



SB3122 SD2
RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY
House Committee on Water & Land

March 10, 2014

8:45 a.m.

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** SB3122 SD2, which would afford OHA the flexibility to seek limited residential development to explore revenue generating opportunities on certain of its Kaka`ako lands transferred pursuant to Act 15 (2012). In line with the purpose of Act 15, the revenue would be used to further OHA's kuleana as articulated in article XII, section 6 of the state constitution and chapter 10, HRS, to advocate for and better the conditions of Native Hawaiians. OHA recommends that the SB3122 SD2 be amended to change the effective date from July 1, 2050, to "upon its approval."

SB3122 SD2 includes provisions to ensure opportunities for input by and provides benefits for the Kaka`ako community. Foremost, SB3122 SD2 would impose public-hearing requirements on any plans or proposals for any residential development on the parcels identified in the bill that would ensure more transparency and opportunities for community input than *any* other HCDA plan or proposal. Additionally, SB3122 SD2 would require establishment of a Kaka`ako Makai association fee to fund various services and projects for the public benefit including maintenance, improvements, free public parking for park users, public beach access, security, parks and open spaces in the Kaka`ako Makai area.

Act 15, Session Laws of Hawai`i 2012, which emerged from SB2783, conveyed several parcels of land in Kaka`ako Makai to OHA in order to resolve disputes and controversies relating to OHA's constitutional and statutory portion of income and proceeds from the public trust lands for the period November 7, 1978 through June 30, 2012.

During that same 2012 Session, legislators proposed amendments to SB682 in order to give OHA enhanced entitlements on two of the parcels that would be conveyed, specifically the right to develop them for residential use, thus adding to their value. At the time, OHA testified that while we appreciated the effort to give us the enhanced entitlements, OHA did not want the amended SB682 to impair the passage of SB2783. The amended SB682 did not pass. However, in its 2012 testimony, OHA also assured that once OHA became the landowner, OHA would be in a position to request entitlements in subsequent legislative sessions.

Based on OHA's diligent planning for Kaka`ako Makai to date, the time is now ripe for entitlement legislation. We have been exploring all options for our Kaka`ako Makai properties

to maximize our revenue-generating opportunities to best serve our beneficiaries. Thriving development on our Kaka`ako lands, and the income generated to OHA, will allow us to better address our statutory responsibility to improve the conditions of Native Hawaiians. The significantly enhanced revenue stream will help us achieve our strategic priorities in culture, land and water, economic self-sufficiency, education, health, and Hawaiian self-governance.

Our Kaka`ako Makai lands are valued at an estimated \$200 million. We are seeking the ability to develop the land in a manner that is consistent with a \$200 million settlement. Our initial planning clarifies that we cannot achieve that goal with the current land use restrictions. As such, OHA is asking the Legislature to remove the residential-development restriction on certain parcels that are a subset of the parcels currently owned by OHA, so that we can reasonably balance the interests of Native Hawaiians and the general public to do something that will make us all proud.

Both stewardship and cultural values will drive our design and use decisions. Our policy is to ensure that our activities in Kaka`ako Makai will balance pono and commerce and prioritize creating a Hawaiian sense of place. We will include beneficiary and community input in our master planning process; we have already included such input through initial stakeholder meetings (before and during the trust-revenue settlement discussions) and two subsequent charrette sessions held as part of our Framework Plan development.

OHA has been fighting from its inception to support appropriate safeguards to ensure responsible development. We are on record as advocates of sustainable growth, the preservation of natural and cultural resources, and the perpetuation of traditional and customary practices.

We understand better than any other developer the impacts of irresponsible development. Native Hawaiians have been victims of, and suffered most from, the consequences of reckless development. We seek to find the highest point at which the culturally rich use of our Kaka`ako Makai lands intersects with revenue-generating use of the parcels. We are not seeking to do anything along the Kewalo waterfront that is not currently allowed. We do not intend to develop residential uses along that waterfront.

In light of the above, OHA urges the Committees to **PASS** SB3122 SD2 with the amendment proposed above. Mahalo for the opportunity to testify on this important matter.

HAWAIIAN AFFAIRS CAUCUS

Democratic Party of Hawaii

e-mail: mkhan@hawaiiantel.net or raytanv@aol.com

March 7, 2014

LEGISLATIVE TESTIMONY IN SUPPORT OF SB3122, S.D. 2, RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Hearing, Monday, March 10, 2014, 8:45 a.m., Room 325

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair
Members, Committee on Water & Land

Aloha mai kākou

The Hawaiian Affairs Caucus of the Democratic Party of Hawai‘i strongly supports SB3122, S.D. 2. Among its provisions, it authorizes residential development in certain specified parcels of land owned by the Office of Hawaiian Affairs in Kaka‘ako.

In 2012, the State of Hawaii by Senate Bill 2783, enacted into law as Act 015, resolved claims of the Office of Hawaiian Affairs for income and proceeds from public land trust lands from Nov 7, 1978 up to and including June 30, 2012. The settlement included certain parcels of land situated in Kaka‘ako makai.

A review of committee reports, especially that of the Judiciary and Labor and Ways and Means, indicates that the legislature recognized that, **“The property identified in this measure is virtually contiguous, suited for master planning, and located in an area of Honolulu that is already experiencing significant redevelopment. Your Committees recognize the value of these properties and believe that property values could be enhanced by certain entitlements that, while not specifically provided for in this measure, could be obtained at a future date.”** The committee report further recognized that, **“The lands identified in this measure will provide a revenue stream to fund the Office of Hawaiian Affairs’ services to its beneficiaries, while creating jobs and funding valuable programs in every corner of the State.”**

Accordingly, allowing development by OHA in the Kaka‘ako lands belonging to it was always envisioned by the legislature. The requirement to conduct a public hearing on any plan or proposal for any residential development in Kaka‘ako prior to submission of the plan or proposal to the HCDA is reasonable and allows a forum for the public and OHA beneficiaries to voice any concerns for their consideration.

Mahalo for this opportunity to testify. Please support SB3122 SD2.

Respectfully

/s/ Raytan Vares via on-line testimony

RAYTAN VARES,
Co-Chair, Legislative Committee
Hawaiian Affairs Caucus

Kaka'ako Ūnited

Testimony of
Sharon Y. Moriwaki
Before the
House Committee on Water and Land

Monday, March 10, 2014, 8:45 a.m., Conference Room 325

**In Strong Opposition to SB 3122 SD2
Relating to the Hawaii Community Development Authority**

Chair Hee, Vice Chair Shimabukuro and Members

My name is Sharon Moriwaki. I am a resident of Kakaako and president of Kakaako United, an organization of citizens concerned about Kakaako's future.

