



HAWAII
AMERICANS FOR DEMOCRATIC ACTION

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February 8, 2013

TO: Chair Cindy Evans, Vice Chair Nicole Lowen, Committee on Water and Land
Chair Roy Takumi, Vice Chair Takashi Ohno, Committee on Education
Chair Sylvia Luke, Vice Chairs Nishimoto and Johanson, Com. on Finance

FROM: Barbara Polk, Legislative Chair
Americans for Democratic Action/Hawaii

SUBJECT: **SUPPORT FOR HB 1133 and HB 589**
OPPOSITION TO HB 942, HB 219, HB 593, HB 1134, and HB 865

Americans for Democratic Action/Hawaii strongly objects to HRS 171C, under which control of public lands has been placed in the hands of an unelected five-person Public Lands Development Corporation, with the ability to exempt development from many of the rules and regulations that were designed to protect the environment, native Hawaiian rights, democratic process, health and safety, and consultative development planning. For that reason, we support HB 1133 and HB 589, both of which would abolish the Public Lands Development Corporation.

In a democratic representational system of governance, we elect representatives to whom we entrust major decisions for the benefit of the public. We do not expect or accept our representatives then passing that responsibility on to another body given broad authority with little accountability.

We are also amazed that legislators would so blithely ignore the work of their predecessors at the state and country levels in weighing issues and passing laws over the past half century! In our system of government, that which is not proscribed is legal. In recent years, there has been a sustained attack on "government regulation", as though regulations were put in place only to harass business and government agencies. In fact, each of the laws that regulate business and government has come into being because they have been violated at a time when that was not illegal. To ignore them now is to return to a free-for-all in which nepotism, corruption, environmental degradation, sloppy construction, dangerous work conditions, secrecy, bypassing of community input and random land use are all acceptable! Who would want that? Yet the PLDC was set up in such a way that all of these things would be legal.

It is not enough to tweak the statute here and there (HB 219 and HB 1134), nor is it enough to somewhat limit its scope and rename it (HB 942 and HB 1134). It is also not acceptable to pass certain of its responsibilities on to other existing entities (HB 865). In addition, a pilot project



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COMMITTEE ON WATER & LAND

Rep. Cindy Evans, Chair

Rep. Nicole E. Lowen, Vice Chair

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Scott Y. Nishimoto, Vice Chair

Rep. Aaron Ling Johanson, Vice Chair

DATE: Saturday, February 09, 2013

TIME: 9:00 AM

PLACE: Auditorium

HB 1133 & 589 Repeal PLDC

SUPPORT

Aloha Chairs Evans and Luke, Vice Chairs Lowen, Nishimoto and Johanson and members of the Committees

The community is outraged that the PLDC was created by Act 55 in 2011.

The PLDC was given broad powers to bypass five decades of state and county legislation protecting public trust resources, encouraging community input, promoting sunshine and implementing safeguards to prevent bad governmental actions.

What did the Wall Street meltdown teach us? It taught us that the massive concentration of money and power without any public oversight or regulation leads to disaster.

Closer to home, what did Act 221 teach us? That throwing money at a

problem without any controls simply wasted taxpayers money. We gave tax breaks for job creation, but hid the names of the companies receiving the tax breaks. Companies received taxpayer subsidies without having to show they actually created jobs.

Traditionally businesses created jobs and governments regulated them. The move to Public Private Partnerships can be more efficient but can lead away from proper oversight and regulation to a system of collusion. In its extreme, large corporations are in bed with and become the government.

Some people view democracy as time-wasting, messy and inefficient. Allowing the public to be aware of, and to weigh in on public policy, simply delays action. They believe that it is better to hide things from the public and to take action.

Sunshine is the best disinfectant. Transparency and accountability lead to better decisions and wiser use of taxpayer money. Removing these safeguards lead to manipulation, unprecedented accumulation of power, corruption, and an unhealthy secrecy.

Democracy is under threat.

Please do the right thing.

