

NEIL ABERCROMBIE  
Governor



RUSSELL S. KOKUBUN  
Chairperson, Board of Agriculture

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
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TESTIMONY OF RUSSELL KOKUBUN  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND WATER, LAND,  
AND HOUSING  
Thursday, February 2, 2011  
Room 229  
2:45 P.M.

SENATE BILL NO. 2378  
RELATING TO LEGACY LANDS

Chairpersons Dela Cruz and Nishihara, and Members of the Committees:

Thank you for this opportunity to provide testimony on SB 2378. The Department of Agriculture is concerned that the opportunity for the Counties and nonprofit land conservation programs to participate in this worthy endeavor to preserve valuable lands, including prime agricultural lands, will diminish the effectiveness of the Legacy Lands Program.

The Counties and nonprofit land conservation programs can provide additional funds and administrative expertise that have proven successful in many previous occasions. Please reconsider this counter-productive limitation.

Thank you for the opportunity to submit testimony.



NEIL ABERCROMBIE  
Governor



JAMES J. NAKATANI  
Executive Director

STATE OF HAWAII  
AGRIBUSINESS DEVELOPMENT CORPORATION  
235 S. Beretania Street, Room 205  
Honolulu, HI 96813  
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TESTIMONY OF JAMES NAKATANI  
EXECUTIVE DIRECTOR  
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE SENATE COMMITTEES ON  
AGRICULTURE AND WATER, LAND, AND HOUSING

Thursday, February 2, 2012  
2:45 P.M.  
Conference Room 229

**SENATE BILL NO. 2378**  
RELATING TO LEGACY LANDS

Chairpersons Nishihara, Dela Cruz, and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No. 2378. The purpose of this bill is to allow for the acquisition of lands through the legacy conservation fund for regulatory functions of the state, and restricts the application for and granting of legacy land funding to the Department of Land and Natural Resources, Department of Agriculture, Agribusiness Development Corporation (ADC), and Public Land Development Corporation.

ADC supports the intent of this bill and is supportive of any new funding for agricultural land development programs which support ADC's mission, however we defer to the Department of Agriculture as well as the Department of Land and Natural Resources.



**SB2378**  
**RELATING TO LEGACY LANDS**  
Senate Committee on Water, Land, and Housing  
Senate Committee on Agriculture

February 2, 2012

2:45pm

Room 229

The Office of Hawaiian Affairs (OHA) **OPPOSES SB2378**, which eliminates eligibility of the state, counties, and non-profits to apply for legacy conservation funds, leaving only four state agencies eligible to apply for the funds.

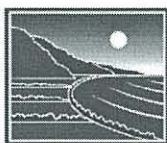
OHA, with assistance from the Trust for Public Land, has conserved more than 26,000 acres of land that are important to its Hawaiian beneficiaries. State Legacy Land Conservation Program funds can help OHA and the Trust for Public Land to conserve additional lands and continue empowering our communities to mālama 'āina. In 2011, non-profits and counties used legacy funds to acquire and protect more than 575 acres of land that contain intact Hawaiian cultural sites including heiau, ahu, holua, petroglyphs, and terraces; habitat for our native 'ālae 'ula; and areas where cultural practices continue. This bill would stifle the efforts of OHA and its beneficiaries to protect such precious resources in the future.

SB2378 also discourages public-private partnerships that have made the Legacy Land Conservation Program and other land conservation efforts successful. OHA's acquisitions of Wao Kele O Puna and Waimea Valley included more than \$14 million dollars in matching non-State funds. In FY11, \$4.45 million in legacy conservation funds were leveraged to acquire \$12 million in land acquisitions, the match coming from \$7.6 million in federal, county and private funds. These additional matching funds were made possible by public-private partnerships. Restricting the Legacy Land Conservation Program to only four state agencies undermines those public-private partnerships and the purpose of the Legacy Land Conservation Program -- to conserve special lands throughout Hawai'i.

Additionally, the bill inappropriately expands the purpose of the funds to include "regulatory functions," which may result in the use of legacy conservation funds for more general fund purposes. DLNR is already permitted to use a percentage of the revenue of legacy land conservation funds from the previous year for administrative costs, management, maintenance and operation of land acquired with legacy funds. This change is unnecessary and overbroad.

