

TESTIMONY
GM 258

Abbey Seth Mayer
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February 18, 2008

Senator Clayton Hee
Chair, Water and Land Committee
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
Honolulu, HI 96813

**RE: GM 258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer
Testimony submitted for the Hearing: February 20, 2008 at 2:45pm**

Aloha Chairman Hee, Vice-Chair Kokubun, and Senators Fukunaga, Tokuda and Whalen.

I'd like to take this opportunity to thank you for acting so promptly to schedule this hearing. I've looked forward to the opportunity to appear before you so that you can get to know me better.

According to DBEDT's 2003 Hawaii Housing Policy Study and Population Projections, Hawaii's planners will have to accommodate an additional 282,000 persons and 112,000 new dwelling units over the coming 20 years. In an island state where significant population growth is expected over the coming twenty years, and land and natural resources are increasingly limited, I can think of no greater responsibility than the provision of solid planning supported by an empowered state Office of Planning. Balancing economic growth and development with the need and desire to retain the essential places, character and cultures that we value is not only thoroughly essential, but also an extremely delicate task.

Professional History, Experience and Accomplishments

For the past two years I have served as Executive Director of the Ke 'Aupuni Lokahi (KAL), the Moloka'i Enterprise Community, a nonprofit organization tasked with implementing a comprehensive and holistic strategic plan for the island of Moloka'i. This plan, which includes 28 active projects, addresses all sectors of life on Moloka'i, from environmental preservation to economic development, health care to education, and agriculture to Native Hawaiian cultural programs. In my present capacity, I have served as lead project coordinator for all 22 priority projects of the Moloka'i EC. In doing so I have gained invaluable firsthand experience in planning for and realizing sustainability for rural Hawai'i.

These projects, categorized into four major project areas, include:

Environment: Watershed Protection; Native Plant Nursery; Historic Sites Inventory; Waste Management; Northwest Molokai Erosion Control; Solar for Molokai.

Productivity: Taro Production; Fishponds/Aquaculture; Commercial Kitchen; Brownfield Redevelopment; Slaughterhouse; Kalani'anaole Hall; Community-Based Compatible Development.

Self-Governance: Youth Leadership Development; Learning Centers; Education Coordinator; Aka'ula School; Fire Protection; Community Land Trust; Moloka'i Land Trust.

Healthy Community: Dialysis Center; Mālama Cultural Park; Visitor Coordinator; School-to-Work; Community Health Center; Kahua Ola Hou.

The EC's 22 priority projects have established and maintained over 100 distinct partnerships during my tenure with all levels of federal, state and county government, as well as public and private foundations. During the same period, 2006-2007, Ke Aupuni Lokahi has been awarded over \$2.2 million in direct grant funding, with EC projects leveraging an additional \$12 million dollars. Over 60 jobs were created by EC projects during these same two years.

Prior to working for the Moloka'i EC, I served as Executive Director of the Moloka'i Livestock Cooperative (MLC), where I author a comprehensive strategic business plan for the revitalization of the livestock industry on Moloka'i. Some of my personal accomplishments during the past four years include:

- Negotiating, and securing funding for, the fee-simple acquisition of a 196-acre, perennial stream watershed (Kawaikapu) on East Moloka'i, to be conserved in perpetuity by the Moloka'i Land Trust.
- Securing \$500,000 to fund planning and initial construction of a new Moloka'i Community Health Center facility.
- Leveraging approximately \$2 million to finance low-interest mortgages for ten affordable homes currently being constructed in Maunaloa.
- Acting as lead project manager for the reconstruction of the historic Kalaniana'ole Hall in Kalama'ula.
- Coordinating all fundraising, technical assistance and capacity building for the Moloka'i Land Trust.
- Organizing and fundraising for a steering committee to establish a Moloka'i Community Development Corporation (CDC), the primary role of which will be to provide affordable homes and community facilities for Moloka'i.
- Authoring a comprehensive, strategic business plan for the revitalization of the livestock industry on Moloka'i.
- Opening and obtaining full federal certifications for the Moloka'i Livestock Cooperative's slaughter and meat processing facility, after the plant sat vacant and inoperable for over five years.
- Graduating from the University of Hawaii, Shidler College of Business's Executive Accounting Program -- an intensive, full-time, 24-credit hour, 6-month graduate accounting program, supplying all education prerequisites for obtaining CPA licensure -- while being employed fulltime by the Moloka'i EC.
- Graduate of the Hawaii Alliance of Community-Based Economic Development (HACBED) *2006 Community Connections* -- a year-long course on community-based planning and economic development.

- Guest lecturer in 2006 and 2007 at the University of Hawaii, Manoa, Dept. of Urban and Regional Planning, *URP618 Community-Based Planning*.

Section 225M-2, Hawaii Revised Statutes reads: “The director shall have: training in the field of urban or regional planning, public administration, or other related fields; experience in programs or services related to governmental planning; and experience in a supervisory, consultative, or administrative capacity.” The abovementioned training and experience, along with the credentials listed on my resume (attached) clearly indicate that I meet the requirements defined by the statutes.

Interest in the Office of Planning

My primary interest in seeking the Director position of the Office of Planning (OP) stems from my love for and commitment to help preserve rural Hawaii. Out of this love and commitment, my family and I chose Moloka‘i to be our home upon our move to Hawaii in 2004. Opportunities to protect and realize sustainability for rural Hawaii through the work of OP have been most enticing to me in my consideration of the position. Specifically:

- Working with the Legislature and Lingle Administration to help implement knowledge gained through OP’s rural policy and best practices project of 2005-2007.
- Continuing to follow-up on the 2005 legislation to identify and protect Important Agricultural Lands (IAL), as required by the 1978 Constitutional Convention. Finding creative and broad-based solutions for identifying and protecting IAL lands is of vital importance to the State, in preserving the State’s ability to produce its own food sources, and in preserving the rural character, open spaces and cultural resources that are so vital and unique to Hawaii.
- Pushing forward on the Leeward Coast Initiative (LCI), the multi-agency effort led by OP to identify and address the deeper systemic issues underlying homelessness and economic challenges in Leeward Oahu. Strong leadership will be necessary to continue to expand collaborations with other agencies to implement the 32 “Great Ideas” proposals that were crafted over the last two years. There are additional opportunities here to develop these programs statewide, in the ongoing effort to bring economic sustainability to all of rural Hawaii.
- Focus on urban planning and the maximization of urban resources to prevent sprawl and other unplanned uses of areas outlying urban centers.
- Community and economic diversification planning through the coordination of statewide economic strategies outlined in the Hawaii Statewide Comprehensive Economic Development Strategy (CEDS). Continuing to support efforts for Sustainable Entrepreneurial Development and Planning for Rural Economic Development.
- Working through the Coastal Zone Management Program (CZM) Program to ensure a balance between competing demands for limited and often fragile coastal and marine resources. Continuing to integrate ahupua‘a/moku/watershed knowledge into CZM policies, while working collaboratively to maximize benefits of ICRI’s 2008 Year of the Reef Initiative.

