

SB 1372

SB1372

Measure Title: RELATING TO THE ACQUISITION OF RESOURCE VALUE LANDS.
Report Title: DLNR; Lipoa Point; Land Acquisition; Appropriation (\$)
Description: Requires DLNR, in consultation with the Hawaiian Islands Land Trust and notwithstanding board approval, to engage in efforts to acquire the parcel of land located at Lipoa Point, identified as TMK 2-4-1-001-010-0000. Makes an appropriation.
Companion: [HB1424](#)
Package: None
Current Referral: WTL, WAM
Introducer(s): BAKER

<u>Sort by</u> <u>Date</u>		Status Text
1/24/2013	S	Introduced.
1/28/2013	S	Passed First Reading.
1/28/2013	S	Referred to WTL, WAM.
2/7/2013	S	The committee(s) on WTL has scheduled a public hearing on 02-12-13 1:25PM in conference room 225.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
WATER & LAND**

**Tuesday, February 12, 2013
1:25 PM
State Capitol, Conference Room 225**

In consideration of

**SENATE BILL 1372
RELATING TO THE ACQUISITION OF RESOURCE VALUE LANDS**

Senate Bill 1372 proposes to require the Department of Land and Natural Resources (Department), in consultation with the Hawaiian Islands Land Trust (HILT) and notwithstanding Board of Land and Natural Resources (Board) approval, to engage in efforts to acquire the parcel of land located at Lipoa Point, identified as tax map key 2-4-1-001-010-0000. The bill also proposes an appropriation to fully or partly fund the acquisition. **The Department supports the intent of Senate Bill 1372, provided the appropriation does not negatively impact the priorities of the Administration's Biennium Budget request.**

In brief discussions with HILT, the Department has learned that the owner, Maui Land and Pineapple Company, Inc., is a willing seller and that HILT is hiring an appraiser to provide a letter of appraisal and eventually a full appraisal of the subject property and intends to apply for State grant-in-aid to fund the due diligence process. Notwithstanding the Board's approval under Section 173A-5(i), Hawaii Revised Statutes (HRS), the Department is able to continue discussions with HILT regarding the acquisition of the subject property pursuant to the regular due diligence procedures of the Department, the approval of the Board under Section 171-30, HRS, and the approval of the attorney general required under Section 107-10, HRS. The Department supports acquisition provided that the designated management program has the capacity to manage the property for its cultural and recreational values.

The Department presently provides funding to Maui Land and Pineapple Company, Inc., for conservation and restoration actions in its mauka watershed forests through grant agreements from the Natural Area Partnership Program and the Forest Stewardship Program.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: Don.Couch@mauicounty.us
Subject: *Submitted testimony for SB1372 on Feb 12, 2013 13:25PM*
Date: Friday, February 08, 2013 2:57:02 PM

SB1372

Submitted on: 2/8/2013

Testimony for WTL on Feb 12, 2013 13:25PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Councilmember Don Couch	Individual	Support	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.

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Vice-Chair
Robert Carroll

Council Members
Elle Cochran
Donald G. Couch, Jr.
Stacy Crivello
Don S. Guzman
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

February 7, 2013

TO: Honorable Malama Solomon, Chair
Committee on Water & Land

FROM: Elle Cochran
Council Member

A handwritten signature in cursive script that reads "Elle Cochran".

DATE: 2/12/13

SUBJECT: **IN SUPPORT OF SB 1372, RELATING TO THE ACQUISITION OF RESOURCE
VALUE LANDS**

Thank you for the opportunity to testify in *support* for this important measure. The purpose of this measure is to require DLNR, in consultation with the Hawaiian Islands Land Trust and notwithstanding board approval, to engage in efforts to acquire the parcel of land located at Lipoa Point, identified as TMK 2-4-1-001-010-0000; As well as, make an appropriation.

I strongly support this measure for the following reasons:

As the founder of Save Honolua Coalition (2006) I have fought diligently, alongside my fellow Coalition members and a very active and supportive community, to preserve this unspoiled coastline and marine life conservation district. As a world renowned snorkeling and surfing spot it attracts locals and visitors alike, year-round.

The true value of Honolua and Lipoa Point cannot thoroughly be measured by a monetary figure; to the people that care for the land and the marine life that exist in the area, it is far more personal and subjective than any sum could allow. The archeological and cultural significance of this place is invaluable and priceless to the people that love it. This area should be preserved, and conserved in perpetuity.

If it were not for the passion that I felt for this special place, I would have never been empowered to run for political office. It is places like Honolua and Lipoa Point that make Maui no ka oi.

For the foregoing reasons, I strongly support the intent of this measure and implore you to do the same. Mahalo for the opportunity to testify.

