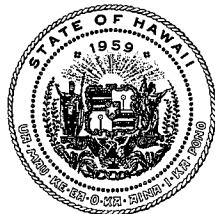
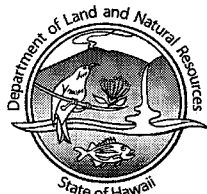


TESTIMONY
GM 485

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**

Governor's Message No. 485 – Submitting for Consideration and Confirmation to the Kaneohe Bay Regional Council, Gubernatorial Nominee, JOSEPH PICKARD, for a term to expire 06-30-2012

**BEFORE THE SENATE COMMITTEE ON
WATER AND LAND**

March 14, 2008

The Department of Land and Natural Resources (Department) supports the confirmation of Joseph Pickard as a member of the Kaneohe Bay Regional Council representing the Kaneohe Bay Commercial Operators, as recommended by Governor's Message No. 485.

The Department notes that Mr. Pickard was one of the founding members of the Kaneohe Bay Regional Council. He is a respected member of the community in Kaneohe and has been a commercial operator on Kaneohe Bay for a number of years. The Department considers his presence on the Kaneohe Bay Regional Council a valuable asset.

The Department looks forward to working with Mr. Pickard to ensure that the concerns of the Kaneohe Bay Commercial Operators are addressed during the Kaneohe Bay Regional Council's discussions relating to improving overall conditions within Kaneohe Bay.

TESTIMONY
GM 485
(END)

TESTIMONY
GM 487

Presentation Before the Senate Committee on Water and Land

March 14, 2008

Lori Leimamo Buchanan

Legacy Lands Conservation Commission

Chair Hee, members of the Senate Committee on Water and Land, thank you for this opportunity to present background about myself in your consideration of my confirmation to the Legacy Lands Conservation Commission.

I was born and raised on the island of Molokai. I grew up in Manawainui where our closest neighbor was 3 miles away. I attended and graduated from Molokai High and Intermediate school.

I am the mother of eight children and have owned and managed small businesses related to security services, mortuary services, bus transportation and tourism. For the past 10 years I have concentrated my work and efforts in the field of conservation and am currently employed by the Molokai/Maui Invasive Species Committee.

I know the protection and preservation of our lands in Hawaii is crucial. With the ever increasing threats from development we must find ways to preserve lands in perpetuity. I believe my years of experience in planning and conservation can help the commission achieve these goals.

I am anxious and look forward to the challenge of serving Hawaii nei and to do what we all know to be pono.



COORDINATING GROUP ON
ALIEN PEST SPECIES

The Senate
Committee on Water and Land
Friday, March 14, 2008
2:45 p.m., Conference Room 414
State Capitol

Testimony in Support of GM 487- Gubernatorial Nominee Lori Leimamo Buchanan

Aloha Chair Hee, Vice Chair Kokubun, and Members of the Committee,

I am writing to ask for your support of Gubernatorial Nominee Lori Buchanan to the Legacy Land Conservation Commission. Ms. Buchanan is a well-respected and admired community leader not just on Moloka'i, but also in the greater conservation community statewide. As the Program Manager and half of the field crew of the Moloka'i Invasive Species Committee (MoMISC), Ms. Buchanan has tirelessly worked to detect, map and control incipient invasive plants and animals and to educate the public. She has seen to the eradication of several species of invasive plants on the island, and has kept coqui frogs from possibly becoming established.

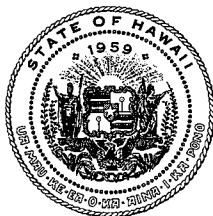
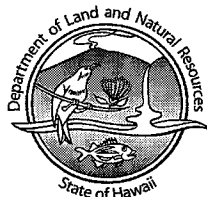
Ms. Buchanan's work on the Moloka'i Planning Commission is another example of her leadership abilities and dedication to perpetuating a livable place for the generations to come.

For these reasons and more, I am confident in Ms. Buchanan's ability to assist fellow commissioners, the department and the board in making wise decisions regarding land acquisitions and grants, and I ask for your support. Thank you for your time and consideration of this request.

