



EARTHJUSTICE

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SENATOR ROSALYN H. BAKER, CHAIR
SENATOR SHAN S. TSUTSUI, VICE-CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

TESTIMONY RE: SENATE BILL NO. 2189, SD 1
RELATING TO MĀKUA

February 25, 2008, 10:30 a.m.
Conference Room 211

LATE

Good morning Chair Baker, Vice-Chair Tsutsui, and members of the Committee:

My name is David Henkin, and I am an attorney with Earthjustice. I appreciate the opportunity to offer this testimony regarding Senate Bill No. 2189, SD 1. Earthjustice supports the basic intent of this bill, which is to start planning for the return of Mākua, Kahanahāiki and Ko‘iahi Valleys to the people of Hawai‘i, so these sacred lands can once again be put to productive and appropriate use. As part of that effort, it makes eminent sense to establish a trust fund in the state treasury to receive monies from the federal government and other sources to provide for the rehabilitation of these valleys, which have been damaged by decades of military training.

We respectfully ask you to pass SB 2189, SD 1. Thank you again for the opportunity to offer this testimony.

McCandless Ranch

LATE

February 22, 2008

Testimony from McCandless Ranch, South Kona, Hawaii
Supporting with Amendments S.B. 2198 SD 1 Relating to Land Conservation
Senate Committee on Ways & Means
Monday, February 25, 10:35PM, Room 211

McCandless Ranch supports S.B. 2198 SD 1, with the amendment suggested below.

For the past 90 years, McCandless has been in the ranching business on the Big Island of Hawaii. We have had the privilege of managing and stewarding one of the most intact and pristine native forests in the state.

On private property, it has become more and more difficult to do conservation work because, simply put, conservation happens after the bills are paid.

By allowing tax credits for the donation portion of a Conservation Easement Sale, the state would be stretching their conservation dollar AND they would be helping and encouraging the land owner to reach their conservation goals; a win-win situation.

However, while we are in strong support of this bill, we request that a provision added by the prior committee be removed or amended. At page 5, line 3-4, the bill now requires "that the taxpayer provides reasonable public access to lands under this section." From a landowner's perspective, we believe this will severely restrict the number of private landowners that may otherwise be interested in a Conservation Easement Sale, to the point of rendering this legislation meaningless.

Thank you for the opportunity to testify.


Keith F. Unger
McCandless Ranch