Let's repeal PLDC

Mahalo

Henry Curtis
Executive Director

(HB 593) would be equally subject to the abuses enumerated above. We are not opposed to public-private partnerships, but we believe that it is the legislature and the county councils who have the responsibility for final approval of such partnerships, not an unelected, private corporation.

HB 1134 remedies some of the issues in the current statute. However, it still supercedes “county land use plans, policies and ordinances,” requiring only “coordination” with the counties, but still exempting PLDC projects from county requirements and approval procedures. In addition, this bill retains the powers of the PLDC to:

“Acquire or contract to acquire by grant or purchase:

(A) All privately owned real property or any interest therein and the improvements thereon, if any, that are determined by the corporation to be necessary or appropriate for its purposes under this chapter, including real property together with improvements, if any, in excess of that needed for such use in cases where small remnants would otherwise be left or where other justifiable cause necessitates the acquisition to protect and preserve the contemplated improvements, or public policy demands the acquisition in connection with such improvements;”

And to:

Own, hold, improve, and rehabilitate any real, personal, or mixed property acquired; and sell, assign, exchange, transfer, convey, lease, or otherwise dispose of, or encumber the same;

Grant options to purchase any project or to renew any lease entered into by the corporation in connection with any of its projects, on the terms and conditions it deems advisable;

These are appropriate functions of government that cannot reasonably be delegated to another entity. Furthermore, HB 1134 proposes a pilot project, though it is unclear what the purpose of such a project is. The fact that a pilot project could be carried out in a reasonable manner does not in any way change the scope of the “Public-Private Development Corporation” and its potential for future abuses.

Finally, HB 865 simply sounds like a raid on our public parks and school playgrounds. Despite the fine words, what seems to be intended is to build old-fashioned multi-storied buildings to house children so that the land that is saved can be used for---well, who knows what? And once again, this bill attempts to put major decision-making responsibility into the hands of a private entity, in this case, the Hawaii Community Development Authority.

In summary, Americans for Democratic Action/Hawaii supports the deletion of HRS 171C and all statutory references to the Public Land Development Corporation, as spelled out in HB. 589 and 1133. We do not support renaming or revising the statute or a pilot project as advocated in the other bills before this committee today.

We urge you to pass HB 589 or HB 1133.

Environmental Caucus of the Democratic Party of Hawai'i

State Democratic Headquarters ♦ 1050 Ala Moana Boulevard, Ste 221 ♦ Honolulu, Hawai'i, 96814
(808) 596-2980 ♦ <http://EnvironmentalCaucusoftheDemocraticPartyofHawaii.com>

February 9, 2013

Testimony in Support of House Bill 589

**Aloha mai kakou Chairs and Vice Chairs and members of the House Committees of
Water & Land and Finance,**

**My name is Mrs. Juanita Brown Kawamoto, Subcommittee Chair of Food and
Farm Sustainability of the Environmental Caucus of the Democratic Party of
Hawaii, Executive Board member at Large and a Native Hawaiian citizen advocate.**

**I am here to testify in strong support of HB 589 – Relating to the Public Land
Development Corporation and the repeal of chapter 171C, HRS, relating to PLDC.
The intent of this bill is to repeal the requirement that HCDA assist the PLDC in
certain specified areas. .**

**We must protect and preserve Hawaii's natural resources and properly manage the
development of those resources that should always benefit the public trust and
include the community. The interchange of development management between the
HCDA and the PLDC can be perceived as a conflicting arrangement of values as the
HCDA agency moves to urbanize land and the other should focus on protection and
preservation of Hawaii's precious natural resources.**

**The repeal of Chapter 171C, HRS relating to PLDC includes the exemption from
the requirements involving special improvement district assessments or
requirements for land use, zoning, construction standards of agriculture to housing
zoning, which can include exemptions of environmental impact statements and
environmental assessments which can fiscally impact the environmental and
economic fragility of the State of Hawaii.**

**Support of the repeal is the only way the State government can redeem itself for
allowing such a terrible holocaust of the rights of the people of Hawaii to occur.**

**The Environmental Caucus of the Democratic Party of Hawaii strongly supports
HB 589.**

Mahalo for the opportunity to provide testimony.

