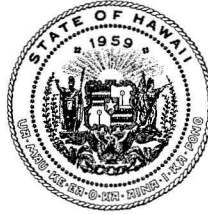


LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Laura H. Thielen
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

Russell Y. Tsuji
FIRST DEPUTY

Ken C. Kawahara
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

On House Bill 3262– Relating To Honolua Bay

**BEFORE THE HOUSE COMMITTEE ON
WATER, LAND, OCEAN RESOURCES, AND HAWAIIAN AFFAIRS**

February 8, 2008

House Bill 3262 proposes to establish a temporary Honolua Bay Advisory Committee (Advisory Committee), to be administratively placed within the Department of Land and Natural Resources (Department), to develop a Honolua Bay acquisition and management plan for the purchase, development and maintenance of Lipoa Point as a public open space. The bill also requires the Advisory Committee to submit a progress report to the 2009 Legislature. Lastly, the bill appropriates an unspecified sum. While the Department supports the intent of the bill, it nonetheless has concerns with any fiscal impacts the bill will have on the Executive Supplemental Budget request. In as much, the Department offers the following comments:

Rather than establishing a separate advisory committee, the Department recommends pursuing the acquisition of those lands under the State's existing Legacy Lands Program. The Legacy Land Conservation Commission was created in 2006 for the specific purpose of advising the Board of Land and Natural Resources (Board) on acquisition of lands having a value to the State. The acquisition of Honolua Bay and Lipoa Point for use as a public open space is precisely the type of acquisition that is contemplated under the Program.

Additionally, the Department urges the Legislature instead to consider and pass Senate Bill 3102 or its companion measure House Bill 3180, which are administration bills that seek to allow moneys from the Land Conservation Fund to be used for the operation, maintenance, and management of acquired lands. That measure would provide the proper vehicle to perform management and maintenance responsibilities proposed in Senate Bill 2817.

Notwithstanding the above, should this bill be enacted, the Department believes that it would be advisable to include a member of the Department on the Advisory Committee since it will be the agency administratively responsible for it. Moreover, the proposed Honolua Bay acquisition and management plan must comply with the provisions of Section 171-30, Hawaii Revised Statutes ("HRS"), which provides the Board the exclusive responsibility to acquire private land for the State for public purposes. Section 171-30(e), HRS, further provides that no land shall be purchased for a sum greater than the highest value fixed by an independent appraiser contracted for by the State.

From: Donna Willard [mailto:willard@maui.net]
Sent: Thursday, February 07, 2008 9:35 AM
To: willard@maui.net
Subject: HB3262 Correction

Please note the change in testimony regarding Bill number 3262

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

Honolua Advisory Council

February 8, 2008

Opposed to: HB 3262

Aloha;

The Honolua Advisory Council would like to go on record in opposition to HB3262 A BILL FOR AN ACT RELATING TO HONOLUA BAY.

The Bill seeks to introduce the organizing of a group which is very similar to what is already happening in the community. The bill is correct in recognizing the specialness of the area and therefore the need to address the future of the areas.

The proposed plans raised many emotions and caused the community to rally and come together to communicate to the land owner their disapproval and disagreement with these proposed plans. In response to the community's opposition Maui Land and Pine did remove all conceptual plans from the table. This includes the golf course, the luxury homes, as well as all plans for parks, open space, and cultural uses.

After removing the plans from the table Maui Land and Pine agreed to work with the community in developing a management plan for the area.

Based on the advice of Kupuna from the area an independent body was formed to create a bridge between Maui Land and Pine and the community. In the process of forming this bridge a possible management plan has been prepared and is in the process of seeking community input.

Currently our organization, Honolua Advisory Council and the Save Honolua Coalition are working through a mediated process to see if we might be able to join our efforts. Other organizations in the community are also included and involved in this process.

The land owner has reviewed our proposed plans.

It seems that what this bill is proposing to create is already in existence. The community has and continues to work together to solve this issue. We think it is in the best interest of the community to allow this process to continue as it is. The community has come together in a way we have not seen in a very long time. To attempt to move the process out of their hands and into a new body would not respect what they have come to do and create.