SB 3122 SD2, if passed, will allow building of residential development in Kaka'ako Makai in violation of current law and the community-based plan that established public protections and uses for this last open shoreline in Honolulu.

OHA accepted the parcels as settlement knowing of the prohibitions against residential development and should not now use the "highest and best use" argument to violate the trust of the community and the spirit and intent of the prohibition in chapter 206E-31.5(2). This would be another broken trust affecting all of Hawaii's people, including Kanaka Maoli.

We strongly oppose SB 3122 SD1 and urge the bill be filed.

Thank you for the opportunity to testify.

KŪ: Kaka'ako Ūnited
415 South Street Main Office • Honolulu, Hawaii 96813
www.kakaakounited.org • info@kakaakounited.org



Ensuring the quality of life for an integrated Kaka'ako community from mauka to makai.

House Committee on Water and Land
Monday, March 10, 2014
8:45 AM Hearing
Conference Room 325

Strong Opposition to Senate Bill 3122, SD2

Senate Bill 3122 is clearly a clandestine maneuver to undermine HRS 206E-31.5, the statutory protection of Kaka'ako Makai's public shoreline lands in the public interest.

This measure makes a mockery out of the Legislature's intent to protect Kaka'ako Makai, Honolulu's last open shoreline area available for public use.

Between 2007 and 2010, on the advice of HCR 30, 2006, and following the intent of HRS 206E-31.5, a significant community-based planning process was undertaken for the Kaka'ako Makai area as a community gathering place with public cultural, recreational and educational benefits.

In 2012, OHA accepted the Kaka'ako Makai land settlement clearly aware of the public-interest prohibition against residential development within this shoreline area.

Given the Attorney General's "special legislation" concerns, if the statute is altered for one special interest, others will surely follow:

Three towers planned for the 7-acre so-called "piano lot" in 2006 were discouraged by the State Legislature via HCR 30 and further denied by the statutory prohibition protecting the public interest. By allowing residential tower development on this lot and others in Kaka'ako Makai, the floodgates will open to massive high-density development of this shoreline area.

Predictably, multiple high-density residential towers 400 feet tall would then line both sides of Ala Moana Boulevard from Kewalo Basin to South Street, and the result of this massive development initiative by the HCDA and OHA public agencies, who should clearly be acting in the public interest, will be a concrete canyon abutting both sides of Ala Moana Boulevard with a wall of towers up to 400 feet in height blocking the *documented significant public views and traditional cultural orientation of the shoreline to the mountains from Kaka'ako Makai's public shoreline.*

Should Kaka'ako Makai become devoured by such shoreline residential high-rise development as is currently contemplated and proposed, the expected population of 30,000 to 45,000 residents in Kaka'ako Mauka compared to today's 12,000 will not have the needed public benefits that this last remaining Honolulu public shoreline area is presently available to provide.

The national planning standard is 2 to 2 1/2 acres of urban recreational open space per 1000 capita. With high-density residential development choking out needed public open spaces, community facilities, and cherished views, Kaka'ako Makai will fall far short of what is required to benefit the health and welfare of Kaka'ako's expected population.

I agree with the sound alternative provided by Senator Chun-Oakland and members of the Hawaiian Community during the Senate's previous discussion of this misguided measure:

That other land mauka of Kaka'ako Makai should be found to satisfy OHA's needs as a public agency - not as a private residential developer of public shoreline land.

Please HOLD this misguided measure.

Michelle S. Matson, Founding Member
Kaka'ako Makai Community Planning Advisory Council



Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai`i 96807

HOUSE COMMITTEE ON WATER AND LAND

SB3122, SD2 (SSCR2699) RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Monday, March 10, 2014; 8:45 am; Room 325

Aloha Madam Chair Evans, Vice Lowen and members of the House Committee on Water and Land. The Association of Hawaiian Civic Clubs supports this latest version of Senate Bill 3122 that will loosen the HCDA stranglehold on Kakaako Makai parcels conveyed to the Office of Hawaiian Affairs (OHA) by the State of Hawaii to settle long standing claims.

This bill exempts OHA from the residential development restrictions on specific parcels in order to fully realize the value of their lands. Once developed, these parcels will provide a significant source of income to support OHA's constitutional and statutory mandates to better the conditions of the Hawaiian and Native Hawaiian people.

We sincerely hope that the requirements for public hearings, the assessment of fees and the funds established for various public services and projects in Kakaako will alleviate some of the opposition to OHA's plans.

Thank you for the opportunity to support this bill.

Contact: jalna.keala2@hawaiiantel.net

Thank you for the opportunity to testify

Contact: jalna.keala2@hawaiiantel.net

From: shockleyjr@gmail.com
Sent: Sunday, March 09, 2014 12:14 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Aloha!

We understand OHA would like to maximize the profit from their Kaka'ako Makai properties building 40-story luxury condos on some of their lots. Responsible development would be for the Office of Hawaiian Affairs to formulate their master plan WITHIN existing State Law. Is following the law, rather than skirting it, so hard to do?

**John & Rita Shockley
FREE ACCESS COALITION
672-6535**

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 10:27 AM
To: waltestimony
Cc: rangien2010@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--------------------------|---------------------------|---------------------------|
| Puanani Rogers | Ho`okipa Network - Kauai | Oppose | No |

Comments: Please do not allow hi-rise development on our city shorelines. No skyscrapers, there is already too much of those in the city.

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



25 Malunui Ave., Suite 102., PMB 282 • Kailua, HI 96734 • Phone/Fax: (808) 262-0682 E-mail: htf@lava.net

COMMITTEE ON WATER & LAND

Rep. Cindy Evans, Chair

Rep. Nicole Lowen, Vice Chair

SB 3122 SD2

RELATING TO HAWAII DEVELOPMENT AUTHORITY

Committee Chair and Members;

Hawaii's Thousand Friends, a statewide nonprofit organization dedicated to reasonable, responsible and appropriate planning and land use, does not support SB 3122 SD2 that allows residential development in Kaka`ako Makai.

The legislature banned residential development in Kaka`ako Makai in 2006 in response to citizen's protests against A&Bs proposed condo development. The protests, then and now, show that residents *do not* want makai views, ocean access and open spaces covered with development.

SB 3122 SD2 requires a public hearing but that is just a red herring because all government agencies are required to conduct business under Chapter 91 – Administrative Procedure.

