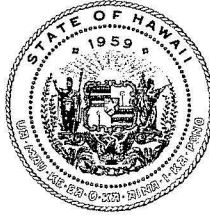
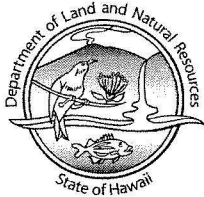


LINDA LINGLE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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CHAIRPERSON  
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AQUATIC RESOURCES  
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CONSERVATION AND COASTAL LANDS  
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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 Senate Bill 2528, Senate Draft 2 – Relating To State Parks On Kauai**

**BEFORE THE HOUSE COMMITTEE ON  
FINANCE**

**March 28, 2008**

Senate Bill 2528, Senate Draft 2 would establish a sub-account under the State Parks Special Fund into which an unspecified % of the proceeds collected from the various fees at Kokee State Park and Waimea Canyon State Park, less any net amounts due to the Office of Hawaiian Affairs, will be deposited and used to cover the cost of repair, maintenance, and operation at the Kokee State Park and Waimea Canyon State Park. The Department of Land and Natural Resources (Department) does not support this measure because it would seriously impact the ability of the Department to maintain Hawaii's State Parks for all of Hawaii's residents.

Over the years, fundamental park services once covered by the General Fund, have had to be covered by the State Parks Special Fund. Currently there is insufficient revenue in the State Parks Special Fund to pay for all the positions, repair and maintenance, and lifeguard services intended to be covered by the fund. Restricting the use of funds generated in one park will impact maintenance in other parks even those on the same island, as a few parks generate most of the revenue for the State Parks, and some parks generate no revenue, and have little potential to ever generate revenue. The State has an obligation to provide access and park services to all our residents, regardless of whether they live in urban areas, rural communities, or near parks with high visitor traffic. Accordingly, the Department needs the ability to use funds from the few parks which generate revenue to support our operations statewide.

In order to make the most efficient use of limited resources, and to maximize flexibility, the Department is making a request for a lump sum Capitol Improvement Project appropriation of \$5,000,000 for facility reconstruction and replacement improvements to State Parks. The benefit of lump sum appropriations is to allow us to redeploy cost savings from one project to complete other repair and maintenance projects. Creating sub-accounts defeats this sort of flexibility within the operating budget, and has the unfortunate unintended consequence of making parks statewide less efficient and in poorer condition. A measure passed last session which creates a sub-account for Diamond Head State Monument has already had the effect of hampering statewide operations.

The State Parks Special Fund expenditures in Fiscal Year (FY) 2007 amounted to \$3,502,809. Estimated revenue for FY 2008 is \$2,057,815, with Kokee and Waimea Canyon projected to generate about \$300,000. This is expected to increase in future years with the issuance of new leases for cabins and concessions, and will help make up the shortfall. If deposited into a sub-account the shortfall will be exacerbated.

Many parks generate little or no revenue, but benefit from the State Parks Special Fund. If this measure is passed it is likely that recently hired special funded park maintenance personnel will be laid off. In addition, this fiscal year, over \$715,000 in special funds is budgeted to pay for lifeguard services in four parks. Altogether those parks generate less than \$50,000. Creation of sub-accounts for other parks will raise the possibility of insufficient funds for lifeguard services.

While the Department understands the reasoning behind intent of this measure, the Department does not support this bill as it would seriously impact the ability of the Department to operate, maintain, and repair its parks statewide.



**SB 2528, SD 2, RELATING TO STATE PARKS ON KAUAI**  
House Committee on Finance

March 28, 2008

2:00 p.m.

Room: 308

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The Office of Hawaiian Affairs (OHA) **SUPPORTS**, S.B. 2528, S.D. 2, which would create a sub-account in the state parks special fund to ensure that an appropriate amount of money is available for the maintenance of Waimea Canyon State Park and Kōkeʻe State Park. The sub-account would be funded with a percentage of the revenues from concessions, leases, and commissions, as well as other user fees, derived from Waimea Canyon State Park and Kōkeʻe State Park.

OHA supports this effort that will guarantee that the unique and precious cultural and environmental resources of Waimea Canyon State Park and Kōkeʻe State Park will be preserved and protected.

In addition, we appreciate that the bill contains specific language that states that OHA will continue to receive its portion of ceded lands revenue derived from these two state parks, in accordance with §10-3, Hawaii Revised Statutes.

