

SB246

Establishes the recreational renaissance special fund. Authorizes the Aloha Tower development corporation to undertake projects, including development of infrastructure, demolition, expansion of facilities, and acquisition of lands for Keehi small boat harbor and triangle island which are under the jurisdiction of the DLNR. Fortifies the recreational renaissance program of the DLNR through various amendments to state law. Makes appropriation. (Proposed SD1)

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the Senate Committees on
ECONOMIC DEVELOPEMNT, GOVERNMENT OPERATIONS AND HOUSING
and
WATER AND LAND

Monday, February 11, 2013
3:00 PM
State Capitol, Conference Room 16

In consideration of
SENATE BILL 246, PROPOSED SENATE DRAFT 1
RELATING TO LAND USE

Senate Bill 246, Proposed Senate Draft 1, proposes to provide for the improvement and long-term maintenance of the State's parks, boating facilities and forest recreation areas through a Recreational Renaissance Program. **While the Department of Land and Natural Resources (Department) appreciates the intent and concept of this measure, as it includes initiatives supportive of some of the Department's current goals and objectives, the Department asks rather that the Committees consider, as an alternative, the Administrative proposal, Senate Bill 1173.** Senate Bill 1173 embraces a rational approach toward boosting the public benefit of state-owned lands and recreational assets while addressing most of the concerns about the Public Land Development Corporation (PLDC). The Department also expresses some concerns with the cost implications Senate Bill 246, Proposed Senate Draft 1 will have on the Administration's Biennium Budget request.

The Department 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.

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
KAIHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

By enacting Chapter 171C, Hawaii Revised Statutes (HRS), the Legislature concurred that underutilized public lands provided 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.

The Department acknowledges the concerns expressed by various legislators, cultural, environmental, labor, and community organizations, and members of the general public that Chapter 171C, HRS, is overly broad may grant excessive powers to the PLDC. However, the intent to improve economic and recreational opportunities for our public lands is still a laudable goal. As such, the Department recommends amending Chapter 171C, HRS, rather than repealing it.

The amendments proposed in Senate Bill 1173 would limit the scope of Chapter 171C, HRS, to the State's small boat harbors and parks, eliminate the contentious land use exemptions previously granted to the PLDC, and allow the State to demonstrate the potential of public-private partnerships. Further, the assistance provided by the Harbors and Parks Development Authority, as proposed by Senate Bill 1173, would enable the Department to do exactly that, while simultaneously addressing the long overdue improvements to the State's recreational facilities in a timely manner, creating revenue opportunities to help fund such improvements, and sustaining the Department's operational mandates.

Dane Wicker

From: Piikea Tomczyk
Sent: Monday, February 11, 2013 7:47 AM
To: EGHTestimony
Subject: FW: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]
Sent: Monday, February 11, 2013 12:46 AM
To: WTLTestimony
Cc: ChoonJamesHawaii@gmail.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/11/2013
Testimony for WTL/EGH on Feb 11, 2013 15:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Choon James	Country Talk Story	Comments Only	Yes

Comments: SB 246 originally was introduced to REPEAL ACT 55 to abolish PLDC. This bill is now "gutted and replaced" with an amended SB 246 Draft 1 SD1 that NO LONGER reflects the intent of the original bill. Who "gut and replace" Bill 246 and replaced it with SB 246 Draft 1 SD1? This is no way to treat the public. Although it's legal, it's definitely immoral and an act of bad faith. The public is not stupid and can see through these arrogant and deceptive games. Please restore basic decency and public trust back to the state capitol. Repeal Act 55 to abolish PLDC. Mahalo, Choon James

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TO: Members of the Committees on Economic Development, Government Operations & Housing and Water and Land

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

HEARING: 3 p.m. Monday, February 11, 2013

SUBJECT: SB 246, SD1 Recreational Renaissance - **OPPOSED**

Aloha Chairs and Committee Members,

Thank you for allowing me to provide testimony on SB 246, which was originally to repeal Act 282 but is being replaced with the "recreational renaissance" special fund.