Support for the Community-Based Master Land Use Plan for Molokai Ranch

While I am strongly of the belief that my selection and confirmation as Director of the Office of Planning should be based on a far greater range of criteria than my position on this one issue, I expect

that a fair volume of people will object to my appointment based solely on this matter. As such I will attempt to detail the position of the Molokai EC, insomuch as it relates to planning:

Ke Aupuni Lokahi, Inc. (KAL), the Molokai Enterprise Community Governance Board, has worked for the past four years on the creation and implementation of an extremely comprehensive and innovative plan for the revitalization of the economy of Molokai. This plan, entitled the *Community-Based Master Land Use Plan for Molokai Ranch* was created through a community process involving over 130 public meeting with over 1,000 individual participants. KAL, facilitating the process for the greater community of Molokai, successfully forged a partnership with Molokai Properties Limited (MPL, dba Molokai Ranch, a publicly-traded property investment corporation and the single largest land-owner on the Island of Molokai) in an effort to end over 30 years of contentious relations.

Since pineapple plantations began phasing out operations on Molokai, beginning in the 1970s, and finally ceasing all cultivation by the mid-1980s, the Molokai community has grappled with the issue of revitalizing the island's economy and providing jobs for residents. By the late 1990's, Molokai remained one of the most economically depressed communities in the state of Hawaii, thus leading to its designation as Enterprise Community by the USDA – one of only 20 such communities nationwide. Economic statistics that led to Molokai's EC designation award (2000 US Census, www.census.gov - American FactFinder): Forty-five percent (45%) of families on Molokai live below the poverty level, while 20% live below 100% of the Federal poverty level. Per capita income is \$12,988, a mere 56% of the State's average (\$22,625). Median household income is \$35,138, 71% of the State level of \$49,820. The unemployment rate is 10.4% (compared to 2.7% for the State), while the Not-Employed rate exceeds 19.5%. Sixteen percent (16%) of the Molokai population receives welfare, compared to 5% throughout the State. Twenty-eight percent (28%) of Molokaiians receive Food Stamps, compared to 10% Statewide.

During the pineapple phase-out and throughout the 1990s until 2003, Molokai Ranch isolated itself from the Molokai community through a lack of consultation on its development plans. As a result, Molokai Ranch's plans generally met with strong community opposition.

In 2003, Molokai Properties Limited (MPL), which had acquired the abandoned Kaluakoi Hotel, and the Molokai Enterprise Community (EC), began meeting together to discuss a mutual interest in re-opening the Kaluakoi Hotel. Out of those discussions grew a partnership of the Enterprise Community and MPL to create a visionary plan for Molokai Ranch's 65,000+ acres that would reflect the kind of community the residents desired.

The resultant *Community-Based Master Land Use Plan for Molokai Ranch* (initially launched as EC Project #47, Community-Based Compatible Development) provides an economic engine through a very controlled, small-scale luxury residential home lot development around the area of La'au Point. Revenues earned from sales of the lots at La'au Point will fund the following:

1. The preservation of Molokai Ranch's current operations and the resultant saving of 140 jobs. Molokai Ranch has been losing close to \$4 million dollars per year and this development will end losses and make current operations viable. If the Plan is not successfully implemented and the

resultant viability achieved, Molokai Ranch will be forced to lay-off over 90% of its current workforce;

2. The \$30 million dollar renovations and reopening of the Kaluakoi Hotel, including the creation of 150+ jobs and the resultant increased opportunities for local entrepreneurship (Molokai Ranch plans to contract many of the Hotel services to local entrepreneurs, including laundry service, produce production to supply the hotel restaurant, beachfront concessions and services and housekeeping services). Application for a Special Management Area Permit for renovations has been filed with Maui County in preparation to begin re-construction;

3. The creation of a Molokai Community Development Corporation (CDC), which will be gifted 1,100 acres of commercial lands and 200 acres of development rights in and around Molokai's three major commercial centers to be used for economic development, affordable housing, community facilities and other controlled community expansion. In addition to land for housing, MPL will also gift lands to the CDC for other community development opportunities:

- A 5-acre parcel in central Kaunakakai zoned light industrial, which will be available for development in 2011.
- A 3.2-acre parcel adjacent to the Community College, which will be sold to the Maui Community College at market value.
- \$100,000 from the sale by MPL of a 5-acre site to the County for a new Kaunakakai Fire Station (contained within the 1,100 site above Kaunakakai).
- Endowment from the La'au Point community, which is to be structured as follows:
 - A net 5 percent of the sale revenue of all 200 lots in the La'au Point community. The value of this revenue is estimated to be \$10 million over five years beginning 2011.
 - A percentage of subsequent revenue when lot, or lot-and-house, is re-sold. This will provide the CDC with a perpetual income.

4. The creation of a Molokai Land Trust which will be gifted 26,000 acres of land fee simple, plus an additional 25,000+ acres of agricultural and conservation easements. The MLT's mission is protect and restore the land, natural and cultural resources of Molokai while perpetuating the unique Native Hawaiian traditions and character of the island. Through the Molokai Land Trust, a staggering 30% of the total land area of the Island of Molokai will come under community ownership and control.

5. Altogether an estimated 312 jobs will be saved and created, a staggering 10.3% of the labor force population (3,027) of the entire Island of Moloka'i (2000 Census, www.census.gov - American FactFinder). This figure does NOT include construction and other service jobs created by the actual development at La'au Point.