While SB 3122 SD2 limits residential development to OHA property if allowed it is a foot in the door to allow *more* residential development in the future. How can HCDA deny the next applicant?

The answer is - HCDA **can not** deny any applicants request for residential development in Kaka`ako Makai because to do so means that SB 3122 SD2 is *special legislation*, which benefits just one entity, and we all know how that turned out in the Superferry case.

HTF urges you to retain Kaka`ako makai open access to shoreline fishing, diving, body boarding and surf sites by holding SB 3122 SD2 in committee.

Testimony in Support of SB 3122, SD2

Relating to Hawaii Community Development Authority

COMMITTEE ON WATER AND LAND

Representative Cindy Evans, Chair

Representative Nicole E. Lowen, Vice Chair

March 10, 2014

8:45 a.m., Room 224

Aloha Chair Evans, Vice Chair Lowen, and members of the committee;

I am Homelani Schaedel, an OHA beneficiary.

The issue before you is controversial and I understand opposition of this bill. When we as a people are passionate and put our energy into a cause we believe is just; it is intolerable for us to accept any change that threatens our cause.

The root of opposing testimony, is not that legislation was passed in 2006 to stop residential development at Kaka‘ako Makai. It is today what it was in 2006; to ensure access to the ocean and preservation of open space.

OHA understands responsible development and have compromised their resources at Kaka‘ako Makai in order to balance income generation and to address the demands of ocean access and preservation of open spaces.

When I was a little girl, my tutu told me; “this dirt that I hold in my hand comes from the ‘āina, the ‘āina does not belong to us, it belongs to ke Akua, created for us to malama so we can live and prosper.

One can look mauka from Kaka‘ako Makai and scan the lands that once thrived and supported our ancestors; today we see how others came, planted their seeds and have prospered greatly on these same lands. Where are they now?...they are long gone enjoying their prosperity.

The burden of having to strike a balance between the concerns of all sectors within our state; and the struggle of our people for our entitlements is not the legacy we want to continue.

Today, I ask you to support the measure before you so that OHA can begin to plant seeds at Kaka‘ako Makai. Now is our time, unlike developers who came and left, we are here to stay. Under the guidance of OHA, these lands will once again thrive and prosper to support our people and we will welcome all, as we always have to malama and care for it for future generations.

Mahalo for the opportunity to present my testimony.

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 7:13 PM
To: waltestimony
Cc: alemorrier@gmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| alicia morrier | 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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 7:16 PM
To: waltestimony
Cc: barb@kanekiki.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Barb Cuttance | Individual | Oppose | No |

Comments: Thank you for the opportunity to express my very strong opposition to this very bad bill. Please do not pass this bill. Barb Cuttance 14/266 Papaya Farms Road Pahoia Hawaii 96778

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

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 12:22 PM
To: waltestimony
Cc: bentran@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| BEN TRAN | Individual | Oppose | No |

Comments: My name is Ben Tran, resident in Down town Honolulu, I oppose this bill because HCDA and OHA is and will receive unfair condition against others.

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

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 1:04 PM
To: waltestimony
Cc: bknunies@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Bernard Nunies | Individual | Oppose | No |

Comments: I strongly OPPOSE SB3122! No development in Kakaako Makai should be allowed. 2 years ago, in a deal with the State, OHA agreed not to develop on the Makai side of Kakaako. Now they want to approved development "just on 3 parcels" of land. What will happen two years from now when they want to develop the entire area? Tell OHA it is not right to renege on their agreement! The Makai area was meant to remain open space for the 30,000 new residents of Kakaako. If this area is developed, where will people go? NYC has Central Park. What does Honolulu have?

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

lowen2-Nga

From: Brian Shimokawa <shimokawab@gmail.com>
Sent: Sunday, March 09, 2014 7:06 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Aloha No!

My name is Brian Shimokawa.

I strongly oppose SB3122.

OHA must be stewards of the law before they can be stewards of the land and the law as it stands now clearly states that there is to be no residential use of any type in Kaka`ako Makai Lands.

Sincerely with passion,

Brian Shimokawa
Honolulu, Hawaii 96822

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 1:17 PM
To: waltestimony
Cc: brimohi@msn.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Brian Emmons | Individual | Oppose | No |

Comments: STRONGLY OPPOSE! Leave some waterfront open, please!

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 7:24 PM
To: waltestimony
Cc: free111@hawaii.rr.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Carol Cam | Individual | Oppose | No |

Comments: "Hawaii's shoreline frontages and areas cannot be hijacked by high-end high-rises!"

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

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 4:46 PM
To: waltestimony
Cc: haha@hawaii.rr.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Caroline Kong | Individual | Oppose | No |

Comments: Aloha, Please read an article posted in Civil Beat with many comments following pertinent to this greedy and and environmentally unsound proposal being put forth by committee members and OHA. I will add the obvious observation to those paying attention to the Earth (recent extreme weather events in Great Britain ring any bells?): THE OCEAN IS COMING and will not be held back... For your reading pleasure and edification:
<http://www.civilbeat.com/articles/2014/03/03/21339-developers-of-2-waikiki-high-rises-have-donated-heavily-to-city-officials/> I would additionally like to send my mahalo to Senator Les Ihara District 9 (my district) for his NO vote. Mahalo, Caroline Kong

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 12:46 PM
To: waltestimony
Cc: ckosora@aol.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| catherine kosora | 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

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 3:53 PM
To: waltestimony
Cc: ChoonJamesAloha@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Choon James | Individual | Oppose | Yes |

