



# United States Department of the Interior

## NATIONAL PARK SERVICE

Hawaii Volcanoes National Park

P.O. Box 52

Hawaii 96718-0052

n. 97

IN REPLY REFER TO:

### POLICY STATEMENT ON NATIVE HAWAIIAN USE OF HAWAII VOLCANOES NATIONAL PARK

American Indian Religious Freedom Act  
P.L. 95-341

This policy statement provides guidelines within which Hawai'i Volcanoes National Park implements the American Indian Religious Freedom Act and the National Park Service Native American relationships management policy.

**National Park Service Management Policies Regarding Native American Use of Parks:** One of the overall policies of the National Park Service is to manage, develop and execute its programs in a manner that respects the culture, and religious traditions of Native American tribes or groups. The term "Native American" encompasses American Indians, Eskimos, Aleuts, Native Hawaiians, and other Native American peoples of the Pacific Islands. Specifically, the National Park Service has pledged to ensure the following:

1. That regulations concerning access to, and use of, natural and cultural resources in the Parks will not unreasonably interfere with Native American use of traditional areas or sacred resources.
2. That the Park superintendent will establish and maintain effective consultant relationships with potentially affected Native American tribes, groups or individuals.
3. That all management decisions will reflect a knowledge and understanding of potentially affected Native American cultures.

In addition, the American Indian Religious Freedom Act (Pub.L. 95-341 of 1978) states that it is a policy of the United States to protect and preserve Native American rights to believe, express, and exercise their traditional religion. Consequently, it is a policy of the National Park Service to be as unrestrictive as possible in permitting Native Americans access to, and use of, religious or spiritual sites and sacred resources for traditional ceremonies.

Thus, the policy of the National Park Service is to permit members of Native American tribes or groups to enter parks and camp overnight in approved areas for traditional cultural and religious purposes without paying entrance fees. The National Park Service is also committed to protecting sacred resources to the extent practicable and will not disclose the location and nature of such sacred sites and resources to the general public

**Native Hawaiian use of Hawaii Volcanoes National Park:** Pursuant to the above National Park Service policies, and the direction and constraints of Congress, it is the policy of the administrators of Hawaii Volcanoes National Park to maintain the Park and develop programs in a manner that respects, encourages and ensures the perpetuation of the cultural, and religious traditions of Native Hawaiians. This is implemented by the following specific policies:

1. Native Hawaiians may enter the park and/or camp overnight at approved sites for traditional cultural, and religious or spiritual purposes. Any Native Hawaiian entering the park for these purposes will have entrance fees waived upon stating to the park entrance station employees that he/she is Native Hawaiian and has come for traditional Native Hawaiian cultural purposes.
2. Native Hawaiians who are residents of the Kalapana area in the Puna District on the Island of Hawaii and who qualify under 36 CFR 7.25 (a)(3) to fish and gather sea life in the Kalapana Extension of the Park, may also enter without payment of an entrance fee upon stating their intentions to exercise their fishing right.

3. Native Hawaiians who express the need to collect protected native plants for traditional religious or medical purposes may do so by first obtaining a permit at Park headquarters. The list of types and amounts of protected native plants designated as available for collection under special permits has been developed through close consultation with knowledgeable persons in the Native Hawaiian community. Continued consultation between the Park and the Native Hawaiian community will ensure access to protected native plant material for traditional non-commercial uses while ensuring the health of those plant communities.

4. Native Hawaiians who express the need to have special access to closed eruption areas may do so by identifying themselves as Native Hawaiians who require access for cultural or religious purposes. The Park Service shall make every effort to ensure that Native Hawaiians entering closed areas understand the inherent hazards of such entry, and that their activity must not result in creating a hazardous situation for themselves, other park visitors or park employees.

5. Park administrators desire to maintain continuing consulting relationships with members of the Native Hawaiian community to ensure that there will be systematic input by that community regarding park planning, management, and operation decisions that affect sacred materials, places, or other ethnographical resources with which they are associated. As an example such consultants have aided in developing accurate historical and cultural resource information bases for management and interpretive needs, ensuring accurate use of the Hawaiian language in exhibits and signs, and have assisted in developing policy directed at protecting Native Hawaiian sacred sites and traditional practices. The Park needs consultants from all parts of the Native Hawaiian community. Native Hawaiians wishing to become a consultant should contact the park superintendent at (808) 967-7311.

