

HB2819,HD1,  
SD1

April 1, 2012

Senate and Ways Committee

**Testimony if opposition of HB 2819.**

I strongly oppose adding the content from SB682 into HB2819 by the process more commonly known as "Gut and Replace". It is appalling that this allowed to be done in a democratic society that we live in. The Kaka'ako Makai lands should be preserved for all the People of Hawaii, not just a few. Please stop this travesty. Present and future generations will thank you for it.

Mahalo,

Ron Iwami President, Friends of Kewalos Non profit 501 C3 Dedicated to ensure public access to the shorelines of the Kewalo and Kaka 'ako Makai for future generations to come.

**From:** [philip.loh](#)  
**To:** [hee3 - Keiki](#)  
**Subject:** Senate Bill2819.  
**Date:** Monday, April 02, 2012 12:46:13 PM

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Dear Senator 111clayton Hee:

My wife and I I oppose the pasage of SB2819 and any amend,emts to it. This last waterfront state land should be converted to a State park avai;able to all Hawaii residents. Please vote NO.  
With appreciation.

Philip C. & Susie S. Loh  
2552 Peter St., Honolulu, HI 96816  
Tel: 808-732-1313  
e-mail: [phil96816@yahoo.com](mailto:phil96816@yahoo.com)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [manoashaka@yahoo.com](mailto:manoashaka@yahoo.com)  
**Subject:** Testimony for HB2819 on 4/3/2012 10:30:00 AM  
**Date:** Sunday, April 01, 2012 7:01:40 PM

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Testimony for JDL/WAM 4/3/2012 10:30:00 AM HB2819

Conference room: 016  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: Braden Iwami  
Organization: Friends of Kewalos  
E-mail: [manoashaka@yahoo.com](mailto:manoashaka@yahoo.com)  
Submitted on: 4/1/2012

Comments:

I oppose HB2819 do not want anymore development in Kakaako Makai. If more development is needed build mauka of kakaako, so everyone can enjoy the beach and beautiful outdoors which what makes Hawaii....Hawaii.

From: [Brian Shimokawa](#)  
To: [JDLTestimony](#)  
Subject: HB2819-HD1,SD1  
Date: Saturday, March 31, 2012 12:50:19 PM

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THE SENATE

SIXTH LEGISLATURE  
SESSION 2012

THE TWENTY-  
REGULAR

ON JUDICIARY AND LABOR

Clayton Hee-Chair  
Shimabukuro-Vice Chair

COMMITTEE

Senator  
Senator Maile

ON WAYS AND MEANS

David Y. Ige-Chair  
Michelle N. Kidani-Vice Chair

COMMITTEE

Senator  
Senator

DECISION MAKING

NOTICE OF

DATE: Tuesday, April 03, 2012  
TIME: 10:30 A.M.  
PLACE: Conference Room 016  
State Capitol / 415 South Beretania Street

WRITTEN TESTIMONY IN OPPOSITION OF HB2819-HD1, SB1

Aloha,

My name is Brian Shimokawa. I have surfed the Kewalo surf breaks for more than 40 years and I do alot of skin diving outside of and along the Kaka`ako Waterfront Park.

In July 2006, HB2555 was created and passed into law which prohibits both the sale of public lands and no residential development in Kaka`ako Makai. The HCDA is well aware of this bill so why should bill be passed. NO EXEMPTIONS!!

If HB 2819 is allowed to pass into law what is there to stop Kakak`ako Makai from becoming another Waikiki. Kaka`ako Makai is the largest open space left in downtown Honolulu. Let's keep it that way and make it a people's place, not another Waikiki that is absolutely too densely populated with highrises.

With all the existing development of highrises in the Kaka`ako Mauka District we have already lost alot of our once-in-a-lifetime view plains and vistas from mauka to makai and vice-versa. The passing of HB2819 will only do the same with highrises being developed in Kaka`ako Makai.