**Mrs. Juanita Brown Kawamoto
Subcommittee Chair
Environmental Caucus of the Democratic Party of Hawaii**

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 7:57 AM
To: waltestimony
Cc: tambry@hawaii.rr.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/9/2013

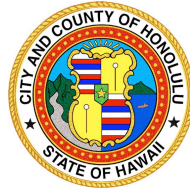
Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Tambry R. Young	Citizens for Equal Rights	Support	No

Comments: CITIZENS FOR EQUAL RIGHTS STRONGLY SUPPORTS THE FULL REPEAL OF THE PLDC

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HAWAII KAI NEIGHBORHOOD BOARD

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PAIGE ALTONN

Subdistrict #11

Hawaii Kai
Neighborhood Board No. 1
c/o Neighborhood Commission
530 So. King St., Rm. 406
Honolulu, Hawaii 96813
Phone: (808) 768-3710
Fax: (808) 768-3711

Web Page:
• www1.honolulu.gov/nco/nb1

*Hawaii Kai Neighborhood
Board meets the last Tuesday
of every month (except Dec.),
7 p.m., Hahaione Elementary
School cafeteria. The public is
welcome to attend.*

Motion to Repeal the Statute that Created the Public Land Development Corporation

The Hawaii Kai Neighborhood Board has approved a motion to support repeal of the State's Public Land Development Corporation.

While the Board recognizes that some parts of the PLDC law might be well intended, the majority of the Board feel it is best to support an outright repeal of the PLDC law as opposed to legislative attempts to amend it.

The vote to support repeal of the PLDC was taken at our January 29, 2013, meeting. The tally was 13 aye, 0 nay, 1 abstain, 1 absent.

This position is consistent with the Board's previous actions supporting good stewardship and protection of public lands, especially preservation and agricultural lands. The Board also consistently supports adherence to all land use and procurement procedures, as well as good government measures that advance transparency and public participation.

This statement of the Board's position is submitted as testimony in favor of legislative bills to repeal the PLDC law, and against bills that propose additions or amendments to the existing PLDC law.

Greg Knudsen
Chairperson

1205 Kaeleku Street
Honolulu, Hawaii 96825
(808) 395-3725, 224-0790
knudsen123@gmail.com



lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 11:27 PM
To: waltestimony
Cc: hawaiian.affairs.caucus@gmail.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Lela Hubbard	Hawaiian Affairs Caucus, Hawaii Democratic Party	Support	No

Comments: HB 589 – RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION
POSITION: SUPPORT The Hawaiian Affairs Caucus of the Democratic Party of Hawaii is submitting testimony in support of HB589, which repeals chapter 171C, HRS, relating to the Public Land Development Corporation. ‘O ia iholā nō me ke aloha.

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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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 9:53 PM
To: waltestimony
Cc: shane.nelsen@gmail.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Shane Nelsen	Kuakini Hawaiian Civic Club of Kona	Support	No

Comments: Aloha mai kakou, The Kuakini Hawaiian Civic Club of Kona advocates for the the Native Hawaiians, and we strongly SUPPORT HB589. This measure outlines the role and responsibility our great State has towards the Native Hawaiians. Native Hawaiians should not be placed in a situation to choose between practicing their culture and surviving an economic crunch. I urge Legislatures to assist in finding the balance for Native Hawaiians today. We urge these committees to PASS HB589. Mahalo for your time and consideration. Na, Shane Akoni Nelsen President - Kuakini HCC of Kona

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February 8, 2012

Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair
House Committee on Water & Land

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair

Opposition to HB 589 Regarding Public Land Development Corporation (Repeals Chapter 171C, HRS, relating to PLDC. Repeals requirement that HCDA assist the PLDC in certain specified areas.)

Saturday, February 9, 2013, 9:00 a.m. in State Capitol Auditorium

The Land Use Research Foundation of Hawaii (LURF), is a state-wide private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation, and regulations that encourage well-planned economic growth and development, while safeguarding Hawai'i's significant natural and cultural resources and public health and safety.