Comments: OPPOSE SB3122 Aloha! Please kindly reconsider and table this bill. Future generations will appreciate your foresight on their behalf. Hawaii's sense of place, beauty, happiness, and way of life are worth preserving. Please don't turn Hawaii into Singapore. Of all the entities, it would seem that OHA would be the champion of these values rather than marginalizing them at Kaka'ako Makai. The photo in this link explains the public's concerns well: <http://countrytalkstory.com/?p=629> I fully support the following premises of Hawaii's Thousand Friends' in OPPOSING SB 3122. "Hawaii's Thousand Friends: SB 3122 SD2 seeks to exempt OHA, now owner of several Kakaako Makai parcels, from the 2006 law which prohibited residential development of land makai of Ala Moana Boulevard between Honolulu Harbor and Kewalo Basin. Residential development in Kakaako Makai was banned by the legislature after massive citizen protests against an A&B proposal to construct several 200-foot condo towers there. HCDA law §206E-31.5...prohibits the authority from: (2) Approving any plan or proposal for any residential development in that portion of the Kakaako community development district makai of Ala Moana Boulevard and between Kewalo Basin and the foreign trade zone. From 2006 to 2010, in a planning process called by HCDA, people came together to guide the development of the Kakaako Waterfront for the benefit of not only the Kakaako community but for all the people of Hawaii. (4/6/11 staff report) The result was a conceptual master plan for Kakaako Makai with 9 components, including park expansion/enhancement and waterfront access via parking and traffic circulation measures Now, SB 3122 SD2 proposes to undo the prohibition of residential development in Kakaako Makai. This must not be allowed because Kakaako Waterfront Park is one of the last strips of open space and parkland with public access to the shoreline along the urban Honolulu coastline. With 30 new high-rise towers proposed for Kakaako Mauka and a projected population of 30,000+, there will be a need for this open park space Kakaako Makai offers open access to shoreline fishing, diving and popular body boarding and surf sites, as well as a waterfront promenade, picnic areas, and significant panoramic views. OHA knew of the residential restrictions when they accepted the Kakaako Makai property, but now wants to develop 4 or 5 condo towers. In 2006 when legislators prohibited residential development in Kakaako Makai, with only 1 lawmaker in each chamber opposing, it was evident that the legislature had spoken. Are legislator's votes only good for 8 years? " Mahalo! Choon James Kahuku, Hawaii 96731 ChoonJamesHawaii@gmail.com

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 of Representatives
Committee on Water & Land
8:45 a.m., Monday, March 10, 2014
Conference Room 325
State Capitol

Testimony in Opposition to SB 3122 SD2

Aloha Chair Evans, Vice Chair Lowen, and Members of the Committee,

My name is Christy Martin, and I am testifying as a private citizen today. I am very much opposed to SB 3122 SD2, that, if passed, would allow residential building in Kaka`ako Makai. Years ago, a group of us community members worked with legislators to restrict residential building in that area, to protect it and access to the ocean for all of Hawai`i's people.

Last year, I was present at the final hearing when the legislature passed a bill conveying properties in Kaka`ako Makai to OHA in full payment of ceded land rents. I had chills, it was so amazing to finally see this tremendous wrong finally put right, and I thought there could be no better kahu for those lands. I thought it was pono.

Today I see it for what it was, what it means, and I am disgusted. I feel like a pawn. We all should. Our leaders have pitted neighbor against neighbor, and they are sitting back watching to see what will happen. What kind of leaders do that?

Please join with us in upholding the restriction on residential building on makai parcels. If we let one, we let them all, and there will be no going back. Please join us in finding another path forward, because there are always multiple choices. Finally, please join us in opposing this bill. Mahalo.

Aloha,
Christy Martin

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 7:29 AM
To: waltestimony
Cc: connie.smyth54@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| connie smyth | Individual | Oppose | No |

Comments: I'm opposed to the building on the makai side. I believe it will just open the door for other developers to build there. We have enough condos in the works now. More is not better.

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

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 8:31 PM
To: waltestimony
Cc: daigoro@hawaii.rr.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Darryl | Individual | Oppose | No |

Comments: I strongly oppose any residential development makai of Ala Moana Blvd. The current law in place that restricts residential development in this area was enacted for such profoundly good intentions. If this law is reversed, then residential and likely more commercial development will consume precious park space, ocean access, open space and green space. Our representatives need to deeply consider the how reversing this law will open the doors for overdevelopment, and Kakaako/Ala Moana morphing into a new Waikiki with large buildings, too many people all along the water front. We need to keep some land natural to maintain a place where people can go to find peace and relax. Honolulu is slowly losing these spaces, and I don't believe they should be sacrificed to the highest bidder. I believe this area is priceless and should not be allowed to have residential development. I'm sure someone would love to build an ultra-luxury condo right on the water that no locals could afford. Please do not allow residential development makai of Ala Moana Blvd! Mahalo

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 11:02 PM
To: waltestimony
Cc: dhalhi@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| David W. Hall | Individual | Oppose | No |

Comments: Kakaako waterfront should not be developed.

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

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 4:54 PM
To: waltestimony
Cc: aiudustine@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dustine Aiu | Individual | Oppose | No |

Comments: I am in total opposition to this bill; there is no reason to waive restrictions on development of any of this land for OHA or anyone else. In practice, the HCDA is simply the old PLDC in another form, racing to develop every square inch of land that catches its eye. The requirement for public hearings as part of the development process is cosmetic at best, as the public has no real ability to impact development plans; any changes are at the discretion of HCDA. The request to waive the requirement for dedication of public facilities by OHA as a condition of development is simply arrogant and reveals OHA as no better or deserving of special consideration than any other developer. It seems they made an uninformed and short-sighted bargain to obtain this land and now only want to wring as much money as they can from it. The fact that they are willing to join with HCDA to try to gain legislative exemption makes this whole deal smell rotten. Sad to say, there is nothing special about OHA or its mission at this point and it should receive no special consideration for any reason. This bill should not pass.

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

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 9:47 AM
To: waltestimony
Cc: inunyabus@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| elaine dunbar | Individual | Comments Only | No |

Comments: SB3122 SD2 No where in this bill is the mention of revenue benefits to OHA. There is however ample consideration of revenues only for HCDA: The authority shall determine a Kakaako makai association fee to be collected from all residential developments in Kakaako... provided that the fee shall be collected from residential owners. Kakaako makai association fees collected shall be deposited into a special account in the Hawaii community development revolving fund , Moneys from the special account shall be used to fund various services and projects. How does this benefit OHA? How is this fulfillment of the flowery heartfelt language used to describe the state's obligation to OHA, the State's moral and legal responsibilities to address the historical injustices suffered by the Hawaiian people as well as the ongoing negative disparities relating to the health, economic, housing, food security, educational, and environmental condition of Native Hawaiians and their communities? It is nothing but disingenuous language with an ulterior motive to develop public lands: The legislature finds that Act 15 intended, in part, to provide the office of Hawaiian affairs with an opportunity to obtain land assets that can provide a revenue stream that will increase its capacity to deliver programs and services to its beneficiaries. If the state truly wanted to do this they would have paid OHA back the money owed them but, no, the state strong-armed OHA into trading their own land for monies owed them. This is a suckers deal and a lie. It sets up a precedent for the HCDA to develop public lands. It would appear that OHA was unfairly coerced into this proposal in order to 'attempt' to recover what was owed from the state. Was OHA aware of these conditions and this proposal for development as written when they agreed to the Kaka'ako swap? If the state can make an exemption such as this for one of their own state agencies (OHA) it will become the norm for all other state agencies accompanied by more disingenuous flowery language on how it will benefit all. This is a damaging scheme for Hawaii and the quality of life. It does not benefit anyone except the private individuals conspiring through the HCDA to stuff their pockets. This legislature is not fulfilling the obligation to protect Hawaii from over-development and lacks oversight of the carrying capacities of these islands. And with that, is in violation of Hawaii's constitution. It is time for OHA to put their foot down and say no to being used as a tool for private development profiteering on public lands. OHA, it is your duty to do this and not support in violations of current law. Kill this bill.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 10:29 PM
To: waltestimony
Cc: emmy96740@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| EMIKO OKAWA | Individual | Oppose | No |