Aloha,

Christy Martin
Public Information Officer
Coordinating Group on Alien Pest Species (CGAPS)
Ph: (808) 722-0995

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
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

on Governor's Message 487 – "LORI LEIMAMO BUCHANAN" GUBERNATORIAL
NOMINEE TO THE LEGACY LAND CONSERVATION COMMISSION, FOR A TERM TO
EXPIRE 06-30-2012

BEFORE THE SENATE COMMITTEE ON
WATER AND LAND

March 14, 2008

The Department of Land and Natural Resources (Department) supports Governor's Message (GM) 487 to appoint Lori Leimamo Buchanan to the Legacy Land Conservation Commission for a term to expire June 30, 2012.

The Legacy Land Conservation Commission (Commission) is composed of nine members appointed by the Governor in accordance with Section 26-34, Hawaii Revised Statutes (HRS), with at least one member from each of the counties, four members with scientific qualifications and academic degrees in wildlife or marine biology, botany, forestry, ecology, resource management, biogeography, zoology, or geology; one a member from an environmental organization; one a member from a land conservation organization; one a member in a statewide agricultural association; and one member knowledgeable about Native Hawaiian culture. The purpose of the Commission is to advise and make recommendations to the board on the acquisition of land having value as a resource to the State and the awarding of grants to qualifying state or county agencies or nonprofit land conservation organizations for the preservation of lands having value as a resource to the State under Chapter 173A, HRS.

Ms. Buchanan is filling the requirement of being a member from a land conservation organization organized in the State. Ms. Buchanan is an active member of The Nature Conservancy and served five years as the Chairperson of the Moloka'i Planning Commission. During this time, she developed expertise in land use law and policy. For the past five years, she has served as a field and outreach technician for the Moloka'i/Maui Invasive Species Committee and has worked with state, county and federal partners to coordinate, and carry out invasive species control on Molokai. Ms. Buchanan also has experience as a trustee and teacher at two Moloka'i schools, and has had heavy involvement in community organizations and activities with the Moloka'i community, and will be a representative of that island on the Commission.

The Department supports G.M. 487 on the appointment of Ms. Lori Leimamo Buchanan to the Legacy Land Conservation Commission and looks forward to working with her in the future.

Testimony Relating to GM487 on consideration and confirmation to the
Legacy Land Conservation Commission,
Gubernatorial Nominee, Lori Leimano Buchanan, for a term to expire 06-30-2012

Senate Committee on Water and Land
Friday, March 14, 2008 2:45 pm
Room 414

I am writing to support the confirmation of Lori Buchanan to the Legacy Land Conservation Commission. I have had the honor of knowing and working closely with Ms. Buchanan on natural resource issues for nearly six years. She is professional in all she does and passionate about protecting Hawaii's natural resources.

As the lead person for invasive species issues on Molokai, Ms. Buchanan has excelled at building partnerships by involving members of the agricultural community, in addition to garnering the support of state, federal, county and local non-profit agencies. She has translated the respect she commands in the Molokai community into a supportive environment for invasive species control projects across the island. Under her leadership, the Molokai Invasive Species Committee has effectively stepped in to fill part of the gap in conducting work on agricultural pests in the absence of a state agricultural inspector on the island. She has excelled at protecting Molokai from some of Hawaii's worst invasive species.

Ms. Buchanan has extensive experience working within governmental processes. As the Chair of the Molokai Planning Commission, she presided over many contentious community issues. Her recent nomination by Mayor Tavares to return to the Planning Commission is a testament to her previous success on that body. She serves as an alternate on the Molokai Water Working Group, convened by the Commission on Water Resource Management. Ms. Buchanan's public service and involvement have prepared her well for a statewide conservation appointment. She has a natural ability to identify and articulate the central issue in a conflict in a way that allows participants to make clear choices under complex circumstances. Her focus is always on how to achieve positive action, for which she is widely respected.

As a Native Hawaiian and lifelong Molokai resident, Ms. Buchanan will make an excellent addition to the Commission. I recommend her to you without hesitation or reservation.



Teya M. Penniman

HUI HONU INC.