Council Chair
Gladys C. Baisa

Vice-Chair
Robert Carroll

Council Members
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Donald G. Couch, Jr.
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February 8, 2013

TO: The Honorable Malama Solomon, Chair
Senate Committee on Water and Land

FROM: Gladys C. Baisa 
Council Chair

SUBJECT: **HEARING OF FEBRUARY 12, 2013; TESTIMONY IN SUPPORT OF SB 1372,
RELATING TO THE ACQUISITION OF RESOURCE VALUE LANDS**

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to appropriate general obligation bonds for the Department of Land and Natural Resources, in consultation with the Hawaiian Islands Land Trust, to engage in efforts to acquire the parcel of land located at Lipoa Point.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. By Ordinance 4004 (2012), the Maui Island Plan was adopted as part of the Maui County General Plan. The Maui Island Plan establishes, for the first time, urban and rural growth boundaries on the island of Maui. The Maui Island Plan also identifies areas that should be permanently protected because of their significant environmental, ecological, cultural, and recreational value, and because degradation of the resource would result in an irretrievable loss. During its deliberations on the Maui Island Plan, the Council heard from hundreds of testifiers pleading with the Council to identify Lipoa Point for permanent protection. Unfortunately, the Council was only comfortable identifying the immediate coastal areas of Lipoa Point and Honolua Bay for protection because these lands are already in the State Conservation District. The Council did not want to identify the other lands at Lipoa Point and Honolua Bay for permanent protection because of the potential devastating consequences of more than 1,600 retirees of Maui Land & Pine whose pensions may be jeopardized by the potential devaluation of the property.
2. Due to economic conditions, Maui Land & Pine stopped pineapple operations in 2009 and was forced to lay off workers. Because of the reduction in active employee participation in the pension plan, the company posted approximately 1,400 acres in West Maui as collateral in April 2011. The land remains collateralized today. When the company ended its golf operations in March 2011, the loss of additional active employees participating in the pension plan triggered the requirement of additional security. Maui Land & Pine is relying on Lipoa Point and over 5,300 acres mauka of Honolua to secure the additional unfunded retirement liability.

Honorable Malama Solomon, Chair
February 8, 2013
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3. Since 2007, the Mayor and Council have consistently pledged \$1 million for the acquisition of land at Lipoa Point, but we cannot do it alone. We need partners from the State and Federal governments, and from concerned community groups to ensure the preservation of Lipoa Point in perpetuity.

For the foregoing reasons, I support this measure.

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Dear Chair Solomon, and Vice Chair Shimabukuro, and members of the Senate Committee on Water and Land,

I am testifying in **strong support** of measure SB 1372 relating to the Acquisition of Resource Value Lands. The purpose of this measure is to appropriate general obligation bonds for DLNR—in consultation with the Hawaiian Islands Land Trust—to engage in efforts to acquire the parcel of land located at Lipoa Point on Maui, identified as TMK 2-4-1-001-010-0000.

This measure would benefit several stakeholders: It would benefit the community, which for years has been fighting to preserve the area against development. It would benefit the numerous retirees of ML&P—who would continue to receive the benefits they worked for. And it would benefit future generations who would be able to enjoy the area’s scenic beauty and cultural history.

Honolua is not only an extremely popular surfing spot for both locals and visitors, but the area is considered to have one of the most diverse, unique, and abundant reef formations for rare coral species. Additionally, there are many cultural and archaeological sites that need to be preserved for future generations. Once an area is developed, we take away the opportunity for future generations to experience an area’s cultural and spiritual characteristics for themselves. And once a resource is gone, it’s gone.

Driving around certain parts of Maui, my family often comments how much like the mainland it is starting to look like. Maui is unique. Development is not necessarily always a bad thing, but even visitors to Maui come to Maui for a reason, and the allocation of open, undeveloped land is a part of that draw. Preserving the beauty of Lipoa Point-Honolua is a part of that draw.

ML&P has pledged that any revenues derived from the sale of this parcel will be pledged completely against the pension fund. Maui City Council has pledged \$1 million to help acquire this land, and there is support from many local community groups, but there needs to be more support to secure the preservation of this parcel of land. This measure will achieve that. For those reasons, I support SB 1382.

Mahalo for the opportunity to testify in support of this measure.

-Constance Yonashiro

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: MSMatson@hawaii.rr.com
Subject: Submitted testimony for SB1372 on Feb 12, 2013 13:25PM
Date: Sunday, February 10, 2013 5:29:04 PM

SB1372

Submitted on: 2/10/2013

Testimony for WTL on Feb 12, 2013 13:25PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
MS Matson	Individual	Support	No

Comments: Strongly support.

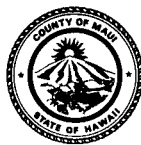
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February 8, 2013

TO: Honorable Malama Solomon, Chair
Senate Committee on Water and Land

FROM: Robert Carroll
Council Member, East Maui

A handwritten signature in black ink that reads "Robert Carroll". The signature is written in a cursive style.

DATE: Hearing date Tuesday, February 12, 2013

SUBJECT: **SUPPORT SB 1372, RELATING TO THE ACQUISITION OF RESOURCE
VALUE**

I support SB 1372 for the reasons cited in testimony submitted by the Maui County Council Chair, and urge you to support this measure.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mclane@mnmrc.org
Subject: *Submitted testimony for SB1372 on Feb 12, 2013 13:25PM*
Date: Thursday, February 07, 2013 12:37:36 PM

SB1372

Submitted on: 2/7/2013

Testimony for WTL on Feb 12, 2013 13:25PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah McLane	Individual	Support	No

Comments:

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