Comments: Strongly oppose SB3122 We cannot destroy nature for someone's money game. Save for our children.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 4:44 PM
To: waltestimony
Cc: eo50@icloud.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Eric Okamura | Individual | Oppose | No |

Comments: OHA should not be allowed to build condominiums in Kaka'ako Makai. Their entitlement should be resolved another way. The Legislature should direct OHA to re-negotiate their settlement with the State.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 6:25 PM
To: waltestimony
Cc: n1tya@yahoo.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| fred hofer | 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

lowen2-Nga

From: Gary Akiona <gakiona@hawaii.rr.com>
Sent: Sunday, March 09, 2014 8:11 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Committee Chair

Please uphold the Law, no Residential, in Kaka'ako Makai. If you allow any building have OHA build low income housing similar to Kuhio Park Terrace and Mayor Wright housing where the poor can live amongst the Wealthy. This way the property value on the mauka side would be affordable for the working people.

Gary

lowen2-Nga

From: Hanalei Y. Aipoalani <haipoalani@yahoo.com>
Sent: Saturday, March 08, 2014 8:18 PM
To: waltestimony
Cc: Hanalei Y. Aipoalani
Subject: SB3122, relating to residential entitlements for OHA's Kaka'ako Makai properties

RE: Support SB3122, relating to residential entitlements for OHA's Kaka'ako Makai properties

Dear Committee Chair Evans, Vice Chair Lowen, and Committee Members:

Aloha no!

I am writing to express support of SB3122, relating to residential entitlements for OHA's Kaka'ako Makai properties.

In summary, mixed use development in a high traffic urban area is central to sustaining a thriving and healthy community. It is my firm belief that the Office of Hawaiian Affairs, in the best interest of its beneficiary, is intent on smartly developing Kaka'ako Makai.

To this end, I humbly ask that you support this measure.

Warm regards,

Hanalei

Mr. Hanalei Y. Aipoalani, Ph.D., MBA
89-308 Mokiawe Street
Waianae, Hawaii 96792

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 4:13 PM
To: waltestimony
Cc: palmtree7@earthlink.net
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| janice palma-glenie | 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

lowen2-Nga

From: Jennifer Chiwa <bjcmd808@gmail.com>
Sent: Saturday, March 08, 2014 5:27 PM
To: waltestimony
Subject: Testimony in Support of SB 3122, SD 2 for Hearing 3/10/14 8:45 am

Aloha, Members of the Committee on Water and Land. Please support SB 3122, SD 2 which, to my understanding, would enable OHA to fully develop its properties and, thereby, provide substantial revenue to fund community programs. These programs would help OHA in its mission to work for the betterment of the conditions of the Hawaiian people. Mahalo.

Jennifer Chiwa

I Strongly Oppose [SB 3122](#), the proposal for residential development in Kakaako.

My name is Jeremy Lam and i Live in Manoa. My family and friends and I make up the greater Oahu community and do not live in Kakaako. We value Kakaako Makai and want to see that it will be continued to utilized by our island residents. We fought hard to keep Alexander and Baldwin from building two high rise condominiums in the recent past. This was made into law. Now OHA and a number of political supporters want to increase their bottom line and change the law. This would be a tragedy for the community, but a monetary bonanza for OHA. There are very few beaches that the community can use. When I ask my patients where their family goes for a beach outing in town, only Ala Moana and Kaimana and Kakaako seem to be available (to 500,000 people). Kakaako has already been increasingly intimidating to Oahu residents with its traffic and new wedding chapels and homeless and construction and noise. With the intrusion of high rise condominiums, there is no question that residents will face more limited access to the waterfront. Of course many others are concerned about aging infrastructure, the intrusion zones of water from sea level change, the increasing density, the influx of congestion along the limited street lanes of Ala Moana Boulevard, and the unintended consequences of 22 more skyscrapers on the Kakaako Mauka side of the street. But many of us are especially concerned about the open space and beach access for the public. OHA accepted their property and were aware of the laws when they signed an agreement with the State. Please do not add more high rise housing at Kakaako Makai. Please help us by opposing SB 3122. Thanks you for this opportunity to give testimony.

Jeremy Lam. M.D.
2230 Kamehameha Avenue
Honolulu, HI 96821
drjlam@aol.com

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 5:43 PM
To: waltestimony
Cc: hilobliss@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| joy cash | Individual | Oppose | No |

Comments: Do the right thing, kill this bill.

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

lowen2-Nga

From: Joyce Kamemoto <kamejei56@gmail.com>
Sent: Sunday, March 09, 2014 10:17 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Please uphold the law, no residential sales in kakaako makai.

Sent from my iPhone

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 3:49 PM
To: waltestimony
Cc: kjtagon19@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Judy Taggerty-Onaga | Individual | Oppose | No |

Comments: Please oppose SB 3122. Please protect our shoreline and beaches for all people of Hawai'i Nei. Kaka'ako Makai was suppose to have public access, what happened? Mahalo, Judy Taggerty-Onaga

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 3:02 PM
To: waltestimony
Cc: koohanpaik@gmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Koohan Paik | 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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 4:07 PM
To: waltestimony
Cc: joe96817@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kuhio Lewis | Individual | Support | No |

Comments: OHA's ability to generate revenues on its Kakaako Makai lands, which were transferred to OHA as a part of a long overdue public land trust revenue settlement, will allow OHA to continue to contribute to creating a healthy thriving Native Hawaiian community . I look forward to OHA fulfilling its vision to converting Kakaako into a place for Hawaiians and more importantly a Hawaiian place by balancing the needs of the Native Hawaiian and larger community with economic opportunities.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 6:38 PM
To: waltestimony
Cc: LFenton@hawaii.rr.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM
Attachments: Hawaii State Senate.wps

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Larry Fenton | 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.