First, it is already difficult enough tracking bills without having to deal with tactics such as "gut and replace." This type of law making does not serve the public interest.

Second, we have so many special funds already, I can only imagine the additional time required to account for them all (and the related inefficiencies that go along with them). We need to reduce rather than increase the number of special funds.

Third, when the original recreation renaissance was proposed, the state came to communities and explained the plan. There was a lot of opposition to many points in the plan. As far as I am aware, we have not been provided any updates. I therefore oppose this bill. I am especially opposed to the inclusion of Maunalua Bay and the Ka Iwi Shoreline.

Vote "NO" on SB 246, SD1.

Dane Wicker

From: Piieka Tomczyk
Sent: Monday, February 11, 2013 7:47 AM
To: EGHTestimony
Subject: FW: *Submitted testimony for SB246 on Feb 11, 2013 15:00PM*

From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Monday, February 11, 2013 6:33 AM
To: WTLTestimony
Cc: tabraham08@gmail.com
Subject: *Submitted testimony for SB246 on Feb 11, 2013 15:00PM*

SB246

Submitted on: 2/11/2013
Testimony for WTL/EGH on Feb 11, 2013 15:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments:

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Subject: FW: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Monday, February 11, 2013 6:16 AM
To: WTLTestimony
Cc: akamaimom@gmail.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/11/2013
Testimony for WTL/EGH on Feb 11, 2013 15:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Felicia Cowden	Individual	Oppose	No

Comments: I find the changes to this bill egregious and serves to erode the public faith in government. All forms of the PLDC need to be fully repealed.

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From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Sunday, February 10, 2013 8:03 PM
To: WTLTestimony
Cc: inunyabus@gmail.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/10/2013
Testimony for WTL/EGH on Feb 11, 2013 15:00PM in Conference Room 016

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

Comments: I support SB 246. I oppose SB 246 SD1. It was criminal what was done to SB246. By gutting and replacing in the way it was done completely changed the intent and will misdirect people who do not know how badly it was altered. This was deceptive and this legislature and whoever was responsible should be called into question on ethics.

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Subject: FW: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Sunday, February 10, 2013 5:45 PM
To: WTLTestimony
Cc: jonthebru@gmail.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/10/2013
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Submitted By	Organization	Testifier Position	Present at Hearing
John Bruce	Individual	Comments Only	No

Comments: I support SB246, I strongly oppose the gutted rewritten version promulgated by special interests; that being SB246 SD1. For elected representatives in our state legislature to attempt to misdirect citizens by gutting and rewriting a bill in order to totally change its intent is a wrong headed and absurd tactic. The only correct thing to do is repeal the Public Land Development Corporation law and stop stealing from the future citizens of our state.

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From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Sunday, February 10, 2013 4:04 PM
To: WTLTestimony
Cc: Karen@RedwoodGames.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/10/2013
Testimony for WTL/EGH on Feb 11, 2013 15:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Chun	Individual	Comments Only	No

Comments: I can't figure out what the heck you guys are doing with this bill other than trying to trick the public and pull one over on us. I support the original intent of SB246 and support a clean and complete repeal of the PLDC. I oppose the proposed gut and replace version of SB246 and condemn Senator Solomon for her trickery and dishonesty in trying to sabotage the repeal of the PLDC. Senator Solomon's actions are enraging the voters and destroying respect for the Senate. Unless you other Senators get her under control and convince her to behave in a transparent and ethical manner, you might as well write off this legislative year as a complete failure. Sen Solomon has not only sealed her election defeat but she is bringing down others with her.