We can develop Kaka`ako Makai into a place for the people of Hawai`i and yet also maintain a truly Hawaiian feeling/novelty that even the Tourists would be attracted.

I sincerely and truly believe that there has not been enough complete/total honest transparency between the Community and Legislators. There needs to be more dialogue between the two for it seems that development is being streamlined into Kaka`ako Makai.

Mahalo for taking the time to read my written testimony.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [dmtanaka@hotmail.com](mailto:dmtanaka@hotmail.com)  
**Subject:** Testimony for HB2819 on 4/3/2012 10:30:00 AM  
**Date:** Sunday, April 01, 2012 10:39:25 PM

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Testimony for JDL/WAM 4/3/2012 10:30:00 AM HB2819

Conference room: 016  
Testifier position: Comments Only  
Testifier will be present: No  
Submitted by: Darren Tanaka  
Organization: Individual  
E-mail: [dmtanaka@hotmail.com](mailto:dmtanaka@hotmail.com)  
Submitted on: 4/1/2012

Comments:

Senate Ways and Means Committee and  
Senate Judiciary and Labor Committee

Sen David Ige WAM Chair  
Sen Michelle Kidani WAM Vice Chair  
Sen Clayton Hee JDL Chair  
Sen Maile Shimabukuro JDL Vice Chair

Chairs, Vice Chairs and Members of both Committees, My name is Darren Tanaka and I am a resident of Pauoa Valley in Honolulu. I understand that there is a movement to amend HB 2819 to allow content from SB682 to be placed into HB2819 or replace its language all together. I am writing in strong opposition to the amending of ANY legislation that includes content from SB 682.

Content from SB682 into legislation of any from will allow an exception to the no residential law on two Kaka'ako Makai parcels.

My worst fear is any language from SB682 amended into other legislation will grant an exception to current state law and HCDA rules, a change that will allow residential development in the Kaka'ako Makai area. Any deviation from existing law will set a bad precedent to invite future exceptions and will ultimately open the door for more residential developments on these prime Makai lands. Residential land becomes private land. Only the residents can use the land. Kaka'ako Makai is too valuable to leave to just a few. It is a precious commodity that, if protected will benefit everyone.

It should also be noted that OHA did not solicit SB 682. They have commented that they were willing to accept the SB 2783 land settlement on its own, and that they will abide by current law and HCDA rules, making SB 682 or any other Bill containing its contents unnecessary.

As lawmakers, as representatives of all parties and public interests, and finally as stewards for our lands, I respectfully ask you to keep Kaka'ako Makai for all of Hawaii's people, now and in perpetuity, by opposing the addition to ANY legislation to contain the contents of SB682.

Mahalo,  
Darren Tanaka  
[dmtanaka@hotmail.com](mailto:dmtanaka@hotmail.com)

April 1, 2012

Senate and Ways Committee

**Testimony if opposition of HB 2819.**

I strongly oppose adding the content from SB682 into HB2819 by the process more commonly known as "Gut and Replace". It is appalling that this allowed to be done in a democratic society that we live in. The Kaka'ako Makai lands should be preserved for all the People of Hawaii, not just a few. Please stop this travesty. I've been surfing Kewalos for over 20 years and still surf their every morning. Present and future generations will thank you for it.

Mahalo,  
Dean Campos

1640 Alewa Drive  
Honolulu, HI 96817

March 2, 2012

I strongly oppose adding the content from SB682 into HB2819. There should be no high rise or residential development in kakaako makai of Ala Moana. I thought this was already law. Do not change it. Public lands should be for everyone, not just the few.

Fe Medoff  
159 Kuukama St  
Kailua, HI 96734



I fear that HB 2819 would establish a dangerous precedent for future residential development in Kaka'ako Makai and jeopardize public access to Honolulu's last oceanfront land. This is the same proposal as SB682 and provides a similar format in how the desperation of the governor reveals his reversal of his previous decision to save the land.

I oppose the development of residential structures in the Kaka'ako Makai and do not approve any construction to be taken.

