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JOINT STATEMENT ON THE JURISDICTION OF MAUNA KEA ACCESS ROAD

HONOLULU – The Department of the Attorney General (AG), Department of Hawaiian Home Lands (DHHL), and Department of Transportation (DOT) issues this joint statement regarding Mauna Kea Access Road.

Mauna Kea Access Road is under the control and jurisdiction of DOT. Pursuant to HRS § 26-19 and HRS Ch. 264, DOT has control and jurisdiction over all state highways and Mauna Kea Access Road is designated to DOT's State Highway System as Route 210. This includes any portions of the road that cross over DHHL land.

“State DOT has controlled and maintained Mauna Kea Access Road since it became part of our highways system in 2018,” said DOT Deputy Director Ed Sniffen. “Prior to that time, sections of the road situated on Hawaiian home lands were maintained by the County of Hawai'i pursuant to a Memorandum of Agreement (MOA) between DHHL and the County of Hawai'i.”

Beneficiaries of the Hawaiian Homes Commission Act of 1920 do not own Mauna Kea Access Road. Act 14 (1995) resolved all claims concerning the use of Hawaiian home lands for public roads and highways built before and after statehood.

In response to concerns that some compensation remains outstanding, DHHL and the Department of Land and Natural Resources (DLNR) have been working together to evaluate the terms of compensation and to confirm that it has been made in full. This process, however, does not alter the fact that all claims regarding use of roads and highways crossing DHHL lands have been resolved.

“Act 14 was a historic piece of legislation,” said Hawaiian Homes Commission Chair William J. Aila Jr. “It resolved long-standing claims associated with the use of Hawaiian

home lands. We remain committed to seeing the completion of the few remaining items under Act 14, including ensuring that compensation for the use of roads and highways crossing DHHL lands has been received in full.”

“The State is reviewing the compensation issues related to the use of Hawaiian home lands for public roads and highways, and will ensure they have been addressed,” stated Attorney General Clare E. Connors. “The public is reminded that Mauna Kea Access Road is a public road controlled by DOT and that the current blockade is unlawful.”

At this time, DOT has restricted access on Mauna Kea Access Road to preserve public health and safety, and to carry out its responsibilities under HRS Ch. 264.

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