



‘Āina Haina Library
5246 Kalanianaʻole Highway
Honolulu, HI 96821

Wayson Chow
President

Anson Rego
Vice-President

Art Mori
Treasurer

Jeanne Ohta
Membership Secretary

Directors At Large:
Devon James
Gregg Kashiwa
Melia Lane-Kanahele
Chien-Wen Tseng

February 9, 2013

To: Committee on Water and Land
Committee on Finance

From: Jeanne Ohta, Board Member

RE: HB 942 HD1 Relating to Harbors and Parks Development
Hearing: Saturday, February 9, 2013, 9:00 a.m., Auditorium

Position: Opposed

The Board of Directors of the ‘Āina Haina Community Association writes in opposition to this measure, which substitutes the Harbors and Parks Development Authority for the Public Lands Development Corporation (PLDC).

We oppose the PLDC and suggest that the PLDC be repealed before we consider legislation such as this one which substitutes another agency, and allows our public lands to be used for other than their intended use by the public.

As with the PLDC, this measure creates “a development arm of the department of land and natural resources.” To avoid confusion, instead of amending the PLDC measure, we prefer its repeal.

We are also concerned that there will be fewer parks and that more of them will be developed, that “permissible uses of harbors and park land pursuant to this chapter shall include but not be limited to office space; vehicular parking; commercial uses; accommodations;” and that such use may be detrimental to the character of surrounding communities.

The public must be able to have input into these decisions, the process must be transparent and “park lands optimization” does not necessarily mean “the highest revenue-generating centers.” In fact, recreation and enjoyment of green space by residents of Hawai‘i is not something that can be measured monetarily.

We urge the committee to hold this measure. Thank you for the opportunity to provide testimony today.

Livable Hawaii Kai Hui

Sensible Growth, Respect for the land

BOARD OF DIRECTORS

February 8, 2013

Elizabeth Reilly

President

Kaumaka Wong

Vice President

Marian Grey

Treasurer

Todd Shelly

Secretary

Allen Tateishi

Director

Gayle G. Carr

Director

Website

www.hawaiiikaihui.org

COMMITTEE ON WATER & LAND

Rep. Cindy Evans, Chair

Rep. Nicole E. Lowen, Vice Chair

COMMITTEE ON EDUCATION

Rep. Roy M. Takumi, Chair

Rep. Takashi Ohno, Vice Chair

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Scott Y. Nishimoto, Vice Chair

Rep. Aaron Ling Johanson, Vice Chair

Re: HB 1133 – Relating to Public Land.

Repeals the Public Land Development Corporation.

HB 589 – Relating to the Public Land Development Corporation.

Repeals chapter 171C, HRS, relating to PLDC.

HB 865 – Relating to Public School Redevelopment.

Establishes framework for ... redevelopment of public school lands

HB 942, HD1 – Relating to Harbors & Parks Development.

Establishes the Harbors & Parks Development Authority

HB 219 – Relating to the Public Land Development Corporation.

Subjects PLDC to laws regarding land exchanges, land use, zoning, & OHA's pro rata portion of the public land trust

HB 593 – Relating to the Public Land Development Corporation.

Requires the PLDC to initiate a pilot project after the adoption of rules

HB 1134 – Relating to the Public Land Development Corporation.

Changes references from the PLDC to the public private partnership corporation.

Aloha Honorable Chairs, Vice Chairs and Committee members,

Livable Hawaii Kai Hui (LHKH) is a non-profit, bipartisan community action group. We strive to promote sensible growth and respect for the land as well as upholding the integrity of the East Honolulu Sustainable Communities Plan.

In 2011, Senate Bill 1555 was enacted as Act 55, Session Laws of Hawai'i 2011, codified as Chapter 171C, Hawai'i Revised Statutes. Act 55 established the Public Land Development Corporation (PLDC) as a State development corporation attached to the Department of Land and Natural

A COMMUNITY DRIVEN, VOLUNTEER-BASED RESTORATION PROJECT.

*Hāwea Heiau Complex
& Keawānoa Wetland*

CELEBRATE THE CULTURAL AND NATURAL RESOURCES OF YOUR COMMUNITY!



Ka Iwi Coalition
SAVE SANDY BEACH

Livable Hawaii Kai Hui | P.O. Box 25493 | Honolulu, Hawaii 96825

Email: hawaiiikaihui@aol.com | Website: www.hawaiiikaihui.org | Phone: (808) 864-8081

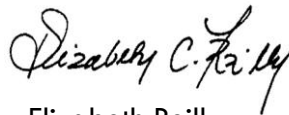
COMMITTEE ON WATER & LAND
COMMITTEE ON FINANCE
COMMITTEE ON EDUCATION
February 8, 2013
Page Two

Resources (DLNR) to develop public lands placed under the PLDC jurisdiction, including but not limited to existing open shoreline areas, conservation lands, agricultural lands, ceded lands owned by the Hawaiian people and held in trust by the state government and small boat harbors, for commercial purposes to generate revenue for the Department of Land and Natural Resources and the State of Hawai'i.

Act 55 allows the PLDC to exempt development projects from regular oversight. The PLDC now has over-arching powers to make economic, environmental, and social use of Hawaii's public lands and facilities to exploit potential local, national, and international markets. The PLDC can also recommend to the DLNR the "purchase of any privately owned properties that may be appropriate for development." Private property owners will need to pay for infrastructure costs if they live near one of the PLDC's projects which places the development costs on property owners rather than on the developers. The PLDC is exempt from the government procurement process and is not required to pay state taxes of any kind. The PLDC commissioners are exclusively pro-development and do not contain a Hawaiian, environmentalist or public member.

