

**LATE
TESTIMONY
SB 3102**



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Legislative Testimony
SB 3102, RELATING TO LAND CONSERVATION FUND
Water and Land Committee, Ways and Means Committee

February 13, 2008
Room: 414

2:45 p.m.

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** SB 3102, which allows public and private moneys to be deposited into the Land Conservation Fund (Fund) and distributed as grants for acquisition of land having value as a resource to the State. The Bill also allows moneys from the Fund to be used for the operation, maintenance, and management of the acquired lands.

OHA agrees that allowing for the deposit of public and private moneys into the Fund will help to preserve and protect conservation lands as stipulated in the Hawai'i State Legacy Land Conservation Program.

SB 3102 also calls for up to five percent of annual fund revenues of the previous year to be used for operation, maintenance, and management of lands acquired. It is good for the law to allow this to occur, as often lands acquired for conservation do not necessarily have adequate funds for stewardship. We note, however, that the current application process for lands acquired in this program does require documentation of the grantees ability to steward the lands after acquisition (Legacy Land Conservation Program, Grant Application, Section H (Stewardship and Management)). Because of this, we note that either the law will also need to specify that maintenance funds can be allocated at the same time as acquisition funds, or that the Grant process will be need to be modified to address this amendment.

Finally, OHA notes that the vast majority of applications so far for Legacy funding have come from non-Hawaiian groups, even as these groups seek to protect properties with significant Hawaiian values. OHA would strongly encourage the Legislature to craft amendments to this bill that would further specify the necessary role of Native Hawaiians, Native Hawaiian organizations, and Native Hawaiian land use management practices in the acquisition and management of lands by this program.

OHA urges the Committee to PASS SB 3102, taking the above concerns into account. Thank you for the opportunity to testify.

Testimony of The Nature Conservancy of Hawaii
Supporting S.B. 3102 Relating to the Land Conservation Fund
Senate Committee on Water and Land
Wednesday, February 13, 2008, 2:45PM, Rm. 414

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The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawaii's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 11 nature preserves on O'ahu, Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy supports S.B. 3102 Relating to the Land Conservation Fund.

Under the Legacy Lands Act of 2005, the Legislature established an important source of dedicated funding for forest protection and affordable housing programs via the Natural Area Reserve Fund and the Rental Housing Trust Fund, respectively. This landmark legislation also created a source of revenue for important land acquisitions to protect natural, cultural, agricultural, and recreational areas and to preserve the opportunity for future generations to enjoy such lands in the way that their parents and grandparents enjoyed them.

This bill proposes two appropriate changes to the Land Conservation Fund authority:

1. It would allow grants and donations from other public and private sources to be deposited into the fund to support the land protection purposes of the fund.
2. It would provide for competitive awards to be used for management of lands acquired with fund resources, but not to exceed 5% of fund revenues. This second change is reasonable to help support important management needs related to land acquisitions, and the 5% limitation prevents undermining the primary purpose of the fund for land acquisitions.

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