OHA urges the Committee to PASS S.B. 2528, S.D. 2. Thank you for the opportunity to testify.

From: Genara Buza Campos  
92-675 Aahualii Street  
Kapolei, HI  
67-5179

**To: Honorable State Leaders**

Date: March 14, 2008

**Subject: Testimony in Support of SB 2528**

Aloha Honorable State Leaders,

Thank you for sharing your qualities, abilities, and pursuits as you seek to balance ideals and expectations, personal character and integrity. I depend on you to always do your best to uphold what is right and not to be concerned with keeping your position intact. I have come to rely on your servant-leadership duties.

**SB 2528** – Relating to State Parks on Kauai      **“75% deposit into K&WC sub-account”**

Although I do appreciate the disclosure and reasons of how the Department of Land and Natural Resources will utilize parks proceeds, there is no mention of the intent to protect, preserve, or manage the parks resources and values. The decision not to support HB 2874/SB 2528, “establishes a sub-account under the state parks special fund,” and not to contribute any of the 100% of the proceeds collected from the various fees at Kokee and Waimea Canyon state parks to that account, is a bold threat to the conservation of these parks and it unconsciously defeats its economic purpose. Visitors come to pay their respects to nature. Why are we not going to do all we can to protect and defend this valuable merchandise?

The nature, beauty, and simplicity of Kokee and Waimea Canyon state parks, will forever be changed and impediments will take over once the Kokee Master Plan is put into action, operation, and service. It is inevitable that this will take place. Caretakers of the land are ready for the challenge to be stewards of the aina!

**I SUPPORT SB 2528. I recommend that it be worded to state that, “75% of the proceeds collected from these park fees be retained in a sub-account established for Kokee and Waimea Canyon state parks”, and, to stress that, “none from this account is to be divided with OHA”, and, to add that, “with the option to increase the amounts with the increase of revenues.”**

**Respectfully,**

Genara Buza Campos  
Dedicated member for the voices of Kekaha

## FINTestimony

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**From:** Margaret [drawpastels@hawaii.rr.com]  
**Sent:** Thursday, March 27, 2008 2:51 PM  
**To:** FINTestimony  
**Subject:** Testimony in STRONG SUPPORT OF S.B.2528, SD2

March 17, 2008

To: Representative Marcus Oshiro, Chair  
Representative Marilyn Lee, Vice Chair  
House Finance Committee  
c/o [FINtestimony@Capitol.hawaii.gov](mailto:FINtestimony@Capitol.hawaii.gov)

From: Stephen and Margaret Cull

Re: Support of S.B. 2528, SD2

This testimony is respectfully submitted in **STRONG SUPPORT of S.B. 2528, SD2** which establishes a sub-account for the purpose of directing that funds collected at Koke`e and Waimea Canyon State Parks be used for the purpose of repair, maintenance and operation of these same parks.

Koke`e and Waimea Canyon State Parks are fragile and contain unique native ecosystems, trails and historic-cultural qualities that are in danger of being compromised by commercialization and overuse. These parks have not been adequately maintained throughout the years and are in need of basic repair and maintenance. The parks' trails, facilities and infrastructure are in need quality restoration and ongoing maintenance and the parks' natural attributes need exceptional and vigilant protection.

Future funding of state park operations should not be dependent upon promoting commercial activities within the parks; these are our last remaining protected natural areas and should remain our gift to our children's children.

We believe adopting S.B.2528, SD2 would help prevent the mis-use of Koke`e and Waimea Canyon State Parks as "revenue generating assets."

Please adopt S.B.2528, SD2.

Please make 100% the percentage to be placed in the sub-account.

Please make the bill effective immediately upon adoption.

Thank you for this opportunity to testify in support of S.B.2528. SD2,

Sincerely,

Stephen and Margaret Cull

(808)338-1373

March 27, 2008

To: Rep. Marcus R. Oshiro, Chair  
Rep. Marilyn B. Lee, Vice-Chair  
Committee on Finance  
c/o FINtestimony@Capitol.hawaii.gov

From: Nancy J. Budd  
Law Offices of Nancy J. Budd

Re: Support of S.B. 2528, SD2

This testimony is submitted in **support of S.B. 2528, SD 2**, which establishes a sub-account for the purpose of directing that funds collected at Koke`e and Waimea Canyon State Parks be used for the purpose of repair, maintenance and operation of these parks.