LURF appreciates the opportunity to provide comments **in opposition to HB 589**, which proposes to repeal Chapter 171C, Hawaii Revised Statutes ("HRS"), and to repeal the requirement that the Hawaii Community Development Authority ("HCDA") assist the Public Land Development Corporation ("Corporation") in certain specified areas.

LURF understands and shares the concerns of members of the public, organizations and legislators relating to the powers and exemptions under Chapter 171C, HRS. However, **rather than repealing Chapter 171C, HRS, LURF recommends amending it, to achieve the intent and purpose of the law** – which was to create a public corporation to administer an appropriate and culturally-sensitive public land development program to make optimal use of public land for the economic, environmental, and social benefit of the people of Hawaii, while ensuring that the public land is maintained for the people of Hawaii.

Background Facts. The following are some relevant facts relating to Chapter 171C, HRS:

- **Lack of funding and resources for the State Department of Land and Natural Resources to repair, maintain and improve public lands.** According to the State Department of Land and Natural Resources ("DLNR"), it is "responsible for managing approximately 1.3 million acres of State-owned lands and the State's natural, cultural

and recreational resources, including the State's small boat harbors and parks. These recreational facilities are enjoyed by both the people of Hawaii as well as our visitors.

“Many of these facilities, however, are in dire need of repairs and improvements and have fallen into a shameful state of disrepair due to the lack of funding and resources. Some of those facilities are located on or in the immediate vicinity of public lands that are not being utilized effectively.

“Those public lands and facilities can, and should, be maintained and improved in a manner that will be sensitive to the intrinsic cultural and natural values of the area, while preserving and protecting traditional Native Hawaiian rights and practices.”

LURF believes that the assistance provided by Chapter 171C, HRS, would enable the DLNR to do exactly that, while simultaneously addressing the long overdue repairs, maintenance and improvements to the State's lands and recreational facilities in a timely manner, while also creating revenue opportunities to help fund such improvements, and sustaining DLNR's operational mandates.

- **Chapter 171C, HRS.** This law, which was enacted in 2011, created a public Corporation to administer an appropriate and culturally-sensitive public land development program to make optimal use of public land for the economic, environmental, and social benefit of the people of Hawaii, while ensuring that the public land is maintained for the people of Hawaii. By enacting Chapter 171C, HRS, the Legislature recognized that the state's public lands were not being properly repaired, maintained, improved and were not being used effectively and concurred that such underutilized public lands could provide opportunities for developing high quality recreational and leisure centers and generating revenue for the benefit the people of Hawaii. The PLDC was created to pursue such opportunities.
- **Legislative findings and purpose of Chapter 171C, HRS.** In adopting this law, the legislature specifically found that certain public lands under the jurisdiction of DLNR were not used effectively, and that public lands in certain areas may serve the State and its people better if managed and developed into suitable recreational and leisure centers where the public can congregate and where visitors can enjoy their holiday experience. The Legislature noted, however, that DLNR is hamstrung by its limited mission; and that creating a development arm of DLNR, similar to the Agribusiness Development Corporation, and placing appropriate public lands into the new corporation's jurisdiction, may help to create these recreation and leisure areas, while also creating revenue-generating opportunities for the new corporation. In turn, revenues generated may be used to offset the regulatory functions of DLNR.

The purpose of Chapter 171C, HRS is to create a vehicle and process to make optimal use of public land for the economic, environmental, and social benefit of the people of Hawaii. This chapter established a public corporation to administer an appropriate and culturally-sensitive public land development program. The Corporation was created to coordinate and administer programs to make optimal use of public land, while ensuring that the public land is maintained for the people of Hawaii. The duties of the Corporation are to identify the public lands that are suitable for development under this chapter, carry on marketing analysis to determine the best revenue-generating programs for the public lands identified, enter into public-private agreements to appropriately

develop the public lands identified, and provide the leadership for the development, financing, improvement, or enhancement of the selected development opportunities.