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

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 10:24 AM
To: waltestimony
Cc: lindalegrande2243@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Linda Legrande | Individual | Comments Only | No |

Comments: I believe you folks have honestly tried to cooperate with the mandates on OHA to use this land in the most fiscally responsible way they feel they must. My BIGGEST concern are the HIGH RISES that are planned. COULD WE SUGGEST BUILDINGS NO HIGHER THAN THE MEDICAL SCHOOL BUILDINGS ? I REALIZE THE PROFIT FOR THE DEVELOPERS WOULD NOT BE THERE (OH TOO BAD!!!). OHA COULD REALIZE THEIR GAIN IN ANOTHER PART OF THE ISLAND LESS IMPACTED BY THIS TYPE OF OVER-BUILDING. "Authorizes residential development on certain specified parcels of land owned by the office of Hawaiian affairs in Kakaako. Requires applicants for residential development to hold a public hearing" COULD THESE PUBLIC PUBLIC HEARINGS BE REQUIRED TO BE HELD ON SATURDAYS SO THE PUBLIC COULD ATTEND MORE EASILY? "regarding a plan or proposal for residential development in Kakaako and consider all written and oral submissions from the hearing prior to submitting the plan or proposal to HCDA for approval. Requires HCDA to hold a public hearing and fully consider all written and oral submissions received at the hearings held by the applicant and the HCDA prior to approving any plan or proposal for residential development. Establishes a Kakaako makai association fee and Kakaako makai special account to fund various public services and projects in Kakaako." WHAT THE HECK DOES THIS MEAN: OHA NOT REQUIRED TO INSIST ON PUBLIC FACILITIES TO BE PROVIDED BY THE DEVELOPERS (CARPETBAGGERS) OF THIS MAKAI LAND? OHA SHOULD INSIST, YOU LEGISLATORS SHOULD INSIST ON PUBLIC FACILITIES, PARKS, OPEN SPACES AS A REQUIREMENT FOR DEVELOPMENT OF ANY KIND HERE. THE WAY SEC. 3, 206e-12 IS WRITTEN, IT LOOKS LIKE THE DEVELOPERS CAN PAYOFF SOMEONE AND NOT PROVIDE THESE OPEN, GREEN SPACES!!! IT READS: 'OR CASH PAYMENTS IN LIEU THEREOF!!! "Exempts the Office of Hawaiian Affairs from section 206E-12, HRS, regarding the dedication of public facilities by developers as a condition of development in Kakaako. Effective 07/01/50. (SD2) WE ARE GETTING THERE PLEASE WORK ON THE WORDING A LITTLE MORE. THANK YOU, LINDA LEGRANDE

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

lowen2-Nga

From: Lisa Watts <liskawatts79@gmail.com>
Sent: Sunday, March 09, 2014 6:57 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

House Committee on Water & Land

Rep. Cindy Evans, Chair

Monday, March 10, 2014

8:45 am Conference room 325, State Capitol

"Please uphold the law, No Residential in Kaka'ako Makai"

Thank you,

Lisa C. Watts
1480 Pukele Ave,
Honolulu, HI 96816

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 2:53 PM
To: waltestimony
Cc: radha_star@hotmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Lorraine Leong | Individual | Oppose | No |

Comments: Please do not develop Kakaako Makai. Please listen to the people and what they want. Look at the opposition voiced in social media and on the streets. No one wants to over develop an area that has inadequate infrastructure to accommodate a population explosion. No one wants to be in traffic on Ala Moana Blvd. and the surrounding streets for hours. No one wants excess waste from the new buildings possibly flowing into our ocean. And how will you deal with the rising sea level? Please do all the proper research before developing.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 10:17 AM
To: waltestimony
Cc: lucreziacreation@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Lucrezia | Individual | Oppose | No |

Comments: The beauty of Maui is a big part of what most people enjoy about living here. This bill could allow the destruction of that beauty! We the masses strongly oppose it!

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

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 6:59 PM
To: waltestimony
Cc: lynnehi@aol.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| lynne matusow | Individual | Oppose | No |

Comments: Please accept this testimony in strong opposition to SB3122. This is a travesty. The community fought long and hard to stop residential development in Kaka'ako makai. OHA cut a deal with the state to get the land. It should have known at that time that residential development was not permitted. It should have realized that its income potential would be reduced because of that requirement. If it was not happy with that, it should have worked for a different deal. Now, OHA is crying foul. They are the ones to blame. This land is not for housing, period. And the legislature should not reverse its position of several years ago. And, to let OHA and the HCDA hold hearings before any permission is granted. Who are you kidding? The HCDA should be abolished, it CANNOT BE TRUSTED. It grants whatever applicants want, without listening to the residents and rest of the community. This bill is a total give away and does not represent proper development plans. As I am writing this testimony, Saturday evening, I am watching news reports of a big demonstration of various organizations opposed to development in Kaka'ako makai. While OHA trustee Peter Apo is sayin gthat the first ones to object to bad development are the OHA beneficiaries, he clearly is not listening to the demon strators, many of them OHA beneficiaries, who are speaking on camera against this travesty. Please kill this bill now. lynne matusow 60 n. beretania, #1804 honolulu 96817

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 5:00 PM
To: waltestimony
Cc: mamaupin@hotmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Margaret Maupin | 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

lowen2-Nga

From: Matt Dunlap <mattdunl@gmail.com>
Sent: Sunday, March 09, 2014 6:36 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Please uphold the law banning residential construction in Kakaako Makai.

Sincerely,
Matt Dunlap

lowen2-Nga

From: Michael Kirk-Kuwaye <mkirkkuwaye@gmail.com>
Sent: Sunday, March 09, 2014 9:05 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Please uphold the law...no residential units in Kaka'ako Makai.

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 12:31 PM
To: waltestimony
Cc: yomalia@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM
Attachments: keweolo bay opposition.docx

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Malia Ribeiro | 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

Date: March 9, 2014

Dear, Honorable Senate Committee on Hawaiian Affairs, and Senator Maile S. L. Shimabukuro and to whom it may concern:

I am a resident of Honolulu who has been enjoying the Kewalo Basin Park and the surrounding Kaka‘ako shoreline area for years with friends and family.

With all the development coming to the Mauka area, it has become more imperative that we keep this land for public use. Please vote no on SB 3122 and keep this last public oceanfront land in Honolulu residential free for all the people to enjoy, now and for future generations.