While it is true that many residents on Moloka'i oppose the development at La'au Point, another segment of the community, including a majority of the Molokai EC's board of directors, continues to support the Plan. Plan supporters, and in particular the EC Board, have been the subject of numerous allegations of wrongdoing by opposition members. In April, 2007, the EC Board voted to refrain from further board actions until the USDA-RD could answer the community's questions regarding the

EC Board's compliance with EC rules and regulations. The EC was never 'shutdown' or 'suspended', as has often claimed and even circulated in the media. The Molokai EC was found to be in full compliance with all federal rules and regulations by the USDA's National Office in Washington, D.C. (see letter dated Oct. 25, 2007 from John H. Wells, Director, Cooperative Development Division, attached).

It is also noteworthy that toward the close of the Master Planning process, the Molokai EC founded and funded the Alternatives to La'au Development Committee (ALDC). The ALDC commissioned a study by a private consultant who recommended three alternatives to the proposed La'au development. Of these three, the ALDC endorsed only one alternative: the fee-simple purchase of the entire La'au project area by a conservation-minded person/group. While efforts have been made to identify an interested party, resources needed for a purchase of this magnitude are vast. Also, it has been noted that even conservation-minded buyers would require the property to be fully entitled for development, to enable a maximization of write-off potential.

In Conclusion

Being able to face and work through controversy while remaining successful and productive requires a range of personal traits: Courage, self-discipline and self-assurance; loyalty and trustworthiness; intelligence, thoughtfulness and deep consideration; an ability to listen to all sides, while remaining attentive to detail and maintaining a broad perspective. These are many of the traits that I bring to the table, all of which have been required of me in my years on Moloka'i and will continue to serve me well as the Director of the Office of Planning. Above all, my desire to serve comes from a place that is heartfelt and earnest, while my dedication, commitment and diligence are extremely real.

In short, I believe I will make a fair, balanced and dynamic leader of the Office of Planning -- for the great benefit of all the people of the State of Hawaii. Helping to guide the State through future changes is a task that I would approach with only the deepest sense of sincerity and humility.

I look forward, with a deep sense of honor, to working with you.

Abbey Seth Mayer

Encl:

Letter dated October 25, 2007 from John H. Wells, Director, Cooperative Development Division, USDA Rural Development.

Resume, Abbey Seth Mayer.



**United States Department of Agriculture
Rural Development**

Date: October 25, 2007

To: Molokai Enterprise Community Residents
Contact Person: Noelani Lee
Post Office Box 1359
Kaunakaki, Hawaii 96748

From: John H. Wells *John H. Wells*
Director, Cooperative Development Division
USDA Rural Development
STOP 3254
1400 Independence Avenue, SW
Washington, DC 20250-3254

Subject: Review of Molokai EC Board Compliance

Please find attached document on subject: USDA Review of Molokai EC Board Compliance.

Attachment

1400 Independence Ave, S.W. · Washington DC 20250-0700
Web: <http://www.rurdev.usda.gov>

Committed to the future of rural communities.

"USDA is an equal opportunity provider, employer and lender."
To file a complaint of discrimination, write USDA, Director, Office of Civil Rights,
1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800) 795-3272 (Voice) or (202) 720-6382 (TDD).

Subject: USDA review on Molokai EC Board compliance

Background

Recently, some questions have been raised about whether the Molokai EC has been in compliance with USDA rules and regulations regarding Board composition and operations. These questions are raised in the context of a debate among Molokai citizens regarding a plan which includes the development of a portion of land on Molokai.

Beginning in 2003, with technical assistance from The Conservation Fund, the Molokai EC facilitated a community-wide process for the development of a Community-Based Master Land Use Plan for lands owned by Molokai Ranch. Participants in this process included the Molokai Ranch, the Molokai EC, the Department of Hawaiian Home Lands, and the citizens at large of Molokai. In November 2005, the EC board voted to support the resultant plan. Prior to implementation of this plan, under State law, further approval must be granted by several bodies. The State Land Use Commission and the Molokai Planning Commission have begun their deliberations on the plan. Further down the road, the State Water Commission and the Maui County Council will be involved.

Since these other bodies have not yet completed their decision making processes on the plan, some plan opponents who live in the Molokai EC would like to see the EC revisit--and reverse--the November 2005 vote supporting the plan.

In conjunction with the development of the Community-Based Master Land Use Plan, planning process participants also founded the Molokai Land Trust, an organization designed to accept land and easement donations to the community from various donors, including the Molokai Ranch.

Review: Questions and answers

During the past 5 years, has the Molokai EC been in compliance with USDA rules pertaining to the composition and operations of its Board of Directors, including any rule(s) regarding a the proportion of the Board that is elected by the community; b) the voting eligibility of Board members with financial and/or fiduciary interests in a specific EC action or recommendation; and c) the provision of appropriate public notice prior to appointment by the Board of one or more Board members?

a. Regarding the proportion of Board elected:

The Molokai EC has complied with all USDA rules regarding the proportion of the Board that is elected by the community.

USDA rules require that the Molokai EC Board must have at least 55 percent of its members elected by the community.¹ The Molokai EC Board has had its composition change several times over the past few years, including changes in the total number of Board members. Nonetheless, detailed analysis of the roster of Board members indicates that, at no point over the past 5 years, did the EC Board ever fail to meet the 55 percent minimum requirement.

USDA allows appointment of up to 45 percent of its Board members; this provision applies to all ECs across the nation. Among the common reasons boards have chosen to appoint members are to provide for diversity or certain types of expertise, and for organizational continuity.

Some members of the Molokai EC Board and some members of the community have expressed concerns about the validity of the election of the Census Tract 319 representative, who began serving in 2002. USDA finds insufficient evidence to declare the representative's election invalid in terms of conformance with USDA regulations. Since 2002, there have been no other nominees from Census Tract 319, and to date there have been no other Census Tract 319 residents who have expressed an official interest in serving on the EC board. Public announcements for interested nominees for the seat were made in November and December 2006 prior to the last election, with no candidates applying. However, for the future, we recommend that the EC list candidates for all vacant slots on its ballots, including unopposed candidates.

b. Regarding voting eligibility of Board members with financial and/or fiduciary interests in a specific EC action or recommendation:

The Molokai EC has complied with USDA rules regarding voting eligibility of Board members with financial and/or fiduciary interests in a specific EC action or recommendation.²

USDA has determined that there is no non-compliance with respect to Molokai Land Trust Board members who are also serving on the EC Board.