Therefore, OHA urges the committee to HOLD SB2378. Mahalo for the opportunity to testify on this important measure.





NORTH SHORE  
COMMUNITY  
LAND TRUST

**North Shore Community Land Trust Testimony in Opposition to SB 2378  
Senate Committees on Agriculture and Water, Land and Housing  
Thursday, February 2, 2012, 2:45 p.m., Room 229**

The North Shore Community Land Trust (NSCLT) **opposes** SB 2378, which would limit the recipients of Legacy Land funds to only four state agencies (DOA, DLNR, ADC, and PLDC) and which would exclude all counties and non-profit organizations from receiving such funds.

Since its establishment in FY2006, the Legacy Land program has successfully been used to help protect thousands of acres throughout the State. State funds have been leveraged to bring in millions of dollars in matches of federal, county, and private funds, and significant discounts from sellers. In most instances, it has been the very organizations that are proposed for elimination by this bill that have demonstrated the ability to effectively leverage the State Legacy Land funds to secure significant non-State matching funds.

The Legacy Lands' transparent, inclusive, and competitive process has successfully encouraged the multi-agency and public-private partnerships that are necessary for voluntary land conservation to thrive and which have been the hallmark of the Legacy Land program's success to date. All four State agencies (DOA, DLNR, ADC, and PLDC) proposed for exclusive eligibility by SB 2378 are currently allowed to apply for Legacy Land funds and two of them have already done so successfully (DLNR and ADC). The diverse and knowledgeable Legacy Land Commission ensures that applications are well vetted with only the best getting recommended for funding. Consultation with Senate and House leadership, BLNR approval, and the Governor's release of funding all provide sound checks and balances that help ensure that the Legacy Land funds are always invested wisely with high conservation returns.

Given the essential role that our natural and agricultural landscapes play in sustaining our economy, enhancing our quality of life, and providing the opportunity to achieve greater food security, the State should seek to increase the pool of conservation partners, not decrease it. Including non-profits, county governments, and other State agencies (such as the Office of Hawaiian Affairs), in addition to DOA, DLNR, ADC, and PLDC, in the Legacy Land program helps ensure that the program will be effectively utilized and that each year the Legacy Land Commission will have the opportunity to recommend only the very best applications from a plethora of exciting conservation opportunities.

Thank you for this opportunity to submit testimony.

Doug Cole  
NSCLT, Executive Director

P.O. Box 1179, Hale'iwa, HI 96712 – [www.northshoreland.org](http://www.northshoreland.org)

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## CONSERVATION COUNCIL FOR HAWAII

Testimony Submitted to the Senate Committee on Water, Land, and Housing  
and Senate Committee on Agriculture

Hearing: Thursday, February 2, 2012 2:45 p.m.  
Conference Room 229

In Opposition to SB 2378 Relating to Legacy Lands

Aloha. The Conservation Council for Hawai'i **opposes** SB 2378 because it is not in the public interest and it is not needed. The Legacy Land Fund is working. In fact, it is one of the most successful land conservation programs in Hawai'i. The four state agencies named in this bill should use the budget and appropriation process if they need to buy more land, and should do a better job managing the land they already have.

CCH was one of hundreds of citizens and organizations that worked organized to pass the bill creating the Legacy Land Fund in 2005. This program is very popular among the people, and it provides opportunities for public involvement at its best. State agencies – including the ones listed in this bill – may already apply and receive Legacy Land Funds, and they also have other procedures to purchase land. Why would you want to take away one of the few opportunities for the public to actively participate in **purchasing and protecting land for the public benefit?**

SB 2378 seeks to restrict application for and granting of Legacy Land Funds to the Department of Land and Natural Resources, Department of Agriculture, Agribusiness Development Corporation, and Public Land Development Corporation. This bill will slow the significant progress to date in acquiring land under public-private partnerships, with Legacy Land Funds leveraging millions of federal, state, county, and private dollars.

The Legacy Land law currently allows state agencies, counties, and non-profit land conservation organizations to apply for funding. The bill excludes these entities except for the four named in this bill. Other state agencies such as the Office of the Hawaiian Affairs, which has conserved Wao Kele O Puna, Waimea Valley, and Pahua Heiau, would be excluded from applying. Counties (which have used Legacy Land Funds to expand Black Pot Park in Hanalei on Kaua'i, and purchase coastal land along the Kohala and Ka'u coastlines on Hawai'i) would also be excluded. Non-profit land conservation organizations such as The Nature Conservancy, The Trust for Public Land, the Hawaiian Islands Land Trust, the Moloka'i Land Trust, and the North Shore Community Land Trust, would also be excluded. These non-profit land conservation organizations have used Legacy Land Funds to protect important places including Lapakahi State Historical Park on the Big Island, important agricultural land on Moloka'i, and are working on dedicating agricultural land at Turtle Bay and in Windward O'ahu in perpetuity with the support of Legacy Land Funds.

By excluding non-profit land conservation organizations, counties, and other State agencies, the bill undermines the public-private partnerships that have made the Legacy Land law a success and it eliminates a source of matching funds for land acquisitions using county and private funds.



**Hawai'i's Voice for Wildlife – Ko Leo Hawai'i no na holoholona lohiu**

Telephone/Fax 808.593.0255 • email: [info@conservehi.org](mailto:info@conservehi.org) • web: [www.conservehi.org](http://www.conservehi.org)

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President: Hannah Springer \* Vice-President: Julie Leialoha \* Treasurer: Rick Barboza \* Secretary: Maka'ala Ka'aumoana

Directors: Lida Pigott Burney \* Koalani Kaulukukui \* Robin Kaye

Executive Director: Marjorie Ziegler



**Hawaii Farm Bureau**  
F E D E R A T I O N

2343 Rose Street • Honolulu, Hawaii 96819  
Phone: (808) 848-2074 • Neighbor-Islands: (800) 482-1272  
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[www.hfbf.org](http://www.hfbf.org)

FEBRUARY 2, 2012

HEARING BEFORE THE  
SENATE COMMITTEE ON AGRICULTURE

TESTIMONY ON SB 2378  
RELATING TO LEGACY LANDS

Room 229  
2:45 PM

Chair Dela Cruz, Chair Nishihara, and Members of the Committees:

I am Brian Miyamoto, Chief Operating Officer and Government Affairs Liaison for the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

**HFBF supports SB 2378**, which allows for the acquisition of lands through the land legacy conservation fund for regulatory functions of the state and also restricts the application for and granting of legacy land funding to the Department of Land and Natural Resources (DLNR), Department of Agriculture (DOA), Agribusiness Development Corporation (ADC), and Public Land Development Corporation (PLDC).

The original intent of the land legacy funds was to help private landowners purchase development rights to help them keep their lands in agriculture or conservation. However, we believe that it may be more appropriate at this time that DLNR, DOA, ADC, and PLDC oversee and manage the various proposals and projects as it applies to agriculture and/or conservation lands.

From an agricultural industry standpoint, we believe that DOA and ADC would be the most appropriate state agencies for agricultural land development projects. We also feel that the farmers and ranchers who are most interested in this type of land conservation program would be more comfortable with the respective agencies such as DOA and ADC as they are familiar with the industry.

We urge your support and passage of this measure.



## **Testimony against SB 2378**

**WLH and AGL Committees Feb. 2, 2012**

**North Kohala Community Access Group** strongly opposes this measure to change the Legacy Land Conservation Program. Those of us in the North Kohala district on the Big Island who will be strongly affected have not been given a chance to review it. The Legacy Land Program has assisted and leveraged our tax dollars to purchase or pending purchase of four coastal properties in North Kohala.

Under this bill none of them would have been possible.

This bill makes nonprofits and counties ineligible to compete for the funding. Past and current projects like Lapakahi, Pao`o, Kaiholena North and South, and Kauhola were all sponsored or co-sponsored by nonprofits and Hawai`i County. Under this bill they would not have been eligible to even compete for Legacy funding.

Our group has been meeting open to the community for over 5 years to carry out the recommendations of the North Kohala Community Development Plan, Hawaii County Ordinance 08-151. We are dedicated to working with land owners, government agencies, land trusts and community organizations to preserve our open coastline and guarantee access to the ocean and mountains. Cooperation in funding is an essential element to what we do. Our experience tells us that this bill works against the better efforts of the State. Please vote against it.