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From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Sunday, February 10, 2013 3:26 PM
To: WTLTestimony
Cc: lisacates@hawaii.rr.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/10/2013
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Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Cates	Individual	Comments Only	No

Comments: I support SB 246 to repeal the PLDC in it's original form. I strongly oppose amendments, SD 1, that propose the recreational renaissance plan. I urge this committee to pass the original version of this bill and NOT SD1 so that the people of Hawaii can have a public hearing asking for repeal of the PLDC in the Senate.

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From: Piikea Tomczyk
Sent: Sunday, February 10, 2013 2:39 PM
To: EGHTestimony
Subject: FW: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Friday, February 08, 2013 6:54 PM
To: WTLTestimony
Cc: thirr33@gmail.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/8/2013
Testimony for WTL/EGH on Feb 11, 2013 15:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Arvid Tadao Youngquist	Individual	Comments Only	No

Comments: Chair, WTL/EGH Committees Honorable Members I support SB 246 on principle. It is hoped that its intentions are good. I like the preamble to the measure,"The legislature finds that it is inappropriate to extend so much power to an entity that effectively operates outside of any meaningful oversight." Repeal of Act 282 is not the same as the repeal of Act 55, but it is a step in the right direction. I wish it could have been included in the agenda/referral with the 2/9/13 9 am hearing in the auditorium. Thank you for this opportunity to submit written testimony. Arvid Tadao Youngquist Kalihi Valley Feb. 9, 2013

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To: EGHTestimony
Subject: FW: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Saturday, February 09, 2013 6:11 PM
To: WTLTestimony
Cc: Karen@RedwoodGames.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/9/2013
Testimony for WTL/EGH on Feb 11, 2013 15:00PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Chun	Individual	Oppose	No

Comments: Who is the dishonest person who took Sen Thielen's repeal PLDC bill and gut & replaced it with the EXACT OPPOSITE - Lingle's old Renaissance bill? Unbelievable that this lack of transparency and double dealing is going on in the Senate. Someone needs to be removed as Chair. We need HONEST chairs who don't try and trick the public and other senators. This is so corrupt and utterly contemptible. I find this behavior flat out incomprehensible.

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To: EGHTestimony
Subject: FW: Submitted testimony for SB246 on Feb 11, 2013 15:00PM
Attachments: SB246_.pdf

From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Saturday, February 09, 2013 6:42 PM
To: WTLTestimony
Cc: inunyabus@gmail.com
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/9/2013
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Submitted By	Organization	Testifier Position	Present at Hearing
Elaine D.	Individual	Oppose	No

Comments:

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To: EGHTestimony
Subject: FW: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]
Sent: Saturday, February 09, 2013 8:51 PM
To: WTLTestimony
Cc: mh@interpac.net
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/9/2013
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Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Oppose	No

Comments: Who changed this bill? The original intent to REPEAL PLDC needs to be put back in! Several recent moves protect PLDC are extremely disturbing.

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From: mailinglist@capitol.hawaii.gov [<mailto:mailinglist@capitol.hawaii.gov>]
Sent: Saturday, February 09, 2013 10:47 PM
To: WTLTestimony
Cc: glenn@hawaiiantel.net
Subject: Submitted testimony for SB246 on Feb 11, 2013 15:00PM

SB246

Submitted on: 2/9/2013
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Submitted By	Organization	Testifier Position	Present at Hearing
"Glenn"	Individual	Oppose	No

Comments: Testifying on SB246 Proposed SD1. DLNR RR Plan is DEAD (Emphasis Added)

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SB246

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Submitted By	Organization	Testifier Position	Present at Hearing
Arvid Tadao Youngquist	Individual	Oppose	No

Comments: Chairs, WTL/EGH Committees Honorable Members I retract my previous testimony in support of SB 246. It appears that the original bill has been "gutted" and the original sponsor has now distanced herself from further consideration. It would be better not to consider tis measure at all, or hold it until other measures before you this Session has been dealt with. Mahalo for this opportunity to submit written testimony, again. Arvid Tadao Youngquist Kalihi Valley Feb. 10, 2013

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