We support HB 1133 and HB 589 which repeal the PLDC and oppose HB 865, HB 942, HD1, HB 219, HB 593, and HB 1134. We humbly ask that you do the same.

Kind Regards,



Elizabeth Reilly

lowen1-Kyli

From: Christian Giardina [christian.giardina@gmail.com]
Sent: Friday, February 08, 2013 7:03 PM
To: waltestimony
Subject: Act 55

I'm writing in support of [HB 1133](#) and [HB 589](#) as the two bills that would repeal the PLDC. I'm also opposing [HB 942](#), [HB 219](#), [HB 593](#), and [HB 1134](#) because they don't repeal the PLDC.

I am also writing because I am very concern about the future of our forests and believe the PLDC is not the best solution to our land management problems.

Aloha

Christian Giardina
808-315-1135
Christian.Giardina@gmail.com
February 8, 2013. 7:02 PM

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 7:27 PM
To: waltestimony
Cc: ev@kevcom.com
Subject: Submitted testimony for HB942 on Feb 9, 2013 09:00AM

HB942

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
Evan Tector	Individual	Oppose	No

Comments: Aloha Committee Members, I support the full repeal of the PLDC legislation as there is no value to abridging the public input of oversight process regarding public lands. That means I'm supporting HB 1133 and HB 589 as the two bills that would repeal the PLDC. I'm also opposing HB 942, HB 219, HB 593, and HB 1134 because they don't repeal the PLDC. Proper funding and staffing and best management of the full public land use procedures is the best way to achieve efficiency in decision making and development. Any time or money gains made via the PLDC model will be lost to do the divisiveness, fallout, law suits and resultant delays from the lack of inclusion of the public and safeguard of the public interest in these matters. Further, there will be an erosion of trust by the public in the legislative and government leaders who permit and implement such a short-cut system. Our land trust and public parks are a multi-generational heritage that require long term thinking and stewardship of which the legislature, administration, state departments, public and private entities are all a part. But not under any circumstances where the public is circumvented and years of carefully built up law and process are swept aside by privately governed public-private development schemes which risk the public land stake and natural legacy of Hawaii. Additionally, I oppose any redrafting or shuffling of the powers of PLDC in any name or form this session without careful and timely public illumination and debate until next year. Mahalo for your understanding and support. Evan

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

lowen1-Kyli

From: Blake D. McElheny [blakemcelheny@yahoo.com]
Sent: Friday, February 08, 2013 5:05 PM
To: waltestimony; EDNtestimony; FINTestimony
Subject: Please support HB 1133 and HB 589

Aloha.

The PLDC has got to go. It is an insult to the people of Hawaii.

Please support HB 1133 and HB 589.

Thank you.

Sincerely,

Blake McElheny

Hal ei wa

PS

I also oppose HB 942, HB 219, HB 593 and HB 1134 because they do not repeal the PLDC.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 9:11 PM
To: waltestimony
Cc: mrgach@att.net
Subject: *Submitted testimony for HB942 on Feb 9, 2013 09:00AM*

HB942

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
Michael Reed Gach	Individual	Oppose	No

Comments:

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

**HOUSE COMMITTEE on WATER & LAND
HOUSE COMMITTEE on FINANCE**

**February 9, 2013 Public Hearing
Hawaii State Capitol Auditorium
9:00 AM**

**HOUSE BILL 942, HD1
RELATING TO HARBORS and PARKS DEVELOPMENT**

Testimony in OPPOSITION by Michelle S. Matson

Aloha Committee Chairs Evans and Luke; Vice Chairs Nishiimoto, and Johanson; and Committee Members:

House Bill 942 renames the PLDC as the “Harbors and Parks Development Authority.” HB 942 is simply the PLDC in a new costume with some of the bulk removed. This bill makes a mockery of lands and facilities held in the public trust to benefit present and future generations, and is the antithesis of “ensuring that the public lands are maintained for the people of Hawaii.”

This measure proposes to ultimately and underhandedly carve up and exploit the People’s lands under the guise of “maintenance.” Such exploitation of harbors and park land echoes that of the PLDC, development which includes, but is not limited to: resort accommodations (i.e. hotels, homes, vacation rentals, time shares); commercial uses; office towers and business facilities; industrial fueling, storage and repair facilities, etc. – but specifically within Hawai‘i’s state parks and recreational boat harbors!

This proposed legislation continues the abusive call to exploit our natural and visual resources, which flies in the face of the public interest to protect and preserve our treasured state parks and recreational boat harbors for public use and enjoyment. Will this misguided legislation now enable a commercial strip mall in Diamond Head Crater? Or satiate a giddy tailspin around pile-driving a sky-rise into the center of the Ala Wai recreational boat harbor? Or belch energy from our conservation lands by fracking the ‘aina with the untold hazard of quaking our Island chain?

Such blatant and relentless attempts to exploit Hawai‘i’s public lands held undeniably in both the native Hawaiian public trust and the general public trust should not be allowed to be forced upon our protected world-renown and iconic natural resources; blasted into our treasured small boat harbors; or driven into the heart of the ‘aina of our Islands with untold repercussions.

We ask that you, as responsible Legislators, hold HB 942 in this joint committee in the greater public interest for the recreational health, welfare and safety of present and future generations of Hawai‘i’s residents and visitors alike.