Sincerely,

Mark S. Wong

**SENATE COMMITTEE ON JUDICIARY AND LABOR  
SENATE COMMITTEE ON WAYS AND MEANS  
Tuesday, April 3 2012  
10:30 AM, Conference Room 016**

**House Bill 2819, SD 1  
Relating to the Hawaii Community Development Authority**

Aloha Co-Chairs Hee and Ige and Joint Committee Members:

House Bill 2819 SD1 is consistent with our Hawaii Revised Statutes under HRS 206E-31.5 by ensuring that any sale of Kaka'ako Makai state public lands is prohibited. This measure further requires the HCDA to determine the costs and benefits of selling and purchasing certain properties, except Kaka'ako Makai lands, within the Kaka'ako community development district.

**This testimony provides strong support for the Legislature's assurance that Kaka'ako Makai state public lands will not be sold to private interests. However, this testimony also provides comments in strong opposition to any alteration of HB 2819 SD1, or any other bill related to Kaka'ako, by sliding in the contents of SB 682.**

SB 682 flies on the face of HRS 206E-31.5 by specifying that two state public properties in Kaka'ako Makai become residential developments exempt from public facilities fees, and is effective upon conveyance of the two properties to the Office of Hawaiian affairs. This proposed legislation is contrary to the residential development prohibition under HRS 206E-31.5 as intended by the Legislature, and is further contrary to the well-documented larger public interest in protecting Kaka'ako Makai state public lands for recreational, cultural and educational public uses. SB 682 also flies in the face of the established community-based Guiding Principles and Master Plan for Kaka'ako Makai that reserve this last Honolulu open shoreline area available to the public as a vital community gathering place.

As with similar legislation proposed this year, such as SB 2927, this measure is a transparently conscious attempt by certain present legislators, politicians and their cohorts to promote and achieve massive development by undermining and eroding present public laws that protect our finite island resources and unique environment. Specifically, SB 682 is nothing more than a guise for enabling the proliferation of high-density development that will adversely impact Kaka'ako Makai's documented significant panoramic public and cultural views from the shoreline to the mountains, and introduce high-density crowding within this shoreline area through residential development. Further, SB682 proposes enacting a public law for a specific privatized uses on two specific public sites granted to a specific entity, which leads to constitutional questions.

Contrary to HB 2819, SB 682 is seen as a precedent to opening the floodgates to carte blanche high-density residential development on other Kaka'ako Makai properties, and paving the way for foot-loose, unfettered vertical sprawl in this protected shoreline recreational and cultural area with a "tunnel of towers" along both sides of Ala Moana Boulevard together with 27 other properties in Kaka'ako Mauka. This Miami Beach mindset portends disaster Honolulu as a visitor destination.

***Our island economy is dependent upon and subsidiary to our unique environment, open shoreline resources, and panoramic view planes from the mountains to the sea.***

**SB 682, SDI is the antithesis of all that has gone before in the greater public interest.  
Please do not include any of the contents of SB 682 in HB 2819.**

Mahalo nui loa, Michelle S. Matson

March 2, 2012

I strongly oppose adding the content from SB682 into HB2819. There should be no high rise or residential development in kakaako makai of Ala Moana. I thought this was already law. Do not change it. Public lands should be for everyone, not just the few.

Robert Medoff, MD  
159 Kuukama St  
Kailua, HI 96734

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [rwalmonte@hawaii.rr.com](mailto:rwalmonte@hawaii.rr.com)  
**Subject:** Testimony for HB2819 on 4/3/2012 10:30:00 AM  
**Date:** Sunday, April 01, 2012 1:30:02 PM

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Testimony for JDL/WAM 4/3/2012 10:30:00 AM HB2819

Conference room: 016  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: Ronald Almonte  
Organization: Individual  
E-mail: [rwalmonte@hawaii.rr.com](mailto:rwalmonte@hawaii.rr.com)  
Submitted on: 4/1/2012

Comments: