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February 9, 2013

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NOTICE OF HEARING- Report Title: HB 1255

DATE: Wednesday, February 13, 2013
TIME: 8:30 am
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

I Teresa L. Nakama ask all members of these committees to oppose HB 1255 introduced by Rep. Danny Coffman. This bill will soon come to a vote in your committee.

I speak in strong opposition and also for my fishing ohana who oppose this House Bill 1255, it goes against the justification of public harbors that our tax dollars and slip fees pay for. Not to mention various business who operate on our ceded lands and pays the State rent. The future of our Honokohau Harbor must never be given to just 2 or 3 individuals who will decide the future development of our public harbor. This is unconscionable, to allow public lands into private management and only for their profit and to add additional financial burden to boaters.

Honokohau Harbor already brings in revenues from boat slips, commercial businesses which will go into the general fund. It is up to our House and State representatives to work together to bring funds back to the Harbor to be improved. DLNR has proven it cannot take care of our harbors and should be given back to DOT. DOT is better equipped and has better resources to manage the harbors. DLNR is already way overly burdened and shown us they can't take care of any of our Harbors. The State DOT should be handling the harbors and not a private entity.

This HB 1255 will put a financial burden on the local recreational families and the local fisherman. When private entities take control of our public facilities their goal is for their profit and their well-being. We the local fishing families and community depend and rely on our State government with whom we pay our taxes to, and in return take the responsibility to provide the local community our public facilities. What started out for the public, to provide for the local fishing community, will be turned over to 2 or 3 decision makers, who will only make management decision for their gain and only the rich can afford. We once again see that that this bill will be against us local fishing and recreational communities.

Thank you for opposing this bill.

Sincerely,
Teresa L. Nakama

lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 12, 2013 8:39 PM
To: waltestimony
Cc: nancyhedlund@yahoo.com
Subject: Submitted testimony for HB1255 on Feb 13, 2013 08:30AM

HB1255

Submitted on: 2/12/2013

Testimony for WAL/OMH on Feb 13, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Hedlund	Individual	Oppose	No

Comments: I OPPOSE HB 1255 and urge that you not approve this bill. It should not pass out of committee. It is simply wrong to invest this responsibility in HCDA which has certain promoted development with abandon but which has no record of respect or achievement in demonstrating concern about the land, the shorefront, the ocean, or the people who depend on our valuable resources for their small businesses and/or their family's recreation and well being. You have informed testimony that speaks in more detail to why this bill is a bad bill. I speak for the community and for citizens and on their behalf, I opposed HP 1255. Nancy Hedlund, Honolulu, Hawai'i

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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STATEMENT OF

ANTHONY J. H. CHING, EXECUTIVE DIRECTOR
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE

HOUSE COMMITTEE ON WATER & LAND

AND

HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES &
HAWAIIAN AFFAIRS

Wednesday, February 13, 2013

8:30 A.M.

State Capitol, Conference Room 325

in consideration of

H.B. 1255 – RELATING TO LAND USE.

Purpose: Amends §206-E, Hawaii Revised Statutes (HRS) to establish the Honokohau Marina Development District under the Hawaii Community Development Authority (HCDA).

Position: I take no position on the proposal and provide the following comments on the proposal. This testimony represents my view point only as the Authority has not yet had an opportunity to review and take action on this measure.

The proposal notes the Honokohau Harbor and Marina, while created over 40 years ago, has not been utilized to its full potential. Pollution, security, safety, and sanitation issues are ongoing issues for the community which may be resolved with an increase in infrastructure that incorporates commercial enterprises, retail shops, and restaurants. The proposal aims to create complementary, supportive, marine related services, facilities and activities by designating the Honokohau

Harbor and certain fast lands as the Honokahau Marina Community Development District.

The Mission and Capacity of the HCDA. The HCDA is a corporate instrumentality of the State of Hawaii that is responsible for building community and place in designated community development districts. The HCDA has three main functions. These functions include:

1. Compiling and administering zoning regulations within the community development districts designated by the State Legislature.
2. Promulgating and executing community master/development plans (includes infrastructure, utility, roadway and public facility plans);
3. Stewarding and managing agency assets (e.g., land for which HCDA holds title, other assets such harbor facilities and submerged lands).

While the HCDA currently has the capacity to plan for and manage a community development district such as been described in the measure, I note that:

- The DLNR has offered testimony *in opposition* to this measure and expressing their preference to instead establish a statewide Harbor/Parks Authority to manage redevelopment and operations.
- The HCDA has not had an opportunity to meet and consult with the Department of Land and Natural Resources (DLNR) to ensure that the creation of such a community development district does not adversely impact the finances, land management or ocean protection/recreation programs of the DLNR.
- There are no assets transferred or appropriation given to the HCDA to conduct necessary environmental review, compile a community master plan or zoning rules, conduct public outreach and sustain its operations.

Reference to Honokohau Marina Development District. The measure alternately refers to the Honokohau Marina Development District and the Honokohau Marina Community Development District. I recommend that the later designation is uniformly used to ensure clarity.

Proposed Governance Structure. Page 5, lines 3-14 specify that three additional members representing: marina business owners and operators; harbor boat tenants; and the Kaloko-Honokohau National Historical Park be appointed to the Authority by the governor to “represent the district”. Given structural changes established by the 2012 State Legislature to the membership of the Authority, should this measure be enacted, I recommend that (consistent with the Authority’s current structure) that a separate Honokohau Authority comprised of nine voting members is established that includes:

- Four ex-officio members including the Directors of the Departments of Accounting and General Services; Business, Economic Development and Tourism; Budget & Finance; and Transportation or their designees.
- A cultural expert appointed by the governor.
- An at-large member appointed by the governor.
- The three community representatives specified in this measure appointed by the Governor pursuant to section 26-34.

Thank you for the opportunity to provide comments on this proposal.