Ted Matsuda, Chairman

Dane Wicker

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 02, 2012 9:02 AM  
**To:** WLH Testimony  
**Cc:** annmarie@hawaii.rr.com  
**Subject:** Testimony for SB2378 on 2/2/2012 2:45:00 PM

Testimony for WLH/AGL 2/2/2012 2:45:00 PM SB2378

Conference room: 229  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: Ann Marie Kirk  
Organization: Livable Hawai'i Kai Hui  
E-mail: [annmarie@hawaii.rr.com](mailto:annmarie@hawaii.rr.com)  
Submitted on: 2/2/2012

Comments:

RE: Senate Bill 2378 RELATING TO LEGACY LANDS - In Opposition Senate Committees on Agriculture and Water, Land and Housing Thursday, February 2, 2012, 2:45 p.m., Room 229

Aloha to the Senate Committee on Agriculture, Water, Land and Housing,

I am writing to humbly ask that you **NOT SUPPORT SB 2378.**

Among the worrisome changes SB 2378 proposes; which includes the restrictive way how the Legacy Land Conservation Fund functions and how monies are awarded and spent - the most worrisome to me, as a community member who actively works with a non-profit with an emphasis on Natural and Cultural resources, this troubling bill excludes non-profit organizations from applying and competing for funding which can secure the acquisition of lands with great cultural and community significance in their respective areas across the State of Hawai'i.

The ability to compete for and acquire Legacy Land Funding was ESSENTIAL to bringing on board and securing the City and County of Honolulu funding to complete the purchase of land the non-profits Livable Hawai'i Kai Hui and the Trust for Public Land have been working to procure and protect in Maunaloa. This public private partnership helped to secure the 5 acres parcel of land which holds immense cultural significance for on it is Hawea Heiau Complex and Keawaawa wetlands. This could not have happened had the Livable Hawai'i Kai Hui and the Trust for Public Land not had the opportunity to apply for Legacy Land Funding.

Hawea Heiau is one of the most sacred sites in Maunaloa. Excavations nearby show a population in the area dating back to the 10th or 11th century. Hawea is the name of the sacred drum brought from Tahiti by La'a-Mai-Kahiki, the adopted son of the Tahitian chief Moikeha, to Maunaloa between 1300-1400. It is believed the drum Hawea was moved from Maunaloa to Kukaniloko in the 16th century during the time of the Chief Kualii'i. This is an extremely significant site.

It was the non-profits Livable Hawai'i Kai Hui and the Trust for Public Land which led the charge for saving and then purchasing the land where Hawea Heiau Complex is located. It was not a State agency who recognized the importance of saving this land. Had we as a community relied only on a State Agency to understand the importance of Hawea Heiau Complex in our area I truly believe Hawea Heiau and Keawaawa wetlands would have been completely destroyed. It was the lack of proper protection by a State agency, the State Historic Preservation Division, which seriously jeopardized the future of Hawea. It was a non-profit group who had to educate a State agency about the importance of saving this significant cultural site.



Imagine what will happen if non-profit land organizations are shut out of the process to compete for funding for land conservation and they are the ones most involved and invested in lands for their communities. It does not make sense.

It is successful partnerships that take place, like that of the non-profit groups Livable Hawai'i Kai Hui and the Trust for Public Land, which show how successful non-profits can be in competing and acquiring funding for land purchase for protection of lands which contain great cultural or community significance for the people of Hawai'i. There should be no exclusion of non-profits from competing for Legacy Land Funds. It's that simple.

Again, I humbly ask that you not support SB 2378.