LURF's Position. LURF is in **strong opposition of HB 589** and the repeal of Chapter 171C, HRS, for the following reasons:

- **Chapter 171C, HRS, and its mission and objectives will create public-private partnerships which benefit the State and are sensitive to its cultural, historical and natural resources.** Contrary to the questionable and unsubstantiated position taken by proponents of this bill to repeal Chapter 171C, HRS, LURF commends the mission, objectives and priorities of Chapter 171C, HRS, which are to create partnerships between state and county agencies, departments, businesses, non-profits and community groups, to improve our communities, create jobs and support development that is sensitive to the cultural, historical and natural resources of the State of Hawaii. As such, LURF supports the efforts, under Chapter 171C, HRS, to partner with members of the public and to assist state and county agencies to increase public benefit by reinvesting and enhancing state assets such as parks and schools, as well as the draft Strategic Master Plan and draft Administrative Rules which will establish operating procedures for the Corporation; set forth a process by which Chapter 171C, HRS may be used to initiate or enter into cooperative agreements for the development or financing of projects; and institute a procedure for undertaking and financing any project facility as part of a project.
- **Premature repeal of Chapter 171C, HRS would destroy significant opportunities to optimize use of public land and generate state revenues.** Because the Corporation is now in the process of completing a public comment process by which it is addressing questions and misconceptions expressed at community meetings held statewide, LURF believes it would be premature for this Legislature to intervene in this process by the consideration and passage of this repeal bill, which may result in the impulsive and untimely abolishment of Chapter 171C, HRS, thereby destroying the chance for stakeholders and interested parties to provide further invaluable input regarding this significant opportunity through which private entities will be able to enter into agreements and partnerships for the development and financing of projects that will make optimal use of public land, generate revenues for the State, and in turn, economically and environmentally benefit the people of Hawaii, including all of the counties.
- **Many areas in the State may realize substantial economic benefits from Chapter 171C, HRS, due to State land and assets in each county.** As State land and assets are available in all of the Hawaii's counties, LURF strongly believes (contrary to the sentiment held by supporters of this repeal bill) that the Legislature's continued support of Chapter 171C, HRS and public initiated projects would result in substantial, positive economic impacts and benefits for the various counties and for the State.
- **Revisions, clarifications and amendments to Chapter 171C, HRS and the Draft Strategic Master Plan and Draft Administrative Rules can allay concerns relating to the environment and potential circumvention of existing laws, including those relating to zoning and subdivision.** LURF, too, understands the concerns of the public and this Legislature relating to the environment and what may appear to be an opportunity for potential circumvention of existing zoning and subdivision laws. LURF has therefore conducted a detailed review of the draft

Strategic Master Plan and draft Administrative Rules for Chapter 171C, HRS, and has offered, for the Corporation's consideration; suggestions and clarifications which LURF believes address the above concerns and are consistent with the intent and purpose of the legislation underlying the creation of Chapter 171C, HRS. These recommendations include, amongst other things, clarification that Chapter 171C, HRS is subject to Chapter 343 (Environmental Impact Statements), Chapter 6E (Hawaii Historic Preservation), Chapter 92 (Public Agency Meetings and Records – "Sunshine Law"), Chapter 104 (Wages and Hours of Employees on Public Works) and Chapter 171 (Management and Disposition of Public Lands – prohibition of the sale of ceded lands); confirmation that the public land planning activities under Chapter 171C, HRS "shall be coordinated with the county planning departments and the county land use plans, policies, and ordinances"; and assurance that the proposed procedural rules which seek to provide for public input, transparency and an efficient process for the Corporation's proceedings and determinations are consistent with applicable rules of other similar agencies.

- **Concerns relating to Chapter 171C, HRS are best addressed through the independent review of the Draft Strategic Master Plan and Draft Administrative Rules.** LURF respectfully suggests that in lieu of the repeal contemplated by HB 589, the applicable Legislative committees should consider conducting either their own independent review, or a review by the State Auditor of Chapter 171C, HRS, as well as the draft Strategic Master Plan and draft Administrative Rules, to ensure thorough understanding of the actual intent and purpose of Chapter 171C, HRS and, to propose, if necessary, their own clarifications and revisions to the pending Strategic Master Plan, Administrative Rules and any other necessary statutory amendments.
- **Bill 587 is best held or deferred indefinitely, pending the Legislature's receipt of additional, accurate information regarding Chapter 171C, HRS.** The Corporation is continuing to review and revise its draft Strategic Master Plan and draft Administrative Rules, which set forth its mission, goals and parameters with regard to environmental, historic preservation and land use. Once revised and approved by the Corporation's Board, the proposed Strategic Master Plan and Administrative Rules will go out for a public hearing, a minimum of thirty (30) days after receiving Board approval.

As agenda items relating to Chapter 171C, HRS will be heard in the coming months, LURF respectfully requests that this bill be **held**, or **at the very least postponed**, in order that the Legislature and the public may be rightly provided with additional and accurate information which may lead to amendments of Chapter 171C, HRS, the Corporation's Strategic Master Plan and Administrative Rules, which will allow it to fulfill its mission to benefit state lands and the people of Hawaii.

Thank you for the opportunity to express our opposition to, and concerns regarding this proposed measure.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 10:59 AM
To: waltestimony
Cc: Scoleman@surfrider.org
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Surfrider Foundation	Support	Yes

Comments: My name is Stuart Coleman, and I am the Hawaii Coordinator of the Surfrider Foundation, an environmental non-profit dedicated to the protection and enjoyment of the world's oceans, waves and beaches. Founded in 1984, the Surfrider Foundation has more than 250,000 supporters, activists and members across the country, with five chapters and over 5000 supporters in Hawaii. One of our top priorities this legislative session is the repeal of Act 55 and the PLDC. So we support HB 1133 and HB 589 for the following reasons: 1. Our public lands are not for sale, and they belong to the people. The PLDC presumes our natural resources exist to create a profit, rather than treasuring for future generations. Most folks believe enough is enough already -- let's focus on enhancing and protecting what we've got, rather than figuring out ways to convert beaches and parks into more development. 2. Despite assurances to the contrary, the PLDC is exempt from all land use laws, including most laws that protect agriculture and conservation lands. Accordingly, the PLDC can develop important agricultural lands set aside for farming or our precious watersheds. This isn't smart planning, and could be quite harmful to Hawaii's longterm future. 3. Environmental and cultural regulations were enacted to protect the people and the land, but the PLDC is exempt from some of our important accountability laws.. Oversight laws were created to prevent abuse of power and preserve the land for the people. We should be cautious about giving control of millions of acres of land without these regulations. 4. The concept of the PLDC is broken and beyond repair, and so are the many other bills trying to rebrand it. We need to start with a clean slate and then have a real discussion about the best ways to protect our communities. We are opposed to the PLDC and any attempt to bypass environmental, cultural and other regulations to fast-track development on public land. Mahalo for the opportunity to testify and share our support of these bills to repeal the PLDC. Aloha, Stuart Coleman Hawaii Coordinatoe The Surfrider Foundation

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lowen1-Kyli

From: Angela Videotron [angelavideotron@gmail.com]
Sent: Saturday, February 09, 2013 12:22 PM
To: waltestimony; EDNtestimony; FINTestimony
Subject: 2/9/13 9am In support of HB 1133 and HB 589

2/9/13 9am Hearing HB1133, HB589

Aloha Legislators,

I'm writing to express my strong support for HB 1133 and HB 589 as the two bills that would repeal the PLDC.

I'm also opposing HB942, HB 219, HB593 and HB1134 because they don't repeal the PLDC.

The PLDC is an ill conceived plan to usurp local authority in planning and development, and must be abolished. I've lived on the North Shore of Oahu for almost ten years, and have witnessed many atrocious planning and development decisions made by the State and the City & County levels of government. Thanks to the hard work of many in the community we have been able to stop some of these projects, but are threatened with more bad development proposals all the time. The PLDC would exacerbate our current problems with over-development and pay-to-play in permitting.