3785 Old Pali Road, Honolulu, HI 96817 Ph. 808-284-5777

Please find one letter of testimony for a hearing for GM 487 by:

Committee on Water and Land
2:45 p.m., Friday, March 14, 2008
Conference Room 414
One copy is being requested of each.

VIA FACSIMILE: 586-6659

Re: Testimony in Support of GM 487-Gubernatorial Nominee Lori Leimamo Buchanan

Aloha Chairman Hee, Vice Chair Kokubun and Members of the Committee:

I am writing in support of Gubernatorial Nominee Lori Buchanan to the Legacy Land Conservation Commission.

Mrs. Buchanan is a respected friend and conservationist and is a long-time steward of the lands and oceans of Molokai. She is a community leader, works tirelessly as Program Manager of Molokai Invasive Species Committee (MoMISC), and has been a strong voice of reason on Molokai's Planning Commission.

She is well-qualified and respected in the conservation field State-wide, and her work has given her a broad base of knowledge and support among her associates.

I cannot think of a better candidate to steward the 'aina and perpetuate the life of the land. Mrs. Buchanan's experience, dedication and wisdom are perfect qualifications for her seat on the Legacy Land Conservation Commission.

I ask for your support in confirming Lori Buchanan's nomination to the Legacy Land Conservation Commission. She will make a wonderful member of this board.

Mahalo for your time and consideration.

Aloha,



Heidi Ho Conjugacion
Hui Honu Inc.
President



The Nature Conservancy of Hawai'i
923 Nu'uuanu Avenue
Honolulu, Hawai'i 96817

Tel (808) 537-4508
Fax (808) 545-2019

nature.org/hawaii

MARK FOX
DIRECTOR OF EXTERNAL
AFFAIRS

Testimony of The Nature Conservancy of Hawai'i
Supporting GM 487 and the Confirmation of Lori L. Buchanan
to the Legacy Land Conservation Commission
Senate Committee on Water & Land
Friday, March 14, 2008, 2:45PM, Room 414

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawai'i's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for rare and endangered 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 and also work closely with government agencies and private landowners on cooperative land management projects.

The Nature Conservancy of Hawai'i supports the confirmation of Lori Leimamo Buchanan to the Legacy Land Conservation Commission.

Approved in 2005, the Legacy Land Act has provided a critical source of funding for land acquisitions to protect important natural, cultural, agricultural, and recreational areas. Thanks to this landmark legislation and the work of government and private partners, this program has contributed key funding support to protect undeveloped lands around the state that will be a natural legacy for generations to come.

With their individual and collective expertise in conservation, culture, agriculture, and community service, the Legacy Land Conservation Commission plays the critical role of reviewing and making recommendations on proposals for Legacy Land funding. The Nature Conservancy believes that Lori Buchanan will be a significant asset to the work of the Commission. Lori has good and valuable experience in conservation and land protection, including on-the-ground management and land use planning. She has a strong track record of organizing and managing successful conservation and land protection projects, and a very positive reputation for bringing partners together to achieve successful results.

Thank you for this opportunity to express our support for Lori's confirmation to the Legacy Land Conservation Commission. We hope you will give her appointment your most enthusiastic recommendation for approval to the full Senate.

BOARD OF TRUSTEES

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Big Island Invasive Species Committee



The Senate
Committee on Water and Land
Friday, March 14, 2008
2:45 p.m., Conference Room 414
State Capitol

Testimony in Support of GM 487- Gubernatorial Nominee Lori Leimamo Buchanan

Aloha Chair Hee, Vice Chair Kokubun, and Members of the Committee,

I am writing to ask for your support of Gubernatorial Nominee Lori Buchanan to the Legacy Land Conservation Commission. Ms. Buchanan is a well-respected and admired community leader not just on Moloka'i, but also in the greater conservation community statewide. As the Program Manager and half of the field crew of the Moloka'i Invasive Species Committee (MoMISC), Ms. Buchanan has tirelessly worked to detect, map and control incipient invasive plants and animals and to educate the public. She has seen to the eradication of several species of invasive plants on the island, and has kept coqui frogs from possibly becoming established. Ms. Buchanan leadership in keeping invasive species off Moloka'i has been a formidable force. Her ability to organize and work with her community, professionals in the field of natural resource management and political entities is outstanding. Her commitment to the protection of Hawaii's natural resources is commendable.