Some Molokai EC Board members have had membership on the Molokai Land Trust Board. Such concurrent membership has existed for the following EC Board members:

¹§ 25.404(b)(3). *Board membership. The membership of the board must be representative of the entire socio-economic spectrum in the designated community including business, social service agencies, health and education entities, low income and minority residents. Board membership may be determined by either broad-based election or by appointment to meet this diversity requirement; however, not more than 45 percent of the board members may be selected by appointment. Elections of community residents to the board may be done by any locally acceptable process; however, at least one board member from each of the designated community's census tracts must be elected and representative of the low income residents in their census tract.*

²*Guidance (on avoiding conflicts of interest) from USDA to all ECs has been provided in OCD Technote #15: Conflict of Interest: What It Is and How to Avoid It.*

| EC Board Member | Period where this EC Board member was a member of both Boards (the EC Board and the Molokai Land Trust Board) |
|-----------------|---|
| Stacy Crivello | June 14, 2006, through present |
| Rikki Cooke | June 14, 2006, through present |
| Colette Machado | June 14, 2006, through Jan 31, 2007; and March 15, 2007, through present |
| Cheryl Corbiell | March 15, 2007, through present |

Given the purpose of the Molokai Land Trust (to manage its land, assuring that land is not developed and is held in perpetuity for the benefit of the community as a whole), the land trust's Board members do not have any personal financial and/or fiduciary interests in any EC action or recommendation regarding the Molokai Land Trust. But, to be doubly sure, common members of the two Boards have recused themselves from voting on any EC Board action or recommendation related to EC funding for the Molokai Land Trust.

It is recognized that in small communities, residents often serve in multiple civic capacities. In the case of any EC Board member who simultaneously serves as an employee of the Molokai Ranch, such member should be recused from voting on land use issues related directly or indirectly to the Molokai Ranch. USDA recognizes there have been cases where this did not occur. USDA has notified the EC of the error and has investigated the past votes on land use issues. In the instances investigated, outcome would not have changed, even if the recusal had occurred. For the future, the board must adhere to the above recusal practice. USDA will be monitoring the Board to ensure compliance with this recusal practice.

c. Regarding the provision of appropriate public notice prior to appointment by the Board of one or more Board members:

USDA has no rules regarding the provision of appropriate public notice prior to appointment by the Board of one or more Board members.

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
Honolulu, HI 96813
(Submitted via email)

February 19, 2008

RE: GM 258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer

Dear Senator Hee:

In considering Governor Linda Lingle's appointee for the Director of the Office of Planning for the State of Hawaii, I strongly urge you to confirm Mr. Abbey S. Mayer. My support of Mr. Mayer is based on the experience, philosophy and personal integrity explained below:

I have known Mr. Mayer as a colleague during his tenure as executive director of Ke Aupuni Lokahi (KAL). During his time at KAL, Mr. Mayer's accomplishments (of which I assume you are aware) have been numerous. Chief among the accomplishments has been the steady stewardship of the Molokai Enterprise Community that has influenced the reopening of the Kaluakoi Resort, the perpetual protection and conservation of over 51,000 acres of land, and the creation of affordable homes. I believe the actions of KAL at Mr. Mayer's scrupulous direction will positively impact the welfare of Molokai's residents for generations to come.

Over time I have become familiar with Mr. Mayer's professional philosophy and approach to planning. His greatest asset is a deep understanding for how to *integrate* physical, social and economic objectives into the planning process. Considering expected population growth in the state, the integration of these objectives will be critical to sustained and responsible growth of Hawaii's economy. Additionally and importantly, Mr. Mayer has demonstrated a steadfast commitment to an inclusive planning process that assures the voices and perspectives of disadvantaged sectors of society are heard and included in decision-making processes.

Lastly, on a personal level, I believe that Mr. Mayer possesses exemplary integrity and ethics necessary to be the Director of the Office of Planning.

Please consider these reasons and support the nomination of Mr. Meyer for the Director of the Office of Planning. Should you have questions or request further information from me, please call (808)535-1325.

Sincerely,

David W. Rothwell
Ph.D. Candidate in Social Welfare
University of Hawaii at Manoa

LAW OFFICES

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NEW YORK, N.Y. 10168

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February 19, 2008

Senate Water and Land Committee
State Of Hawaii
Honolulu, HI

Re: Nomination of Abbey Seth Mayer

Ladies and Gentlemen of the Committee:

I urge you to approve Governor Lingle's nominee for Director of Planning, Abbey Mayer. Valedictorian of his high school class in Roslyn, New York and a graduate of Yale University, Abbey has brought clear thinking and perseverance to every task he has faced in life. He has had many opportunities to pursue lucrative conventional careers, but has always chosen more socially responsible occupations, and gave himself to these occupations with dedication. He is sensitive to both conventional and unconventional thinking, and a proven and respected manager. If confirmed, he will bring the best personal qualities and abilities to the office for which he has been nominated.

Thank you.

Sincerely,



Marc Owen Mandel

Written Testimony
of
Mary Alice Evans
to the
Senate Committee on Water and Land
Senator Clayton Hee, Chair
Senator Russell S. Kokobun, Vice Chair

Wednesday, February 20, 2008
2:45 pm, Room 414
State Capitol

Re: Consideration of Abby Seth Mayer
for
Director of the Office of Planning

Chair Hee, Vice-Chair Kokobun and Members of the Committee:

I am writing to support the confirmation of Abby Mayer as director of the Office of Planning. Although I have not had an opportunity to work with Abby yet, since today is his first day as Interim Director of the Office of Planning, I have met him and know some of the highlights of his work as executive director of the Molokai Enterprise Community.

