

## RESOLUTION

WHEREAS the State of Hawai`i, through its executive branch agencies, has an affirmative duty pursuant to Article XII, § 7 of the state constitution, as well as under the public trust doctrine, to protect Native Hawaiian traditional and customary practices; and

WHEREAS the Department of Land and Natural Resources, through its Board of Land and Natural Resources, exercises jurisdiction over certain submerged and fast state lands that contain traditional cultural properties located within the state's county shoreline management areas, including burials;

WHEREAS the State Historic Preservation Division, the Division of State Parks, and the University of Hawai`i have all received complaints by native Hawaiian individuals and organizations concerning ongoing burial desecration and inappropriate visitation of burial areas (Site 50-10-46-21792, TMK (3) 1-4-02:92 and adjacent properties) in the Cape Kumukahi region of the Puna District, on the island of Hawai`i, which are leased to the University of Hawai`i and under the jurisdiction of the Department of Land and Natural Resources,

NOW THEREFORE, be it resolved that the chair of the Board of Land and Natural Resources prepare a report to the legislature, to be delivered no later than October 1, 2005, consisting of an inventory of all known traditional cultural properties on the properties in question, accompanied by an estimate of the funds, if any, required to complete the inventory and assessment, and to implement protective measures for these traditional cultural properties requiring protection or additional protection.