Ms. Buchanan's work on the Moloka'i Planning Commission is another example of her leadership abilities and dedication to perpetuating a livable place for the generations to come.

For these reasons and more, I am confident in Ms. Buchanan's ability to assist fellow commissioners, the department and the board in making wise decisions regarding land acquisitions and grants, and I ask for your support. Thank you for your time and consideration of this request.

Sincerely,

Julie Leialoha
Big Island Invasive Species Committee
Manager
808-933-3340

TESTIMONY

GM 487

(END)

TESTIMONY
GM 488



COORDINATING GROUP ON
ALIEN PEST SPECIES

The Senate
Committee on Water and Land
Friday, March 14, 2008
2:45 p.m., Conference Room 414
State Capitol

Testimony in Support of GM 488- Gubernatorial Nominee Richard Flint Hughes

Aloha Chair Hee, Vice Chair Kokubun, and Members of the Committee,

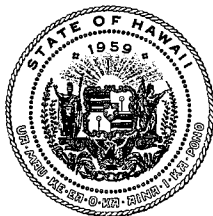
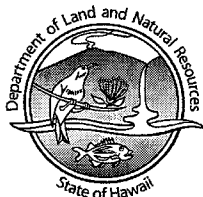
I am writing to ask for your support of Gubernatorial Nominee Dr. Richard Flint Hughes for a second term to the Natural Area Reserve System Commission. Dr. Hughes has worked on a number of important studies on ecosystem processes in Hawai'i and his holistic view of impacts to ecosystem processes has led to a wide range of collaborative works. One example of Dr. Hughes' work is how certain types of invasive plants (such as *Falcataria moluccana*, AKA albezzia) can change the soil chemistry, which in turn alters stream water and run-off chemistry, and can promote the invasion of other invasive plants and animals, even the coqui frog.

I firmly believe that Dr. Hughes' knowledge of natural processes will continue to be a tremendous asset to the Natural Area Reserve Commission and I feel that his actions show his concern for the environment and the people of Hawai'i. I ask that you please support Dr. Hughes for a second term on the Natural Area Reserve System Commission. Thank you for your time and consideration of this request.

Aloha,

Christy Martin
Public Information Officer
Coordinating Group on Alien Pest Species (CGAPS)
Ph: (808) 722-0995

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
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

**on G.M. 488 – “RICHARD FLINT HUGHES” GUBERNATORIAL
NOMINEE TO THE NATURAL AREA RESERVES SYSTEM COMMISSION,
FOR A TERM TO EXPIRE 06-30-2012**

**BEFORE THE SENATE COMMITTEE ON
WATER AND LAND**

March 14, 2008

The Department of Land and Natural Resources (Department) supports Governor's Message (GM) 488 to appoint Richard Flint Hughes to the Natural Area Reserves System Commission for a full term to expire 06-30-2012.

The Natural Area Reserves System (NARS) Commission is composed of thirteen members appointed by the Governor in accordance with Section 26-34, Hawaii Revised Statutes, with six members with scientific qualifications and academic degrees in wildlife or marine biology, botany, forestry, ecology, resource management, biogeography, zoology, or geology; one member representing a hiking organization; one member representing a hunting organization; five representing the Board of Land and Natural Resources, Board of Agriculture, Office of Planning, President of the University of Hawaii, and Superintendent of Education. The purpose of the Commission is to establish criteria and conduct studies for evaluating areas for inclusion within the NARS and recommend to the Governor and Department areas to be included in NARS, establish policies regarding management, protection, and permitted uses of NARS and advise the Governor and Department on preservation of Hawaii's unique natural resources.