I think Abby will make a good director of the Office of Planning for the following reasons:

The Office of Planning is charged with carrying out the Hawaii State Plan which seeks to balance economic prosperity with social justice and protection of Hawaii's amazing natural environment. The Office of Planning must take the long view in order to optimize all three goals. Abby demonstrated the ability to work with a long planning horizon in order to help create a vision for Molokai that encompasses all three goals.

The Office of Planning is also charged with carrying out strategic planning for the State of Hawaii and Abby, working with a strong and far-sighted board of directors, helped craft a strategic plan to revitalize the economy of the island of Molokai while protecting its unique cultural resources and traditions.

The Molokai Enterprise Community, with Abby as its executive director, forged partnerships with Kamehameha Schools, the Nature Conservancy, and county, state and federal agencies to protect watersheds, historic sites, subsistence and commercial food production, and improve health services, education and cultural practices. That kind of active outreach to all parts of the community would benefit the Office of Planning's efforts to carry out the Hawaii State Plan.

I urge you to recommend the confirmation Abby Mayer as Director of the Office of Planning.

LAW OFFICES OF BRIAN I. EZUKA

888 Mililani St., Ste. 700
Honolulu, Hawaii 96813
Telephone: (808) 532-6699
Facsimile: (808) 537-3565

February 19, 2008

Senator Clayton Hee
Chair of the Water and Land Committee
Hawaii State Capitol, Room 228
415 S. Beretania Street
Honolulu, Hawaii 96813
[Via facsimile transmission]

*2/20/08
hearing*

Re: GM258, confirmation of Mr. Abbey Mayer as Director of the Office of Planning

Dear Senator Hee and Water and Land Committee members:

In confirming a director for the State of Hawaii's Office of Planning, I strongly recommend that you consider Mr. Abbey Mayer, former executive director of Ke Aupuni Lokahi, Inc., a Hawaii nonprofit tax-exempt corporation. Mr. Mayer's qualifications for this position are outstanding. I recite a few of them below.

The Director of the Office of Planning will need a superb administrator, and Mr. Mayer is exactly that. He developed what is now one of the most effective nonprofit organizations in the State and on Molokai, in particular. Through his leadership, the organization has successfully provided oversight in the Island's 10-year revitalization plan as part of its Enterprise Community designation, which it received in 1998. In doing so, he has built a strong foundation upon which to carry out the plan by, among other things, coordinating operations, establishing priorities among competing interests, anticipating problems and needs, and maintaining fiscal controls.

The Director of The Office of Planning will need to involve the community and community leaders in its affairs, as well as local public and private industry and groups, and Mr. Mayer has worked effectively with and developed positive relationships with such persons. His success in this respect is based in part on his ability to develop rapport and trust, as well as to gain cooperation among diverse interests. He is also active in community affairs, and is popular among the youth because of his participation in the 4-H of Molokai and being Chief Instructor of Aikido of Molokai.

- 2 -

February 19, 2008

The Director of the Office of Planning should be someone who loves the State. Mr. Mayer has shown his love many times -- most recently by his generous volunteer work, for which he received a certificate of recognition from The Office of Hawaiian Affairs in 2007.

The Director of the Office of Planning will need to be innovative. Mr. Mayer is innovative: his initiative to develop a comprehensive strategic business plan to revitalize the livestock industry on Molokai and, most recently, successfully spearheading the initiative to bring Kawaikapu Ranch and Watershed into conservation are just a few examples. The success of these initiatives brought to bear Mr. Mayer's imagination, and abilities to conceptualize and visualize the desired outcomes.

For these reasons, I urge you to confirm Mr. Mayer for this position. I know him through my legal work with public charities in the community and have no personal stake in his confirmation. I believe that Hawaii's community will benefit if he is placed in charge of The Office of Planning.

Very truly yours,



Brian I. Ezuka



United States Department of Agriculture
Rural Development
Hawaii State Office - Western Pacific Region

February 19, 2008

Honorable Clayton Hee
Hawaii State Senator
Chairman, Senate Water and Land Use Committee
Hawaii State Capitol, Rm. #228
Honolulu, Hawaii 96813

2/20/08
hearing

Re: Abbey Seth Mayer, GM 258, Gubernatorial Nominee for Director Office of State Planning

Dear Senator Hee:

USDA Rural Development is a Federal agency administering over 50 loan and grant programs related to housing, utility infrastructure, community facilities, economic development, and planning. Among our community development initiatives is the Empowerment Zone/Enterprise Community Program. Molokai was one of 20 communities across the nation selected in 1998 for a ten-year designation which included direct funding, technical assistance, and access to Federal set-aside funding. It is in this context of this program that I humbly ask for your support to confirm Abbey Mayer for the Office of State Planning.

In 2006, Abbey was appointed as the Executive Director of Ke Aupuni Lokahi—the non-profit organization administering the Molokai Enterprise Community. The substance of the Empowerment Zone/Enterprise Community Program (EC) work involved comprehensive planning, and the implementation of multiple inter-related projects ranging from agriculture to health care and education to economic development, to name a few. It also involved working with many constituents and audiences.

As Executive Director of the Molokai EC, supporting some 20 active projects, Abbey has operated with dedicated professionalism. He has the ability to listen, take recommendations, and work with the Molokai community while thinking in a visionary manner. He is also able to focus on the details necessary to move plans to reality. Abbey possesses foresight and a capacity to think strategically, as well as, to develop creative solutions. He exercises leadership and decisiveness coupled with a high degree of steadiness. He holds unwavering values for integrity and ethics, regardless of the pressures that may be brought in difficult situations.

As the State Director for USDA Rural Development, I humbly ask for your support in confirming Abbey Mayer as Director for the Office of State Planning.

Sincerely,

A handwritten signature in black ink, appearing to read "L.P.S." with a stylized flourish at the end.