**During the past several years, the State has become increasingly interested in identifying certain state parks as moneymakers for the entire state park system.** This appears to be a policy shift from protection of our state park natural resources, to exploiting them to raise money for DLNR needs.

We have worked closely with the DLNR and have spent hundreds of hours analyzing the proposals contained in a proposed master plan for the Koke`e and Waimea Canyon State Parks that may be adopted in the next few months.

**There is no question but that DLNR sees Koke`e and Waimea Canyon as a place to commercialize to support DLNR activities throughout the state.** Proposals contained in the proposed master plan include an entry gate, concessions at the lookouts, tearing down the existing historic buildings at the Kanaloahuluhulu Meadow and replacing them with a visitor center and other facilities, identifying the entire area as a "revenue generation center."

Koke`e and Waimea Canyon State Parks are fragile and contain unique native ecosystems, trails and historic-cultural qualities that are in danger of being compromised by commercialization and overuse. These parks have not been adequately maintained throughout the years and are in need of basic repair and maintenance. The parks' trails, facilities and infrastructure are in need quality restoration and ongoing maintenance and the parks' natural attributes need exceptional and vigilant protection.

**Allocating the monies generated within these parks to their repair, maintenance and protection will serve both to maintain these precious places in their natural state for future generations and remove the incentive and pressure for the state to overdevelop and commercialize the parks for the purpose of generating revenue.** Future funding of state park operations should not be dependent upon promoting commercial activities within the parks; these are our last remaining protected natural areas and should remain our gift to our children's children.

## FINTestimony

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**From:** Robert Zelkovsky [robert@bamboomoonvideo.com]

**Sent:** Tuesday, March 25, 2008 10:44 PM

**To:** FINTestimony

**Subject:** 3/28/2008 SB2528 Agenda #1

Chair Marcus Oshiro and Members of the House Finance Committee:

Aloha kakou and mahalo nui for accepting my testimony.

I am writing in favor of this bill to keep funds collected in Koke`e and Waimea State Parks in the fund for upkeep and repair of those parks.

Over the years I know you have received much testimony favoring keeping Koke`e and Waimea Parks as close to their present form as possible. I have written some and certainly have expressed this sentiment orally to many, many people, both to

Legislators and to members of the public. I have been trying to figure out what is the common thread, what is the most basic reason why keeping the parks in their present form and using collected funds for maintenance makes sense.

I have come to the realization that what people love about Koke`e is that it is different. Simply that it is different. It presents a different environment from that which we live in every day on Kaua`i. It is cool in temperature, and sometimes even cold. Much cooler than even where we live which is Wailua Homesteads. It is quiet, much quieter than any town and most neighborhoods. It is very green and presents an opportunity for resting and healing the eyes and brain by taking some much needed time off computers and televisions. Cell phones do not work up there. An opportunity to unplug for a few days. No deadlines. There is minimal traffic. There are virtually no stores, no lines and no shopping decisions. A visit to Koke`e offers an opportunity to live a simpler life for a few days and a way to be better prepared to handle what the rest of the world presents to us. Go to Koke`e, talk a walk, take a few deep breathes, watch a few birds, maybe see a goat, build a fire and feel a sense of renewal of the body, mind and spirit. It is different and I hope it can stay that way.

I am speaking from personal experience. I recently was presented with a health challenge and, after proper care, was very fortunate to spend five days at a friends cabin. This rest and relaxation helped with my recovery. We took tiny walks, had a dinner with friends, fed the chickens, read a little and sat by the fire. It was different and what my spirit needed.

Please keep the funds in the Parks, the jewel of our Islands.

Sincerely,

Robert Zelkovsky, DC

## **FINTestimony**

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**From:** Ulu [ulu@njbudd-law.com]  
**Sent:** Thursday, March 27, 2008 9:15 AM  
**To:** FINTestimony  
**Subject:** 3/28/2008 SB2528 Agenda #1

What is the percentage of the proceeds collected from various fees to the sub-account fund?

I testify that Kokee State Park and Waimea Canyon are truly magnificent natural resources and my Ohana and I regard it with reverence. Please allow this bill to pass and hopefully, with carefully supervision, all said proceeds will be allocated wisely towards repair, maintenance and operations of said park and canyon.

Mahalolo!

Ululani Perreira  
Law Offices of Nancy J. Budd  
4374 Kukui Grove St. Ste 103  
Lihue, Kauai, Hawaii 96766  
(808) 245-5343