 2023



Chairman & Presiding Officer