The above policies regarding Native Hawaiian use of Hawaii Volcanoes National Park also apply to non-Native Hawaiian family members and friends who accompany Native Hawaiians to the park for traditional cultural and religious purposes. Thus, the following specific policy will be implemented.

1. Non-Native Hawaiian family members and friends who accompany Native Hawaiians for the purposes of engaging in traditional Native Hawaiian religious and cultural practices may enter the park and/or camp overnight in approved areas without paying an entrance fee.

The above policies are subject to change or modification when necessary to ensure the safety of all persons in the Park or to protect the resources of the Park as mandated by the Congress of the United States.

  
Superintendent,

Date

9/8/95



**Section 2.1(d)(2) Collection of Certain Materials for Special Religious Purposes:**

As provided by 36 CFR Sec. 1.6; 36 CFR Sec. 2.1(d) "Preservation of Natural Features"; The American Indian Religious Freedom Act, Public Law 95-341, as codified in 42 USC Sec. 1996; and the National Park Service Policy on Native American Relationships Management, The Superintendent authorizes the collection of the following natural products in the following quantities and under the following circumstances for the express purposes of Public Law 95-341.

**A. Eligibility and Condition of Collection.**

1. The collection of natural products under this section shall be in keeping with the traditions that are rooted in the aboriginal religious (spiritual) practices of the Native Hawaiian people and only by people of Native Hawaiian ancestry as intended by Public Law 95-341.
2. Persons who are not of Native Hawaiian ancestry may collect under the permit of and in the company of a Native Hawaiian. An example would be family relatives or members of a hula halau who are not native Hawaiian.
3. No plant picking is allowed in the Special Ecological Area of Kipuka Puau.
4. Special island events such as the Merrie Monarch Festival place a high demand for forest products used in traditional hula. Starting two weeks before these festival periods and for their duration, collecting plants and plant parts for adornment purposes is limited to hula halau of the Island of Hawaii, for their personal use.
5. Natural products collected will not be used for commercial purposes.
6. The reckless destruction or disturbance of natural features, the collection of natural materials not included in the permit, as well as any other violation of Park laws and regulations during collection constitutes a misuse by the permittee and will serve as the basis for revocation of the permit.
7. The lists of natural products and amounts listed in this compendium were developed through consultation with Native Hawaiian advisors and the Park's Resources Management and Science Divisions, to ensure that the taking of these products are in keeping with traditional practices, and are collected in such a manner and in amounts that will not adversely effect the resources of the Park

Requests for permits by Native Hawaiians to collect natural materials not listed in this compendium will be considered on a case by case basis. This will ensure that the materials meet the criteria of traditionally being used, that they are not readily available outside the Park and that their collection would pose no adverse impact on the resource.

**B. Application Procedures**

1. The collection of natural products will be allowed by a written permit that will specify:
  - a. The name or names of those person(s) collecting.
  - b. The specific date of collection.
  - c. Items to be collected
  - d. The location authorized for collection.
  - e. The traditional or religious reason for collecting.
  - f. The amount of the item to be collected.
2. Permits for collection will be issued by a Park Ranger authorized to do so by the Superintendent. Authorization will be based on the guidance of the Park's Native Hawaiian Advisory Committee; Native Hawaiian consultants, and the Divisions of Protection, Resources Management, and Research at Hawaii Volcanoes National Park.
3. Issuance:
  - a. Permits may be arranged for by telephone or through the U.S. Mail. At least one of the individuals listed on the permit must pick it up in person at the Park.
  - b. The person physically obtaining the permit must accompany any other person(s) listed on that permit while collecting in the field.
  - c. Only those persons listed on the permit are authorized to collect natural products under its terms.
  - d. A permit will not be issued more than one (1) day before the permit is intended to go into effect.