Mahalo,

Malia Ribeiro

lowen2-Nga

From: Myron Sato <msato004@hawaii.rr.com>
Sent: Sunday, March 09, 2014 7:43 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

To Representative Cindy Evans,

I am someone who has spent 50 of my 62 years using the Kakaako area for recreation. It is a very small area for those of us that live in the Honolulu area. There is not much left for us "townies". When places like Kewalo Basin park gets squeezed out; we will be forced to drive far to the country to enjoy the same. Please honor HB2555 as it states No Public Land for Sale and No Residential Development in Kakaako Makai. Why do we construct legislation only to allow exceptions when it doesn't fit the needs of the next developer? Please do not allow HB3122 to move any further for consideration. Kill this bill now!

Respectfully,

Myron Sato

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 7:51 AM
To: waltestimony
Cc: nancylhedlund@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

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

Comments: TO: House Committee on Water and Land on Monday, March 10 at 8:45 am. RE: OPPOSITION to SB 3122 I strongly oppose SB 3122. I urge you to oppose it, too. OHA must not be approved to build residential high rises within Kaka’ako Makai. This goes against all principles that should guide our decision-making about land use and development. The land is scarce and precious but principles should be bold and foundational. I oppose SB 3122 because residential development in Kaka’ako is now prohibited by law. SB 3122 “breaks the law” by saying that desire for monetary profits is more important than laws that protect the land and the shoreline. SB 3122 is not principled. Kaka’ako Makai is Honolulu’s last remaining public shoreline and NO AMOUNT OF GREED AND DESIRE FOR MONETARY GAIN SHOULD BE LEGITIMIZED IN THIS SPECIAL SHORELINE AREA. Who are we as a community of people, and who are our legislative representatives, if we let this unprincipled proposed legislation go forward? Who are we as a community of caring people, if greed and money are more important than respect for land, protection of shorelines, and respect for public spaces? We must not agree that monetary profit is more important than principles associated with honoring land and our environment. I have served on the Neighborhood Board for this area of Honolulu and was a founding member of CPAC, which studied the needs and opportunities in Kaka’ako Makai and took a strong position to oppose development of housing and high-rise high-profit buildings. We have developed a community plan and guiding principles and led the work of informing legislators about our reasons for opposing housing in Kaka’ako Makai. The reasons have not changed. The urgency has increased exponentially. SB 3122 is a major risk for Kaka’ako Makai and creates a disastrous precedent that will have a destructive impact on future efforts to protect shorelines and land in our State. I ask you to go deep into your heart and your principles of caring about land and shoreline on O’ahu and OPPOSE SB 3122. Nancy Hedlund, Honolulu

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

From: Neal Morisato <nemo180@gmail.com>
Sent: Sunday, March 09, 2014 11:23 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD2

I strongly oppose SB 3122 SD2 for the following reasons:

With precious little open space in Kaka'ako today and with 30 more high-rises planned for mauka alone, more condos are the last thing Kaka'ako makai needs.

The makai land holds unimaginable potential for the public benefit but, once the land is used for residential, all of that potential is forever lost. Residential use is exclusive and benefits only the few. I urge you to help keep the makai area a place for Hawaii's people to enjoy in perpetuity.

The public should not bear the burden of a deal that OHA now deems inadequate. OHA was fully aware of the terms and, returning to the legislature for an exemption to rectify their perceived error is simply not pono. OHA is free to seek other, less heinous, options such as land swaps or cash exchanges.

Kaka'ako makai can still preserve the character of its diverse past. Spend some time at the waterfront and observe people of all walks of life engaging in a wide range of activities. Yes there is blight but, imagine a transformation that blends recreational, cultural, and historical venues. The possibilities are almost limitless, but they die with residential.

In 2006, the legislature stood up to big development and spoke for the people. Please show your mettle and defend the last vestiges of open shoreline still left in Honolulu.

Respectfully,

Neal Morisato
Honolulu

From: Pam Wood <pwood229@gmail.com>
Sent: Saturday, March 08, 2014 9:41 PM
To: waltestimony
Subject: SB 3122, SD2 (SSCR 2699) Testimony Opposed

Testimony of Pamela Wood
For the House Committee on Water & Land
Monday, March 10, 2014, Room 325
Re: Oppose SB 3122, SD2 (SSCR 2699)

Chair Cindy Evans and Members of the House Committee on Water & Land:

Thank you for allowing me the opportunity to oppose SB 3122, SD2 (SSCR 2699). My name is Pamela Wood and I am a Kakaako resident. The community has made its position clear - **NO RESIDENTIAL DEVELOPMENT IN KAKAAKO MAKAI.**

The community fought and won this battle in 2006, years before the State transferred Makai land to the Office of Hawaiian Affairs (OHA). OHA knew of the community's opposition when they accepted the transfer. Now OHA is saying only residential development will provide an adequate financial return. Instead of causing the community to organize and fight this battle again, OHA should have either accepted the limitation of no residential development, or negotiated with the State for other land.

During the recent Senate hearings I learned there was an “unwritten side deal” that if OHA accepted the land transfer, “the law could later be changed to allow residential development in Kakaako Makai”. If this proves true, then this is the kind of behavior that causes citizens to lose trust in their government.

I urge you to oppose SB 3122, SD2 (SSCR 2699) and to continue to support legislation that will insure **NO RESIDENTIAL DEVELOPMENT IN KAKAAKO MAKAI.**

Pamela Wood
725 Kapiolani Blvd., #3002

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 5:09 PM
To: waltestimony
Cc: patriciablair@msn.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Patricia Blair | Individual | Oppose | No |

Comments: No to high-end high-rises!

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 12:14 PM
To: waltestimony
Cc: ptadaki@hotmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Paula B Tadaki | Individual | Oppose | No |

Comments: OHA knew of the restrictions when accepting the land deal. Why do we have to refight this case?

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 5:13 PM
To: waltestimony
Cc: neswmusic@yahoo.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Rick Morse | 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

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 7:00 PM
To: waltestimony
Cc: rkorph@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Ron Okamura | Individual | Oppose | Yes |

Comments: I believe OHA has been too narrow in their scope to generate dollars just by building residential units in Kaka'ako Makai. OHA does not have to sell their valuable land to high rise condominium dwellers. They need to thoroughly explore other ways to generate revenues for their beneficiaries. They should consider legislation that renegotiates the settlement and the entitlement. Cash in lieu may now be possible with the State surplus. A land swap where residential high rises are permissible should be considered. We can not allow any residential development in Kaka'ako Makai as our State Law now prohibits.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 10:51 PM
To: waltestimony
Cc: ronsan2224@aol.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Ronald S. Fujiyoshi | Individual | Oppose | No |

Comments: Big development is not my view of 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.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 8:31 PM
To: waltestimony
Cc: rontthi@gmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------------------|---------------------|---------------------------|---------------------------|
| Ronald Taniguchi, Pharm.D. | 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

lowen2-Nga

From: Sally Kaye <skaye@runbox.com>
Sent: Sunday, March 09, 2014 1:45 PM
To: waltestimony
Subject: RE: SB3122 SD2, Monday, March 10, 8:45 a.m., Rm. 325

Chair Evans and Members of the Committee:

As you deliberate on this bill relating to the Hawai'i Community Development Authority, please consider the wisdom of this Cree proverb:

Only when the last tree has died

And the last river has been poisoned

And the last fish has been caught...

