

Honolulu, Hawaii

MAR 11 2011

RE: S.C.R. No. 14
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.C.R. No. 14 entitled:

"SENATE CONCURRENT RESOLUTION DISAPPROVING THE RESET ASIDE OF THE FORMER KULANI CORRECTIONAL FACILITY LANDS FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES AS AN EXTENSION OF PU'U MAKA'ALA NATURAL AREA RESERVE AND TO THE DEPARTMENT OF DEFENSE FOR A YOUTH CHALLENGE ACADEMY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Disapprove the reset aside of approximately 6,600 acres of former Kulani Correctional Facility lands from the Department of Public Safety to the Department of Land and Natural Resources as an extension of Pu'u Maka'ala Natural Area Reserve; and
- (2) Disapprove the reset aside of approximately 600 acres of former Kulani Correctional Facility lands from the Department of Public Safety to the Department of Defense for a Youth Challenge Academy.

Your Committee received testimony in support of this measure from the 'Aha Kiolo Advisory Committee, Community Alliance on Prisons, Maunaloa Hawaiian Civic Club, and four individuals. Your Committee received testimony in opposition to this measure from



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the Department of Land and Natural Resources; Sierra Club, Hawai'i Chapter; Conservation Council for Hawai'i; and fifteen individuals. Your Committee received comments on this measure from The Nature Conservancy, American Friends Service Committee, and four individuals.

Your Committee finds that the Kulani Correctional Facility provided economic and environmental benefits to the community. As a result of the closure of the prison, opportunities for rehabilitation through labor for inmates and partnerships for work in the community were lost. Your Committee believes that this measure takes a step toward realizing the benefits to the Island of Hawaii's economy and Hawaii's incarcerated population of the presence of a minimum-security prison facility located on the Island of Hawaii.

Your Committee understands the concerns of testifiers, many of whom opposed the transfer of the area set aside for the Pu'u Maka'ala Natural Area Reserve System to the Department of Public Safety. The Department of Land and Natural Resources intends to preserve this pristine forest area through a conservation designation. Moreover, the Department of Land and Natural Resources possesses knowledge and experience in dealing with endangered species, culturally significant areas, and enforcement of conservation regulations.

Accordingly, your Committee has amended this measure by:

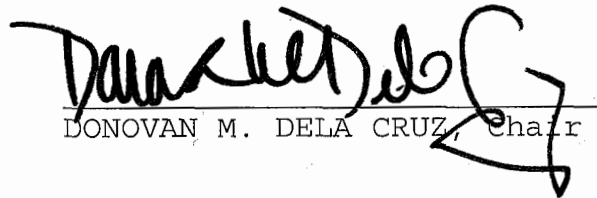
- (1) Exclusively disapproving the reset aside of lands to the Department of Defense for a Youth Challenge Academy, and deleting all references to the disapproval of the reset aside of lands to the Department of Land and Natural Resources;
- (2) Identifying the Governor's Executive Order that reset aside 614.14 acres to the Department of Defense for the Youth Challenge Academy;
- (3) Requesting the Department of Defense, exclusively, to initiate a further review and assessment of the environmental and fiscal implications and benefits of the resetting aside of the 614.14 acres of lands to it; and



- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 14, as amended herein, and recommends that it be referred to the Committee on Public Safety, Government Operations, and Military Affairs, in the form attached hereto as S.C.R. No. 14, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