Abolish the PLDC!

Sincerely,

Angela Breene
Halewia, HI 86712

lowen1-Kyli

From: Ari Levine [ariehlevine@gmail.com]
Sent: Friday, February 08, 2013 10:37 PM
To: waltestimony; +EDNtestimony@capitol.hawaii.gov; +FINtestimony@capitol.hawaii.gov
Subject: I support HB 1133 and HB 589

Dear Legislators,

Please repeal the Public Lands Development Corporation.

Please support HB1133 and HB 589. We must completely eliminate the PLDC. If public lands are to be developed it must only be with significant community involvement, direct oversight and with personal accountability.

I am a voting member of the Honolulu community and I strongly oppose the PLDC for the following reasons:

- The PLDC presumes our natural resources exist to create a profit, rather than treasuring for future generations. Most folks believe enough is enough already -- let's focus on enhancing and protecting what we've got, rather than figuring out ways to convert beaches and parks into more development.
- The PLDC is exempt from all land use laws, including most laws that protect agriculture and conservation lands. Accordingly, the PLDC can develop important agricultural lands set aside for farming or our precious watersheds. This is unacceptable no agency should be exempt from these laws.
- The PLDC is exempt from some of our important accountability laws, such as the procurement code. This is also unacceptable and amounts to giving away the most precious resource in Hawaii. We should not give control of millions of acres of land without strict regulation.
- Fixing the PLDC isn't adequate. We need to start with a clean slate and then have a real discussion about the best ways to protect our communities.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 8:59 PM
To: waltestimony
Cc: barleigh2@yahoo.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Cooney	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:44 PM
To: waltestimony
Cc: best_budz89@yahoo.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Buddy Smith	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 5:07 PM
To: waltestimony
Cc: dcdvnp@aol.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:35 PM
To: waltestimony
Cc: africraigs@googlemail.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
craig simpson	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:29 PM
To: waltestimony
Cc: crystalkpaul@yahoo.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Kia Paul	Individual	Support	No

Comments: Aloha Chairs, Thank you for allowing me to submit testimony in support of this bill. By voting to support this bill you are ensuring the success of the Hawaiian people. As a native Hawaiian living on the continent, this is a relief to know our very existence will not become extinct. Sincerely, Crystal Kia Paul Denton Texas Member of Kuakini Hawaiian Civic Club of Kona

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 4:27 AM
To: waltestimony
Cc: casedavids@gmail.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
David Case	Individual	Support	No

Comments: Democracy is sometimes slow and inconvenient, but that too is the price of freedom. Repeal the PLDC and restore a normal measure of local control over land development decisions.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:44 PM
To: waltestimony
Cc: fivestarrugrats@yahoo.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Anderson	Individual	Support	No

Comments:

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lowen1-Kyli

From: Duane Erway [mderway@me.com]
Sent: Saturday, February 09, 2013 4:17 PM
To: waltestimony; EDNtestimony; FINTestimony
Subject: I support HB 1133 and HB 589

It is important to repeal the PLDC.

Duane Erway

Sent from my iPad

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 3:32 PM
To: waltestimony
Cc: inunyabus@gmail.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine D.	Individual	Oppose	No

Comments: FULL REPEAL OF PLDC ONLY.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:43 PM
To: waltestimony
Cc: missivonkouma1@live.fr
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
ivon kouma	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:42 PM
To: waltestimony
Cc: jamies@tws.org.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Jamie Schwartz	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 11:52 AM
To: waltestimony
Cc: palmtree7@earthlink.net
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Support	No

Comments: repeal PLDC!

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 9:46 PM
To: waltestimony
Cc: OccupyHiloMedia@yahoo.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Kerri Marks	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:45 PM
To: waltestimony
Cc: ford3@mail.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Ford	Individual	Support	No

Comments:

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lowen1-Kyli

From: Kimiekgill@aol.com
Sent: Saturday, February 09, 2013 11:59 AM
To: waltestimony; EDNtestimony; FINTestimony
Subject: I support HB 1133 and HB 589

I'm supporting HB 1133 and HB 589 as the two bills that would repeal the PLDC. I'm also opposing HB 942, HB219, HB 593, and HB 1134 because they don't repeal the PLDC.

