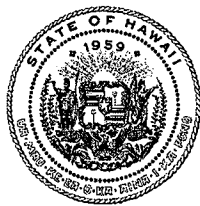
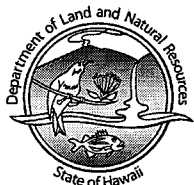


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

L A T E

**Before the Senate Committee on
WAYS AND MEANS**

**Wednesday, March 30, 2011
9:30 AM
State Capitol, Conference Room 211**

**In consideration of
HOUSE BILL 324, HOUSE DRAFT 2, SENATE DRAFT 1
RELATING TO HISTORIC PRESERVATION**

House Bill 324, House Draft 2, Senate Draft 1 House Bill 324, House Draft 2, Senate Draft 1, (1) Establishes the South Kona Wilderness Area, a primitive, wilderness area from Honomalino to Manuka, a concept that was initially proposed in 1971 by the Association of Hawaiian Civic Clubs with the support of the Bishop Museum; (2) Establishes the West Oahu Historical District; and (3) Authorizes the designation of a contiguous geographical area in the State as a historical district. The Department of Land and Natural Resources (Department) is concerned about cost implications and expectations generated by this proposal, and does not support this bill.

The South Kona Wilderness Area was established under Act 59, of the 2003 Legislature. This Act however, was repealed in 2007 when the Kapua land acquisition did not take place. Under this measure, approximately 22,000 acres are proposed for designation as a wilderness area, including portions of the shoreline consisting of five ahupua'a: Honomalino, Okoe, Kaulanamauna, Kapu'a, and Manukā. Except for the privately-owned lands in Kapu'a, and several in holdings in Honomalino, most of the other lands are owned by the State. The Department notes that there may be legal implications associated with this designation and the portion of the proposed wilderness area that is private land.

This measure calls for development of a comprehensive management plan for protection of the historic sites and native species and to address recreational uses. The Department would be unable to develop such a plan without additional funding.

Part II of this measure creates a West Oahu historical district. The Department's current staffing and budget limitations would preclude any meaningful interaction with the community to implement this proposal. In addition, this action would potentially create an additional layer of historical designation.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
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
KAIHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

For these reasons, concerns about cost implications overall, and creating expectations and possible confusion if Part II is enacted, the Department does not support this measure.

THE GENTRY COMPANIES



March 30, 2011

L A T E

The Honorable David Y. Ige, Chair, and Members
Senate Committee on Ways and Means
State Capitol, Room 215
Honolulu, HI 96813

Dear Senator Ige and Members:

RE: H.B. 324, H.D. 2, S.D. 1 RELATING TO HISTORIC PRESERVATION

Gentry Homes would like to express its **strong opposition** to H.B. 324, H.D. 2, S.D. 1, which provides in part that a contiguous geographical area from Kapolei to Waipahu and including Ko Olina, Kalaeloa, and the Ewa marina shall be designated as the West Oahu historical district.

For the record, we are not opposed to preserving areas of historical significance in West Oahu. However, we are concerned with the broad language in this bill and the fact that it may put a cloud on the title of all lands within the area, including lands that are already entitled, thereby constituting a regulatory taking. The economy of the region would be very negatively impacted, and we therefore respectfully ask that you please hold this bill in Committee.

Sincerely,

GENTRY HOMES, LTD.

Debra M. A. Luning
Director of Governmental Affairs
and Community Relations