Mahalo,  
Ann Marie Kirk

[annmarie@hawaii.rr.com](mailto:annmarie@hawaii.rr.com)

Livable Hawai'i Kai Hui  
Natural Resource and Cultural Committee Member

~~Dane Wick~~

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 01, 2012 8:37 PM  
**To:** WLH Testimony  
**Cc:** maiamarinelli@me.com  
**Subject:** Testimony for SB2378 on 2/2/2012 2:45:00 PM  
**Attachments:** SB\_2378\_testimonial.docx

Testimony for WLH/AGL 2/2/2012 2:45:00 PM SB2378

Conference room: 229  
Testifier position: **Oppose**  
Testifier will be present: No  
Submitted by: Maia Marinelli  
Organization: Individual  
E-mail: [maiamarinelli@me.com](mailto:maiamarinelli@me.com)  
Submitted on: 2/1/2012

Comments:

No profit organization have proven to do a remarkable work protecting and conservation our land better than any government organization definitely better than the debarment of agriculture or agribusiness development corporation who have only proven to mind their business with little if not no concern in conserving and protecting our lands and oceans. Restricting funding to nonprofits who focus on conserving our most precious places is vile way of eliminating any contrast that will get on the way of the interest bigger corporation and corrupt government.

As a recently naturalized US citizen I like to remind you all that "We the people of United States" is not "us the corporation of United States";



~~Jane Wicker~~

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 01, 2012 8:35 PM  
**To:** WLH Testimony  
**Cc:** maiamarinelli@me.com  
**Subject:** Testimony for SB2378 on 2/2/2012 2:45:00 PM

Testimony for WLH/AGL 2/2/2012 2:45:00 PM SB2378

Conference room: 229  
Testifier position: **Oppose**  
Testifier will be present: No  
Submitted by: Maia Marinelli  
Organization: Individual  
E-mail: [maiamarinelli@me.com](mailto:maiamarinelli@me.com)  
Submitted on: 2/1/2012

Comments:

No profit organization have proven to do a remarkable work protecting and conservation our land better than any government organization definitely better than the debarment of agriculture or agribusiness development corporation who have only proven to mind their business with little if not no concern in conserving and protecting our lands and oceans. Restricting funding to nonprofits who focus on conserving our most precious places is vile way of eliminating any contrast that will get on the way of the interest bigger corporation and corrupt government.

As a recently naturalized US citizen I like to remind you all that "We the people of United States" is not "us the corporation of United States";

**Dane Wicker**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 01, 2012 7:35 PM  
**To:** WLH Testimony  
**Cc:** yayah@hawaii.rr.com  
**Subject:** Testimony for SB2378 on 2/2/2012 2:45:00 PM

Testimony for WLH/AGL 2/2/2012 2:45:00 PM SB2378

Conference room: 229  
Testifier position: **Oppose**  
Testifier will be present: No  
Submitted by: Diana Crow  
Organization: Individual  
E-mail: [yayah@hawaii.rr.com](mailto:yayah@hawaii.rr.com)  
Submitted on: 2/1/2012

Comments:

As I understand this, the "Legacy Lands" funds would be ONLY available to DLNR, Dept of Ag, and the development arm of DLNR. This is wrong headed. The funds are better administered by local organizations who understand which lands are important to save. Mahalo.



## Dane Wicker

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 01, 2012 7:24 PM  
**To:** WLH Testimony  
**Cc:** souliberdade@gmail.com  
**Subject:** Testimony for SB2378 on 2/2/2012 2:45:00 PM

Testimony for WLH/AGL 2/2/2012 2:45:00 PM SB2378

Conference room: 229  
Testifier position: **Oppose**  
Testifier will be present: No  
Submitted by: Cory Bunyard  
Organization: Individual  
E-mail: [souliberdade@gmail.com](mailto:souliberdade@gmail.com)  
Submitted on: 2/1/2012

**Comments:**

I am opposed to the restriction of legacy funds to only DLNR, the Dept of Ag, and the development arm of DLNR. I believe that local non-profit organizations should have access to this funding and I feel it is important to review the bill thoroughly to prevent its opening of such lands to development or anything other than sustainable practices that maintain the natural integrity of the lands.

Cory Bunyard

Sara Tekula  
1135 Makawao Ave #103-182  
Makawao, HI 96768  
808-250-4030  
[spectekula@gmail.com](mailto:spectekula@gmail.com)

Aloha Senators,

I am a long time Maui County Resident, founder of the Plant a Wish project (a 50-state native tree planting tour which culminated in a statewide native tree planting effort on November 5th) and Lecturer at UH Maui College.

I am writing to **OPPOSE SB 2378**.

I do not want our Legacy Lands Fundings to be restricted. I believe it would be a horrible move, because I feel Hawaii has many successful nonprofit organizations and County groups that are doing an excellent job and have been picking up a great amount of momentum in recent years, when it comes to protecting and preserving our lands, rivers, and oceans.