LORRAINE P. SHIN
State Director

Room 311, Federal Building, 164 Waiānūenue Avenue, Hilo, Hawaii 96720, Tel: (808) 933-8380, FAX: (808) 933-8327, TDD: (808) 933-8321
<http://www.rurdev.usda.gov>

Committed to the future of rural communities

Rural Development is an Equal Opportunity Lender, Provider, and Employer. Complaints of discrimination should be sent to USDA, Director, Office of Civil Rights, Washington, D. C. 20250-9410

testimony

From: ~~3~~ Bruce Shames [sbshames@rcn.com]
Sent: Monday, February 18, 2008 2:41 AM
To: testimony
Subject: FW: Testimony for Abbey Mayer

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
Honolulu, HI 96813
(Submitted via email)
2/18/08

*for 2/20/08
hearing*

RE: GM 258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer

Dear Senator Hee:

In considering Governor Linda Lingle's appointee for the Director of the Office of Planning for the State of Hawaii, I strongly urge you to confirm Mr. Abbey S. Mayer. Mr. Mayer's qualifications for this position are outstanding, as cited below:

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The substance of the EC work involved comprehensive planning and the implementation of multiple inter-related projects. It also involved working with many constituencies and audiences, who often differed with each other.

The MEC's decision to express support for a community-based land use plan for approximately one third of the island owned by Molokai Properties, Ltd. drew controversy because of one aspect of the plan which would allow the development of 200 homes around the area of La'au Point. Regardless of the positions segments of the community have taken on this part of the plan, all will agree that the comprehensive land use plan is a complex and a far-reaching one with vast positive impacts for the future of Molokai. This plan provides realistic and sustainable avenues for addressing many of Molokai's most endemic problems -- through the reopening of the Kaluakoi Resort, to the perpetual protection and conservation of over 51,000 acres of land, and the creation of affordable homes.

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It is obvious that he possesses a care and concern for the communities he works with and for the future of Hawaii. These qualities when applied to the position under consideration will serve well the Office of State Planning.

2/19/2008

testimony

From: Sue & [redacted] Shames [sbshames@rcn.com]
Sent: Monday, February 18, 2008 2:38 AM
To: testimony
Subject: Testimony for Abbey Mayer

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
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Please contact me, should you wish any further information.

testimony

From: Shugen Komagata [ryusenjihawaii@msn.com]
Sent: Monday, February 18, 2008 8:51 PM
To: testimony
Subject: testimony for confirmation for ABBEY S MAYER as Director of the Office of Planning. Hearing for 2/2

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
Honolulu, HI 96813
(Submitted via email)

RE: GM 258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer
For the February 20, 2008 2:45 p m hearing at the Capitol

Dear Senator Hee:

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Please contact me, should you wish any further information.

Yours truly,

Shugen Komagata
Email: Ryusenjihawaii@msn.com
164 California Ave.
Wahiawa, HI 96786

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
Honolulu, HI 96813

RE: GM 258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer, February 20th Hearing (Capital)

Dear Senator Hee:

In considering Governor Lingle's appointee for the Director of the Office of Planning for the State of Hawaii, I strongly encourage you to confirm Mr. Abbey S. Mayer.

As Abbey's brother, I can attest to his abilities. For example, as valedictorian of Roslyn High School '91, his natural aptitude provided a tangible distinction from the rest of his classmates. Abbey's growth continued at Yale as he began to demonstrate sensitivity towards left- and right-brain activities, concentrating in Art while balancing an otherwise strenuous course load. Finally, while in Molokai, Abbey's development of both strategic and tactical competencies has been impressive to say the least. To that end, it allows Abbey unique perspective that enables the implementation of sustainable initiatives.

In short, I hope Hawaii has the opportunity to take advantage of Abbey's comprehensive vision, energetic spirit and impeccable ethics. Please contact me by either phone or e-mail if I can provide any additional support for this decision.

Sincerely,



Brian A. Mayer
38 Highview Drive
Ridgefield, CT 06877
Telephone: (203) 438-5943
E-mail: bmayer777@aol.com

Community Voice, Collective Action

Board Members

President

Jason Okuhama
Executive Vice President,
Hawai'i Lending Specialists

Vice President

Akoni Akana
Executive Director,
Friends of Moku'ula, Maui

Secretary

Wayne Tanna
Asset Building Coalition &
Chaminade University

Treasurer

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Anahola Kaua'i Agribusiness
Micro-enterprise Project, Kaua'i

Stacy Crivello

President,
Ke Aupuni Lokahi, Moloka'i

Rian Dubach (at large)

Community Development Manager,
American Savings Bank

Puni Kekauoha &

Adrienne Dillard
Papakolea CDC, O'ahu

Keikialoha Kekipi &

Susie Osborne
Ho'oulu Lahui, Hawai'i

Kukui & Gary Maunakea-Forth

WCRC – Mala Ai`Opio (MA`O),
O'ahu

Tommy Otake

Attorney At Law

HACBED Staff

Robert Agres, Jr

Executive Director

Justin Fanslau

Associate Director

Larissa Meinecke

Public Policy Associate

Tony Hall

Administrative Manager

Testimony of:

ROBERT AGRES, JR.

Senate Committee on Water & Land

Wednesday – February 20, 2008

2:45 p.m.

Conference Room 414

IN SUPPORT OF GM 258, CONFIRMATION OF ABBEY SETH MAYER, GUBERNATORIAL NOMINEE FOR DIRECTOR OF THE OFFICE OF PLANNING

Aloha Chair Hee, Vice Chair Kokubun, & Members of the
Senate Committee on Water & Land:

I am Robert Agres, Jr., Executive Director of the Hawai'i Alliance for Community Based Economic Development (HACBED), and I am providing testimony in support of Governor Linda Lingle's nomination of Abbey Seth Mayer as the Director of the Office of Planning. I would like to strongly encourage your confirmation of his appointment.

Over the last couple of years, we have had the opportunity to work with Mr. Mayer in helping build the capacity of Ke Aupuni Lokahi and other community-based organizations on the island of Moloka'i to ensure that the people of Moloka'i have choice and control over shaping a sustainable future for themselves. During that time, we have come to know and respect Mr. Mayer's skills, experience, knowledge, and values base.

The following are some of the underlying factors that contribute to his effectiveness in providing strong leadership; facilitating collaborative problem solving; forging viable partnerships; and supporting inclusive and broad based community planning efforts:

- *starting where people are at* – his attentiveness to and understanding of the importance of "context", history, and group dynamics in planning and capacity building

February 20, 2008

Senate Committee on Water & Land

GM 258 – Confirmation of Abbey Seth Mayer as Director of the Office of Planning

efforts.

- *an action orientation and record of accomplishment* – he has effectively overseen the planning and implementation of a diverse range of projects and partnerships that have brought the Moloka`i community's comprehensive vision and plan to life.
- *compassionate listening* – he has a values base of active listening and compassion that underpins his work in community.
- *collaboration* – he has an attitude and mindset of collaboration and team work.
- *an analytical mind* – his strong vision is complemented with a keenly intelligent and analytical mind.

His integrity and humility has served him well in his community planning and development efforts with grassroots groups. In addition, his high level of professionalism and quality work has allowed him to work successfully in high level government and private sector situations.

We think that Mr. Mayer will bring a fresh and new perspective to the State's Office of Planning and will provide much needed focus and attention to:

- wrestling with and resolving the difficult issues related to maintaining and sustaining rural Hawai`i;
- identifying and protecting important agricultural lands; and
- facilitating the bringing together and bridging of diverse players and points of view around viable and bold strategies for a sustainable Hawai`i.

While the controversy surrounding the development of La`au Point has been raised in consideration of Mr. Mayer's appointment, we believe that issue to be a Moloka`i community concern and one that the people of Moloka`i should be allowed to address and resolve in a way that they believe is appropriate for them. We see confirmation of Mr. Mayer's appointment as a separate question and an opportunity to create innovative strategies to maintain rural Hawai`i; take bold "bottom up" approaches to moving Hawai`i towards sustainability; and provide meaningful and collaborative leadership and vision to address social, economic, and environmental justice issues in ways that truly benefit all the people of Hawai`i as well as this special place that is Hawai`i.

We encourage you to favorably consider confirmation of Mr. Mayer's appointment as Director of the Office of Planning and thank you for the opportunity to provide our testimony and support of GM 258.

Senator Clayton Hee
 Chair, Water and Land committee
 23rd Senatorial District
 Hawaii State Capitol, Rm.#228
 415 S. Beretania St.
 Honolulu, HI 96813

RE: GM258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer.

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In considering Governor Linda Lingle's appointee for the Director of the Office of Planning for the State of Hawaii, I strongly urge you to confirm Mr. Abbey S. Mayer. Mr. Mayer's qualifications for this position are outstanding, as cited below:

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It is obvious that he possesses a care and concern for the communities he works with and for the future of Hawaii. These qualities when applied to the position under consideration will serve well the Office of State Planning.

Please contact me, should you wish any further information.

Feb. 20th Hearing

Navita Ishak
 168-08 89th Ave
 Jamaica 11432

Senator Clayton Hee
Chair, Water and Land committee
23rd Senatorial District
Hawaii State Capitol, Rm.#228
415 S. Beretania St.
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Please contact me, should you wish any further information.

Sincerely,
Howard Siegel
465 Shore Road
Long Beach, NY 11561

Senator Clayton Hee
Chair, Water and Land committee
23rd Senatorial District
Hawaii State Capitol, Rm.#228
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Sincerely,

Susan Fishman

19 Wagon Rd

Roselyn Height, NY 11537

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Sincerely,
Ms. Holly Rosenthal
41 The Intervale
Roslyn, NY 11576

Tami Tawil
1325 E. 8th St
Brooklyn, NY 11230

February 19, 2008

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
Honolulu, HI 96813

FOR 2/20/08
hearing

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I have worked as a community volunteer in various capacities with Abbey Mayer. As the MEC board president I served as his direct report. His integrity, commitment and unselfish dedication are qualities he upheld throughout his tenure as our executive director. On a personal level, I value his appreciation for the environment and love for our lands and her people.

Please contact me, should you wish any further information.

Sincerely,

Tami Tawil

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
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Julie Carthy
88 Milford Road
Guilford, CT 06437

203 453 9625

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Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
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Sincerely,
Itamar Grunstein, MD

testimony

From: Keith Dengenis [keithdengenis@gmail.com]
Sent: Monday, February 18, 2008 10:38 PM
To: testimony
Subject: Candidacy of Abbey Seth Mayer, Director of of the Office of Planning, Testimony, February 20, 2008, Senate Water and Land Committee

2/19/2008

For 2/20/08
hearing

Dear Committee Members:

I am writing on behalf of Mr. Abbey Seth Mayer as a friend who has known him since 1995. Mr. Mayer and I have enjoyed a close friendship the entire time and have worked together on more than a few projects. Additionally, we have been on more than a few hunting and fishing trips together. I have met and know his entire family and he, mine.

Governor Lingle could not have nominated a better candidate in quality of character and intellectual aptitude than Mr. Mayer. Indeed, as a Democratic activist by vocation, I can say with candor that it is rare that a candidate of Mr. Mayer's caliber comes before any esteemed State Government committee for consideration.

For as long as I have known Mr. Mayer he has never lied to me or anyone else I know. He has been honest in all dealings - even if did not appear to be in his interest to do so. He has always been tactful and candid. He has never been rude, egotistical or, self aggrandizing in the 13 years I have known him.

I can honestly say, he is also quite gifted when it comes to intellectual matters and possesses a singular focus when considering and metabolising information of any sort. His reasoning abilities are equally matched by his intuition when determining likely outcomes - regardless of their nature.

Given he is Governor Lingle's nominee for the post of Director of the Office of Planning, you have before you an usually qualified candidate. Given the sensitive and potentially volatile nature of land development politics in Hawaii, I wish to urge you in the strongest terms how good a choice Mr. Mayer will be to fill that post.

Thank you all for your time and consideration. Please feel free to contact me with any questions you might have.

Keith Dengenis
407 K Street, NE
Washington, DC 20002
301/523-5191

2/19/2008

testimony

From: Jeff Scott [scottk@westelcom.com]
Sent: Sunday, February 17, 2008 3:23 AM
To: testimony
Subject: Committee on water and land- Abby Mayer

I knew Abby Mayer while he lived here in the Adirondacks. He impressed me with his dedication to his work in agriculture and literature. He is intelligent, straightforward and has a sense of humor. There is no doubt in my estimation, that Abby will be a tremendous Director of Planning.

Jeff Scott

*for 2/20/08
hearing*

David Mayer
60 Sleepy Hollow Road
Red Bank, NJ 07701

February 17, 2008

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
415 S. Beretania St.
Honolulu, HI 96813
(Submitted via email)

2/20/08

RE: GM 258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer

Dear Senator Hee:

In considering Governor Linda Lingle's appointee for the Director of the Office of Planning for the State of Hawaii, I strongly urge you to confirm Mr. Abbey S. Mayer. Mr. Mayer's qualifications for this position are outstanding, as cited below:

In 2006, when Mr. Mayer was appointed to the executive directorship of Ke Aupuni Lokahi--the non-profit organization administering the Molokai Enterprise Community-- he brought marked stability to the organization. Through his leadership, the organization has successfully provided oversight in the Island's 10-year revitalization plan as part of its Enterprise Community designation, which it received in 1998. In doing so, he has built a strong foundation upon which to carry out the plan by, among other things, coordinating operations, establishing priorities among competing interests, anticipating problems and needs, and maintaining fiscal controls.

The substance of the EC work involved comprehensive planning and the implementation of multiple inter-related projects. It also involved working with many constituencies and audiences, who often differed with each other.

The MEC's decision to express support for a community-based land use plan for approximately one third of the island owned by Molokai Properties, Ltd. drew controversy because of one aspect of the plan which would allow the development of 200 homes around the area of La□au Point. Regardless of the positions segments of the community have taken on this part of the plan, all will agree that the comprehensive land use plan is a complex and a far-reaching one with vast positive impacts for the future of Molokai. This plan provides realistic and sustainable avenues for addressing many of Molokai's most endemic problems -- through the reopening of the Kaluakoi Resort, to the

perpetual protection and conservation of over 51,000 acres of land, and the creation of affordable homes.

As Executive Director of the Molokai Enterprise Community, supporting some 20 active projects, Mr. Mayer has operated with dedicated professionalism. He has the ability to listen to and work with many different constituencies. While able to think in a visionary and bold manner, he is also able to focus with intensity on the details necessary to move plans to concrete reality. Mr. Mayer possesses foresight and the ability to think strategically as well as to develop creative solutions. He exercises leadership and decisiveness coupled with a high degree of intelligence and steadiness. He holds unwavering values for integrity and ethics.

It is obvious that he possesses a care and concern for the communities he works with and for the future of Hawaii. These qualities when applied to the position under consideration will serve well the Office of State Planning.

Please contact me, should you wish any further information.

Sincerely yours;
David Mayer
Via e mail

testimony

From: Tom Duca [tduca1@gmail.com]
Sent: Monday, February 18, 2008 4:21 PM
To: testimony
Subject: re: GM 258

*For 2/20/08
hearing*

To: Senator Clayton Hee

Re: GM 258, gubernatorial Nominee for Director of Office of Planning, Abbey Seth Mayer

Dear Senator Hee,

I knew and worked with Abbey Mayer for the two years he resided in Essex, New York and i would strongly urge you to confirm him for the position to which Governor Linda Lingle has recommended his appointment, that being as Director of the office of Planning for the State of Hawaii.

Please feel free to contact me at: Mr. Thomas F. Duca, 2224 Lakeshore Road, Essex, New York, 12936
518- 963-8591

I thank you for all your time and consideration. Hawaii is a very wonderful state which i have had the pleasure of visiting.

Yours truly,
Thomas F. Duca

testimony

From: DorseyJean@aol.com
Sent: Sunday, February 17, 2008 9:21 AM
To: testimony
Subject: Re: Hearing on February 20, 2008

Senator Clayton Hee
Chair, Water and Land committee
23rd Senatorial District
Hawaii State Capitol, Rm.#228
415 S. Beretania St.
Honolulu, HI 96813

*for
2/20/08
hearing*

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Please contact me, should you wish any further information.

Sincerely,
Dorsey Mayer
52 Entrance Road
Roslyn Heights, NY 11577

2/19/2008

Joanne Zucker Baker
9 Duncan Drive
Morganville, NJ 07751
(732) 536-1360

February 17, 2008

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
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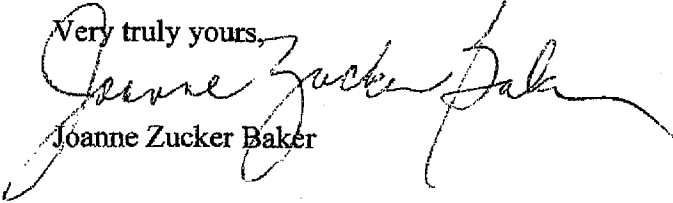
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Very truly yours,


Joanne Zucker Baker

Henry E. Baker
9 Duncan Drive
Morganville, NJ 07751
(732) 536-1360

February 17, 2008

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Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
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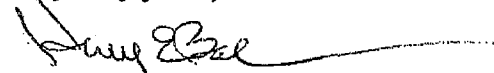
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Please contact me, should you wish any further information.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Henry E. Baker", with a long horizontal line extending to the right.

Henry E. Baker

testimony

From: DLReuther@aol.com

Sent: Sunday, February 17, 2008 4:48 AM

To: testimony

Subject: to Water & Land Committee for hearing on Abbey S. Mayer on Wednesday, Feb. 20th

Senator Clayton Hee
Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Room. #228
415 S. Beretania Street
Honolulu, HI 96813
(Submitted via email)

RE: GM 258, Gubernatorial Nominee for Director Office of Planning, Abbey Seth Mayer

Dear Senator Hee:

I write in support of Governor Linda Lingle's appointee of Abbey S. Mayer for the Director of the Office of Planning for the State of Hawaii.

I have known Mr. Mayer for over four years now and I have been deeply and consistently impressed by his intelligence, his tremendous sense of dedication, his ability to lead and inspire others, and his high sense of integrity and ethics.

Sincerely,
David Reuther

Delicious ideas to please the pickiest eaters. [Watch the video on AOL Living.](#)

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Chair, Water and Land Committee
23rd Senatorial District
Hawaii State Capitol, Rm. #228
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Please contact me, should you wish any further information.

Philip M. Mandel
162 S. Fair view Ave.
Montauk, N.Y, 11954

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Please contact me, should you wish any further information.

Charles and Barbara Heim
bfcheim@aol.com

TESTIMONY
GM 258
(END)