**C. Maximum Quantity / Type of Specimens which may be collected:**

**1. Plants with Dye Quantities:**

'Akala fruit	(1)small plastic bag*** per person (Ola'a Tract)
Ukiuki fruit	(1)small plastic bag***
Noni bark	(1)small plastic bag*
Kukui bark	(1)small plastic bag*
Ohi a bark	NONE (RESOURCE DAMAGE)*
'Ohelo berries	(1)small plastic bag*
'Olapa berries	(1)small plastic bag*
Olomea berries	(1)small plastic bag*

2. Crafts (leaves) Corsage

Lama	NONE – insufficient amount in Park
Kou	NONE – insufficient amount in Park
U lei	Limited - for specific use
Milo*	NONE – insufficient amount in Park
Koa*	Limited – for specific use
Hala	3 bundles (20 leaves each)
'Ie'ie	NONE – insufficient amount in Park
Hau	NONE – insufficient amount in Park
Niu	Limited – for specific use
Wiliwil	NONE – insufficient amount in Park
Ha'o	NONE – insufficient amount in Park

3. Plants with Medicinal Value

Mamaki	leaves	2 lbs wet	Tea	(I)
		fruit	1 pt bag	(I)
'Ohelo	leaves	2 lb bag wet		(I)
'Ohelo kaula'au	leaves	2 lb wet		(I)
liko/mu'o Lehua	leaves	2 lb wet	Tea	(I)
Noni	fruit	None – insufficient amount in Park		
'Uhaloa/Hi aloa	root	½ lb		(I)
Kukui	nuts	5 nuts		(B)
	bark	6"x6" section		(B)
Popolo	leaves	1 lb		(B)

4. Plants with domestic values:

Pa'iniu	15 leaves	per person ****
Palapalai	two plastic bags**	lei per halau
Palapalai	40 leaves	lei per person
Pala'a	20 leaves (limited)	lei per person
Liko Lehua	enough for one set	lei per person
A'al'i	enough for one set	lei per person
Mamane	enough for one set	lei per person
Pukiawe	enough for one set	lei per person
'Uki	15 stalks	lei per person
Liko 'ohelo	small plastic bag***	lei per person
Koa leaves	small plastic bag***	lei per person
'Akia(bark)	five stems	cordage per person
(fruit)	small plastic bag	lei per person
'Ohelo(fruit)	one quart	lei per person
'Olona	insufficient amount in Park	
Iliahi	insufficient amount in Park	
Maile	insufficient amount in Park	
Kaunaoa pehu	small plastic bag(mauka of Chain of Craters Rd.)	

\* One set equals: one head band, one neck lei, two wrist lei(s) and two ankle lei(s)





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**NATIONAL PARK SERVICE**

## Hawaii Volcanoes National Park

**P.O. Box 52**

Hawaii 96718-0052

IN REPLY REFER TO:

# PLANT COLLECTION PERMIT

**This permit is issued for the collection of the following plants, in the quantities specified, to be used in the practice of Traditional Hawaiian Religion by persons of Hawaiian ancestry. (Traditional Hawaiian Religion applies to beliefs and practices transmitted across generations and identified by elders or practioners as necessary for the perpetuation of native Hawaiian culture.)**

Date of Collection: 8/28/2000

Time: 9:50 AM

**Name (s) of Collector (s): (Maximum of 4 persons)**

1)                       
Leader

21

3)

4)

Location of Collection: Kipuka Ki

Reason for Collection: H.O. Kupu

Item (s) and amounts to be collected: 25 Leafs PAPA PAPA

**This permit is valid only for date of collection and must be displayed in the windshield of your vehicle while plants are being collected. If terms of this permit are violated, this permit will be revoked and plants will be confiscated. Kipuka Puauolu (Bird Park) is off-limits to plant collecting of any kind. Maile may not be collected anywhere within park boundaries.**

I understand the limitations of the plant resources, and will pick in such a way so as to not affect the future growth of the plants.

**Leader Signature:**

**Address:**

Date: 8/28/2000

Time: 9.

**Telephone:**

Vehicle:(make & model)

**License:**

**Approved/Denied**

Toni Cose