Kim Gill
kimiekgill@aol.com

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:19 PM
To: waltestimony
Cc: Gleafs@hawaiiantel.net
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Marta greenleaf	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 9:25 PM
To: waltestimony
Cc: michaelbroady@gmail.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Broady Jr.	Individual	Support	Yes

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:58 PM
To: waltestimony
Cc: deweert@hawaii.rr.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Michael J DeWeert	Individual	Support	Yes

Comments: Support with reservations. As the energy committee chair for the Environmental Caucus of Democratic Party of Hawai'i, I welcome limitations on PLDC's ability to avoid environmental, landuse, and cultural-preservation laws. We would Strongly Prefer the complete Repeal of PLDC.

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lowen1-Kyli

From: pauline mac neil [dearpauline@hotmail.com]
Sent: Friday, February 08, 2013 9:51 PM
To: waltestimony; EDNtestimony; FINTestimony
Subject: Testimony in Support of HB1133 and HB589

I support HB1133 and HB589 because they both remove the language related to the Public Land Development Corporation.

Mahalo to all representatives who sponsored and support these bills.

Pauline Mac Neil
112 Haokea Drive
Kailua, HI 96734

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 8:27 PM
To: waltestimony
Cc: proacz@gmail.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Berg	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 11:00 PM
To: waltestimony
Cc: Rjsebastian@gmail.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Raynard Sebastian	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 8:13 AM
To: waltestimony
Cc: bexter1966@yahoo.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Doescher	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:40 PM
To: waltestimony
Cc: richard_michael_1420@yahoo.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
richard michael	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 10:37 PM
To: waltestimony
Cc: gypse_rose@hotmail.com
Subject: Submitted testimony for HB589 on Feb 9, 2013 09:00AM

HB589

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Rose Killian	Individual	Support	No

Comments: repeal PLDC

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lowen1-Kyli

From: Stephanie Chen [steph.m.chen@gmail.com]
Sent: Friday, February 08, 2013 10:49 PM
To: waltestimony
Subject: testimony in support of HB 1133 and HB 589 and in opposition to HB 942, HB 219, HB 593, and HB 1134

Aloha:

Please accept this email as testimony in support of HB 1113 and HB 589 which would repeal the PLDC. This testimony also serves as opposition to HB 942, HB 219, HB 593, and HB 1134, which would not repeal the PLDC.

The PLDC should be repealed for a multitude of reasons, namely that the PLDC is completely anachronistic to the purpose of public lands where our natural resources will be used to make a profit for private companies. In land-limited Hawai'i, we need to focus on protecting what little undeveloped land we have rather than figuring out ways to convert beaches and parks into development.

Another major point of concern is that the PLDC is exempt from all land use laws that protect agriculture and conservation lands. Development of these lands could have serious impacts on our watersheds.

Government accountability is extremely important and was completely overlooked with the creation of the PLDC. It makes no sense to give the PLDC control over millions of acres of public lands, especially where there are no regulations in place.

There is no way to "fix" the PLDC; a total repeal is necessary. We can then begin an honest discussion about the best ways to protect and provide for our communities.

Mahalo,

Stephanie Chen

--

Stephanie M. Chen, Esq.
Adjunct Professor, Research Fellow
A'o Aku A'o Mai Initiative

Ka Huli Ao Center for Excellence in Native Hawaiian Law

William S. Richardson School of Law
University of Hawai'i at Mānoa
2515 Dole Street
Honolulu, Hawai'i 96822
phone: (808) 956-8411
email: aoakuaomai@gmail.com

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 8:25 AM
To: waltestimony
Cc: skking81@gmail.com
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Young	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 7:41 AM
To: waltestimony
Cc: Tom@tompeek.net
Subject: *Submitted testimony for HB589 on Feb 9, 2013 09:00AM*

HB589

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Peek	Individual	Support	No

Comments:

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