If the funding falls squarely into the hands of the State, I fear that the lands would not be properly protected and local concerns, interests, and histories – coming from those who know these places best – would not be properly considered.

I believe that our statewide nonprofits, their dedicated board members and countless end-users and supporters would do a much better job serving the interests of future generations in Hawaii.

Please do not allow this bill to pass.



~~Dane Wicker~~

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 01, 2012 6:55 PM  
**To:** WLH Testimony  
**Cc:** emmaharberwhite@gmail.com  
**Subject:** Testimony for SB2378 on 2/2/2012 2:45:00 PM

Testimony for WLH/AGL 2/2/2012 2:45:00 PM SB2378

Conference room: 229  
Testifier position: **Oppose**  
Testifier will be present: No  
Submitted by: Emily Harber White  
Organization: Individual  
E-mail: [emmaharberwhite@gmail.com](mailto:emmaharberwhite@gmail.com)  
Submitted on: 2/1/2012

**Comments:**

Please do not pass this bill. It will hurt our most precious resource, the beauty of the aina. We need more open space, not less. Let's not hurt our legacy lands. Let's also protect our nonprofits! This bill will hurt the ability of nonprofits to do their vital job.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 01, 2012 6:54 PM  
**To:** WLH Testimony  
**Cc:** emmaharberwhite@gmail.com  
**Subject:** Testimony for SB2378 on 2/2/2012 2:45:00 PM

Testimony for WLH/AGL 2/2/2012 2:45:00 PM SB2378

Conference room: 229  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: Emily Harber White  
Organization: Individual  
E-mail: [emmaharberwhite@gmail.com](mailto:emmaharberwhite@gmail.com)  
Submitted on: 2/1/2012

**Comments:**

Please do not pass this bill. It will hurt our most precious resource, the beauty of the aina. We need more open space, not less. Let's not hurt our legacy lands. Let's also protect our nonprofits! This bill will hurt the ability of nonprofits to do their vital job.

For example, The Trust for Public Land partnered with the Division of Forestry and Wildlife to apply for Legacy funding to purchase Honouliuli Forest Reserve, a watershed with dozens of endangered and threatened species, cultural sites, and important forest watershed that contributes to the Pearl Harbor aquifer. The Trust for Public Land was able to work with other private investors to purchase a larger acreage from the James Campbell Company (the company refused to sell smaller lots), subdivide out the forest reserve, secure private interim financing to purchase the land on to meet the landowner's requirements, raise substantial federal funding (over \$2 million), and transfer it to the State (with a \$400K endowment for management at the Hawai'i Community Foundation). Without the help of private partners like the Trust for Public Land, the transaction could not have occurred.

Under the current law, state and county agencies and non-profit land conservation organizations may apply. The four agencies granted exclusive rights to apply for funds SB 2378 may already apply under the existing law. Under the existing law, applicants must submit applications and compete with other applicants for funding. Only the best, most prepared/ready-to-go, and significant land projects get funded. Competition ensures good land conservation. These four agencies can already compete for funds, and will get funded if they submit good applications. For example, the Board of Land and Natural Resources has already been successful in applying for funds (e.g., Hamakua Marsh, Honouliuli Forest Reserve, Kainalu Ranch). There is no reason why the four agencies cannot compete well for funds.

SB 2378 also proposes to allow Legacy funds to be used for undefined "regulatory functions." The existing law already allows up to 5% of the fund to be used for administrative expenses, up to 5% for maintenance, operations and managements of lands acquired with Legacy funds, invasive species control, and re-forestation and sediment control. Allowing undefined expenditures on "regulatory functions" would allow more money to be siphoned away from the law's primary mission -- to conserve land.

Senator Pohai Ryan has been working closely with the BLNR and Legacy Land Commission to promulgate rules and refine policies to improve Legacy land processes. That process should be allowed to continue; if substantial changes are made to the law now, the rules would have to be amended and go out (yet again) for public hearing and Attorney General review.

Mahalo nui loa for the opportunity to testify. Please **oppose** SB 2785. This bill is not in the public interest and it is not needed.

Sincerely,

Marjorie Ziegler