Much is being done by the community and land owner to help move this area into a secure management plan. There is no need for a new group to begin doing what is being done.

However, we would like to encourage your committee and any other Senate members to review what has been done in more detail.

We would like to further encourage you to earmark funds to assist the community in obtaining their final plan. Similar to what the Maui County administration has done.

Another area that the State could provide positive support to our community is by making a planner available if need should arise to assist us implementation of the final plan.

Mahalo for taking our comments in to consideration.

Donna Willard
Honolua Advisory Council
P.O. Box 11032
Lahaina Hi 96761



MAUI LAND & PINEAPPLE COMPANY, INC.

February 6, 2008

The Honorable Representative Ken Ito, Chair
The Honorable Representative Jon Riki Karamatsu, Vice Chair
Committee on Water, Land, Ocean Resources & Hawaiian Affairs
Hawaii State House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

Subject: HB 3262 – Relating to Honolulu Bay

Dear Honorable Chair Ito, Honorable Vice Chair Karamatsu and Committee Members:

Maui Land & Pineapple Company, Inc. ("ML&P") does not feel that creation of the Honolulu Bay advisory committee as provided for in HB 3262 – Relating to Honolulu Bay is necessary at this time.

The County of Maui has already initiated a process where they are facilitating discussions with individuals and community groups interested in the future of the Lipoa Point-Honolulu Bay area. These efforts have shown early signs of progress and ML&P remains hopeful that the participants will be able to build consensus through this process. ML&P believes that the creation of another advisory entity at this stage could prove to be potentially disruptive to a promising course of action that is currently underway. While we appreciate the positive intent of this bill, we believe it is unnecessary at this time because of the existing collaborative efforts between the community, the County of Maui and ML&P.

ML&P respectfully requests your support in holding this bill in committee.

We sincerely appreciate the opportunity to provide our testimony. If you have any questions or wish to discuss our testimony, please do not hesitate to contact me at (808) 877-3882.

Mahalo,

Warren A. Suzuki
Senior Vice President

Sailing  Shipp's Ltd
GEMINI CHARTERS
Ka'anapali Sailing Adventures

P.O. Box 10846 • Lahaina • HI 96761 • e-mail. gemini@geminicharters.com
FAX.808.669.1771 • www.geminicharters.com • TEL.808.669.0508

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8th, 2008

Opposed to: HB 3262

Dear Representatives,

Having run a family business from Ka'anapali since 1980, we have always made a supreme effort to protect and preserve Maui's Sea-life and reefs, and to teach all our passengers about Hawaii's ocean environment.

We strongly oppose HB 3262.

Please take a moment to consider this testimony.

Mahalo



Melany D. Shipp

Owner / President

Sailing Shipp's Ltd, dba Gemini Charters

Sailing  Shipps Ltd
GEMINI CHARTERS
Ka'anapali Sailing Adventures

P.O. Box 10846 • Lahaina • HI 96761 • e-mail. gemini@geminicharters.com
FAX.808.669.1771 • www.geminicharters.com • TEL.808.669.0508

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8th, 2008

Opposed to: HB 3262

Dear Representatives,

Having been in business at Ka'anapali since 1980, Gemini has always protected and helped preserve the marine environment that we share with our passengers on a daily basis.

We strongly oppose HB 3262.

Thank you for taking the time to read our short testimony.

Best regards,


Steve W. Dettwiler

Operations Manager

Vice President

Sailing Shipps Ltd, Dba Gemini Charters

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

Uncle Willie Kahaialii

February 8, 2008

Opposed to: HB 3262

I William Kahaialii approve and support the written testimony provided by Donna Willard of the Honolulu Advisory Council. It is without prejudice that I support this testimony based on all questionable accounts that are being misrepresented in this bill. This bill is faulty due to statements made for a new advisory commission that have already been created and in fact if this is a bill collaborated by anyone from legislation to even consider, observe or approve. There is a legal matter that would hurt this bill under intellectual property law! There is an advisory committee already which has been here for sometime now. A new committee created by legislation only means that there are private agendas that is in this corruptive bill. Therefore being a resident of the island of Maui I object this bill because of its false pretenses.

William Kahaialii

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February ⁷~~8~~, 2008

Opposed to: HB 3262

Aloha;

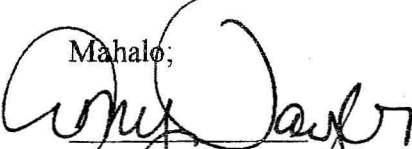
I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolua Coalition and the Honolua Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;


201 Hakua Place
Lahaina, HI 96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February ~~8~~⁷, 2008

Opposed to: HB 3262

Aloha;

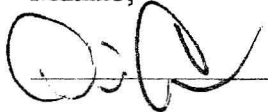
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Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;



Orrin Cross
1350 Holopuni Rd.
Kula, HI 96790

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 7, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolulu Coalition and the Honolulu Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;



19 Hoaka Pl.
Lahaina HI 96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 7, 2008

Opposed to: HB 3262

Aloha;


I live on the island of ^{Oahu} ~~Mau~~ and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolulu Coalition and the Honolulu Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;


Chris Colgate

1105 Kamehameha Pl
Honolulu, HI 96825

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 7, 2008

Opposed to: HB 3262

Aloha;

I live on the island of ^{Oahu}~~Molokai~~ and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolua Coalition and the Honolua Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Dianne Vicheenut

7012 Hawaii Kai Dr. #607
Honolulu, HI 96825

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 7, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolua Coalition and the Honolua Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Walter J. ...
50 Nonoho Place
Paia, HI 96779

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 7, 2008

Opposed to: HB 3262

Aloha;

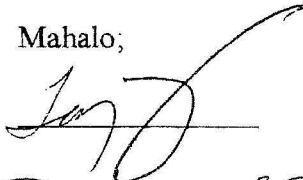
I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolua Coalition and the Honolua Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;



PO BOX 330412

KAHULUI HI 96723

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 7, 2008

Opposed to: HB 3262

Aloha;

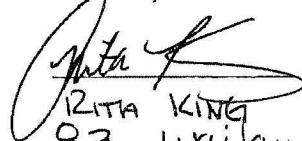
I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolua Coalition and the Honolua Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;


RITA KING
83 Wai'anae Place
Lahaina, HI 96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter with the landowner, the county government, the Save Honolua Coalition and the Honolua Advisory Council.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Ron LaClugne

131 Kaniolu

La Hahaione, HI

96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Les Potts

Andrea Eide

~~Handwritten signature~~

~~Handwritten signature~~

Bob Olan

PHR GYLLENSTAM

Mike Meunier

Wayne Dell'Arcyua

Ken

107 Loa Pl. Napili

96761

96 Loa Place Napili

96 Loa Pl. Napili

96 Loa Pl. Napili

1357 Kakaia St Lahaina

P.O. BOX 1355 LAHAINA.

277 Wili'ko Lahaina

4465 Honouliuli Kula

5212 Koli St. Lahaina

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Jack Starr

P.O. BOX 1333

Lahaina, HI

96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Jennifer Durnin Jennifer Durnin
P.O. BOX 10373
Lahaina, HI
96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

John Willard
P.O. Box 11032
Lahaina, HI 96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Kataokahala Willard
874A Kale Street
Lahaina HI 96761

Water, Land, Ocean Resources & Hawaiian Affairs Committee
Representative Ken Ito Chair
Representative Jon Riki Karamatsu Vice-Chair

February 8, 2008

Opposed to: HB 3262

Aloha;

I live on the island of Maui and I am opposed to HB 3262.

Our community is in the process of working through this matter.

Please vote against this bill.

I can support the State's involvement in the community planning by participating in the existing local process.

Mahalo;

Solomon Blewins
874 A Kale Street
Lahaina HI 96761

Solomon Blewins