Dr. Hughes is currently a member of the Commission and meets the requirement as one of the six members with scientific qualifications and an academic degree. Dr. Hughes graduated with a degree in Human Biology and a Master of Science in Biology from Stanford University, a Ph.D. in Forest Science from Oregon State University, and a Post-Doctorate in Ecosystem Ecology with the University of Colorado at Boulder. Dr. Hughes is currently a Botanist with the Institute of Pacific Islands Forestry and has a background in academic and applied research, and will continue to fill the Botany Subject Matter position on the Commission. He is very interested in continuing to serve and brings a great deal of experience on setting research priorities to help inform and guide management of natural areas. Dr. Hughes was appointed for a first term in 2004; he has been a very active and valuable member, providing specific perspectives as an active research scientist, as well as actively contributing to development of a strategic plan for the entire Natural Area Reserves System, and Watershed Management Program of the Division of Forestry and Wildlife.

TESTIMONY
GM 488
(END)

TESTIMONY

HB 2873

March 12, 2008

To: Senator Clayton Hee, Chair
Senator Russell S. Kokubun, Vice Chair
Committee on Water and Land
testimony@capitol.hawaii.gov

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

Re: Support of H.B. 2873

This testimony is submitted in **support of H.B. 2873**, which clarifies that the conservation of park resources and values is the predominant concern of the state park system.

Unfortunately, the language of the current statute is not currently interpreted by the DLNR as clearly mandating conservation of the natural and fragile resources of the state parks over competing efforts to commercialize, over-develop and otherwise provide for concessions, sales points, visitor centers, enlarged parking lots, and other additions that DLNR has determined support the “enjoyment” of our parks by the public. **We face increasing pressures to use the state parks to generate income for broad DLNR purposes** as well as pressure from efforts to bring ever-growing numbers of tourists to our shores, both of which are **changing the mission of DLNR to one of revenue-generation via our state parks rather than conservation and protection of the state parks’ natural resources.**

Our State parks were set aside, in trust for the people of Hawai`i, to protect the fragile gifts they possess into the distant future. Our DLNR has been given the responsibility of that trust. We understand that our state parks exist in a complex context of geography, biology, economics and politics; that what was originally set aside for protection forever, can be destroyed. It is happening before our eyes.

If we move toward satisfying every tourist’s short-term appetite and DLNR’s need for a bank account it can control, we will necessarily give up the soul of these precious places over the long-term. We seem to be on the brink of allowing the ever-increasing tourist demands and lack of funds for DLNR operations to exceed our political resolve to protect our cherished state park lands. And the irony is that these changes threaten the very characteristics that draw the tourists as well as locals to our state parks.

All of our parks, but especially our cherished Koke`e and Waimea Canyon State Parks on Kaua`i, are fragile and contain unique native ecosystems, trails and historic-cultural qualities that are in danger of being compromised by commercialization and overuse. **We need to assure that these conservation values are always the predominant concern of our state park system.**

testimony

From: Donn Carswell [curly@aloha.net]
Sent: Wednesday, March 12, 2008 12:52 PM
To: testimony
Cc: Rep. Roland Sagum; Rep. Hermina Morita; Rep. James Tokioka; Sen. Gary Hooser
Subject: HB2873

HEARD ON 14 MARCH AT 2:45 IN ROOM 414 OF THE HAWAII STATE CAPITOL BY SENATE COMMITTEE ON WATER AND LAND

MR CHAIRMAN, MR VICE CHAIRMAN, AND MEMBERS OF THE COMMITTEE:

I strongly support House Bill 2873. Conservation of park resources and values should be the predominant "steering star" for the State Parks administration.

I have worked on many volunteer projects with the Koke'e Leaseholders and Hui O Laka for the betterment of the Parks. It gives me a great sense of pride and accomplishment to see 30 picnic tables repaired and refinished in Kanalohuluhulu Meadow, and most of the pavilions and restrooms in the park reroofed and repainted by our volunteers. And after the big winds in December, we see volunteerism clearing the trails.

I have seen two attempts at master plan updates, costing the state \$600,000, with off island consultants analyzing and stressing "maximum revenues to the Parks", to the detriment of the cultural community and the park open spaces and resources. Planning is important, but I can see a lot of benefit in having that \$600,000 for Park resources. The Parks have historically been underfunded, relying on the lease rents of the recreational cabins and the Lodge for their \$300,000+ annual budget. Recently there have been some breakthroughs with Tourism Authority funding and the transfer of maintenance responsibility to the Dept of Transportation on the main road.

To keep the "steering star" in sight, the Parks need increasing support from our legislature. Predominately in funding an increased operational budget, capital improvements, and perhaps enabling legislation to assess U-Drive cars for a contribution directly to Koke'e and Waimea Canyon Parks. We need increased revenues to support the parks without commercialization of the parks!!! CONSERVATION SHOULD COME FIRST!!

When you compare our State Parks with parks in Oregon, or Washington, or some of the National Parks, you find a gap in quality standards. Even with this "gap", local residents and visitors find "The Mountains" enthralling in their natural beauty and exciting in their trails, waterfalls, and history. WE hear our local people say time and again: "The island of Kauai is changing rapidly, our only solace is in Koke'e, the Aina, where we can find space to enjoy nature and rejuvenate our souls!"

I believe House Bill 2873 will provide a strong, bright steering star for the DLNR, just as the star Hokulea guides the way to Hawaii in the summer voyaging months.

THANK YOU,

DONN A CARSWELL
P.O. BOX 24, HANAIE 96714
LOT 61 KOKE'E CAMP LOTS

testimony

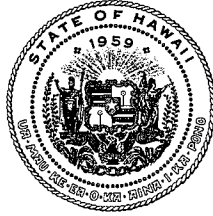
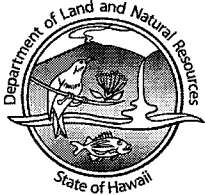
From: Sally French [french@hawaii.rr.com]
Sent: Wednesday, March 12, 2008 2:36 PM
To: testimony
Subject: testimony in SUPPORT of HB2873.

This is for the following committee: The committee(s) on WTL has scheduled a PUBLIC HEARING on THIS FRIDAY, MARCH 14, 2008 at 2:45 pm in conference room 414.

Please consider my testimony in favor of HB2873, as I strongly feel we must preserve the natural state of our parks, especially Kokee on Kauai.

aloha,
sally french
4321 palama street
kalaheo, HI
96741
french@hawaii.rr.com
808-651-5822

LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Laura H. Thielen
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LAND
STATE PARKS

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

On House Bill 2873 – Relating To State Parks

**BEFORE THE SENATE COMMITTEE ON
WATER AND LAND**

March 14, 2008

House Bill 2873 amends Section 184-6, Hawaii Revised Statutes, to make the conservation of park resources and values the fundamental purpose of the state park system. Where there is a conflict between the use and conservation of these resources, conservation shall take precedence. The Department of Land and Natural Resources (Department) strongly objects to this bill for the reasons stated below. Furthermore, this measure is not necessary as the Department already has a policy in place that meets the objectives.

The State Park System encompasses some of Hawaii's most significant scenic, cultural and natural places statewide. State parks are established because of these resources and have been developed so people can visit these special places, experience Hawaii's unique natural and cultural heritage, and learn more about Hawaii. The preservation and conservation of these resources are a priority in park planning and development.

The Department has concerns that, should this be put into statutes, extensive litigation will result. The State Parks are places for people to enjoy our resources and recreate in an outdoor setting. There is always the potential for impact and conflict when people go into nature. If this measure is enacted, the Department will run the risk of having the State Parks become "hands off" resources where people cannot recreate, and access to park areas closed.

The Board of Land and Natural Resources has a longstanding, formal policy which guides the Department in all decisions, which is that the natural and cultural resources will be given priority over public and commercial use of these resources. If the resources are too sensitive and protection and preservation requires restricted public access, these areas are placed under other programs, such as the Natural Areas Reserve System.

Accordingly, this bill is unnecessary.

testimony

From: ixaya chaska [ixohana@gmail.com]
Sent: Thursday, March 13, 2008 9:56 AM
To: testimony
Subject: HB 2873

hello.

i am writing in support of HB 2873. please vote YES on this bill.

thank you,

concerned resident of Kauai.

ixa chaska

testimony

From: Kathleen Ho [katho@hawaii.rr.com]
Sent: Thursday, March 13, 2008 11:17 AM
To: testimony
Subject: Support HB 2873

Chair Oshiro
Vice Chair Lee
and Honorable Committee Members
Aloha,
We STRONGLY SUPPORT HB 2873!
Mahalo,
Kathleen, Kelvin and Aliana Ho
P.O. Box 171
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testimony

From: Patrick W Owens [owens11@hawaiiantel.net]
Sent: Thursday, March 13, 2008 12:53 PM
To: testimony
Subject: In support of HB2873:

Please accept this testimony in support of **HB2873**:

The department of land and natural resources shall preserve the parks and parkways in the state park system in their natural condition so far as may be consistent with their use and safety, and manage them in a manner as to retain to a maximum extent their natural scenic, historic, and wildlife values for the use and the enjoyment of present and future generations.

While this might seem to be a "no brainer" to those of us who love and/ or care for our state parks, it would be prudent to have this fundamental principle of land preservation written into law to guide the decision making of those who in the future must consider issues of development or commercialization in those areas.

While I may only formally speak for myself in this testimony, I assure you that many others in Kauai also share this view. In fact I have never heard a single comment to the contrary whenever the subject has been discussed.

Much mahalo,

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MARK FOX
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Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 2873 Relating to State Parks
Senate Committee on Water & Land
Friday, March 14, 2008, 2:45PM, Room 414

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 H.B. 2873 Relating to State Parks.

This measure takes the important step of codifying as state policy the primary importance of managing our natural resources for long-term conservation. It is the primary responsibility of the department of land and natural resources to protect our limited natural resources. In the case of State parks, carrying out this responsibility must be balanced with the responsibility of ensuring the public's reasonable use and enjoyment of these resources if such use can be carried out without undue harm to the resources.

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TESTIMONY

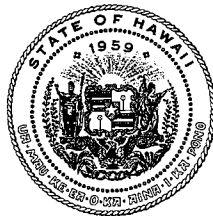
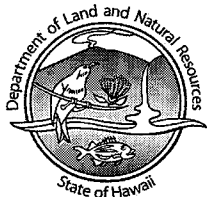
HB 2873

(END)

TESTIMONY

HB 2966

LINDA LINGLE
GOVERNOR OF HAWAII



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

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

on House Bill 2966 – Relating To Public Lands

**BEFORE THE SENATE COMMITTEE ON
WATER AND LAND**

March 14, 2008

House Bill 2966 permits certain lessees of sites on public lands to sublet the whole or part of the demised premises without approval of the Board of Land and Natural Resources (Board), provided that the sublease term shall not exceed one week, the rent charged to the sublessee shall not exceed an amount necessary for the lessee to cover the lessee's operational costs, and the demised premises shall be used substantially for the purposes for which it was originally intended. The Department of Land and Natural Resources (Department) opposes this measure.

The Department believes that the proposed use of state property should be limited only to the purposes designated in the original lease and not be expanded by allowing mere substantial compliance. Use of a substantial compliance standard to determine appropriate use invites abuse by allowing questionable uses to occur without proper oversight. Such a subjective standard could be used by commercial ecotourism operations to circumvent the Department's authority and responsibility to regulate commercial activity on state lands.

This measure contains no mechanism for ascertaining and ensuring that the leased premises will, in fact, be used under the sublease for the purposes designated in the lease. Moreover, there appears to be no limitation on the number of consecutive instances that a particular lessee and sublessee could invoke the provisions of this bill, thereby allowing a string of subleases that could be set end-to-end, and effectively circumvent the Board's purview over longer term use of the premises.

It is the Department's understanding that this measure was introduced to provide certain accommodations to the Girls Scouts of America ("GSA") on property in Kilohana on the Island of Hawaii initially believed to be leased from the State. It has subsequently been confirmed that the GSA owns the subject property and that this measure is therefore unnecessary. As such, the Department urges that this measure be held.

TESTIMONY

HB 2966

(END)