Will we understand that we can't eat money.

Thank you for this opportunity to share comments.

Sally Kaye
511 Ilima Ave.
Lāna'i City, HI 96763

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 9:28 AM
To: waltestimony
Cc: lskaneko@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Sarah Kaneko | Individual | Oppose | No |

Comments: I am writing in opposition of SB 3122. I value Open spaces and feel that the development of Kaka'ako Makai would take away beach access for the community. I think that there are enough high rises in the are. Thank you.

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

lowen2-Nga

From: sarah@bridgehi.com on behalf of Sarah Averyt <sarahaveryt@kw.com>
Sent: Sunday, March 09, 2014 7:18 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Dear friends,

PLEASE PLEASE STOP THIS FOR HAPPENING!!!!!! Oahu needs its beautiful beaches, park, fresh air, and history to remain so we can keep calling the island "Paradise". Most importantly, what are our main priority in this life time, what about our footprint, OUR environment, our legacy, ... As an active realtor, I do believe that we can built elsewhere and provide shelter for all resident of hawaii. It is not a must to be on our last piece of ocean front land for the public.

Sarah Averyt
3030 Pualei Cir #201
Honolulu, Hi 96815



Sarah Averyt, RA | Keller Williams Honolulu | c. 808-393-9903 | e. sarahaveryt@kw.com

1288 Kapiolani Blvd, Apt 1905
Honolulu, Hawai'i 96814

March 8, 2014

LEGISLATIVE TESTIMONY
IN SUPPORT OF
**SB3122 SD2, RELATING TO HAWAII COMMUNITY
DEVELOPMENT AUTHORITY**
Hearing, Wednesday, March 10, 2014, 8:45 a.m., Conf Room 325

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair
Members, Committee on Water & Land

Aloha mai kākou

I am writing in **support** of SB3122 SD2. Among its provisions, it authorizes residential development in certain specified parcels of land owned by the Office of Hawaiian Affairs in Kaka'ako.

As a Native Hawaiian, I am appreciative of OHA's initiative to develop the Kaka'ako properties to derive the best economic outcome in balance with the needs of the community, nature and the environment. I also respect the concerns of the Kaka'ako residents who wish to keep the makai views, ocean access and open spaces accessible to the public and free from further development.

OHA is not advocating for residential development on all of the parcels it owns, only three parcels. They have no intention to develop residential uses along the Kewalo waterfront. In making this decision, OHA has given due consideration to the voices of Kaka'ako residents, as well as to the voices of its beneficiaries whose expectations are that OHA develop these lands with due consideration to economic and cultural values.

Thriving development on the Kaka'ako lands will generate income to better address their statutory responsibility to improve the conditions of Native Hawaiians. **Unlike other developers whose profits are for their benefit, OHA's profits are for the well-being of the Native Hawaiian community.** Often, others in the community are positively impacted by the residual impact of OHA's programs and services.

Accordingly, allowing development by OHA in the Kaka'ako lands belonging to it was always envisioned by the legislature as indicated in the committee reports on SB2783 that resulted in OHA receiving the Kaka'ako lands. The requirement for public hearings on any plan or proposal for any residential development in Kaka'ako prior to submission of

the plan or proposal to the HCDA is reasonable and allows a forum for the public and OHA beneficiaries to voice any concerns for their consideration.

Mahalo for this opportunity to testify. Please support SB3122 SD2.

Respectfully

/s/ Leimomi Khan by on-line testimony

LEIMOMI KHAN

March 9, 2014

LEGISLATIVE TESTIMONY
IN SUPPORT OF
**SB3122 SD2, RELATING TO HAWAII COMMUNITY
DEVELOPMENT AUTHORITY**
Hearing, Monday, March 10, 2014, 8:45 a.m., Conf Room 325

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair
Members, Committee on Water & Land

Aloha mai kākou,

My name is Bruce Keaulani, and I am writing in **support** of SB3122 SD2, which authorizes residential development in certain specified parcels of land owned by the Office of Hawaiian Affairs in Kaka‘ako.

As a Native Hawaiian, I greatly appreciate OHA’s effort to develop the Kaka‘ako properties to derive the best outcome in balance with the needs of the community, nature and the environment. I also respect the concerns of the Kaka‘ako and O`ahu residents who wish to keep the makai views, ocean access and open spaces accessible to the public and free from further development.

I appreciate that OHA is not advocating for residential development on all of the parcels it owns, only three of them, and that it has no intention of developing residential uses along the Kewalo waterfront. In making this decision, OHA has given due consideration to the voices of Kaka‘ako residents, as well as to the voices of its beneficiaries whose expectations are that OHA develop these lands with due consideration to economic and cultural values.

Thriving development on the Kaka‘ako lands will generate income to better address their statutory responsibility to improve the conditions of Native Hawaiians. **Unlike other developers whose profits are for their benefit, OHA’s profits are for the well-being of the Native Hawaiian community.** At the same time, others in the community are positively impacted by the residual impact of OHA’s programs and services.

The need for residential housing on O`ahu is dire. If Native Hawaiians are to be able to remain in our homeland, the resources which rest in OHA’s care must be allowed to flourish and grow.

Mahalo for this opportunity to testify. Please support SB3122 SD2.

Aloha,

Bruce Keaulani

March 9, 2014

LEGISLATIVE TESTIMONY
IN SUPPORT OF
**SB3122 SD2, RELATING TO HAWAII COMMUNITY
DEVELOPMENT AUTHORITY**
Hearing, Monday, March 10, 2014, 8:45 a.m., Conf. Room 325

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair
Members, Committee on Water & Land

Aloha mai kākou,

My name is Kehaulani Lum, and I am writing in **SUPPORT** of SB3122 SD2, which authorizes residential development in certain specified parcels of land owned by the Office of Hawaiian Affairs in Kaka‘ako.

As a Native Hawaiian, I greatly appreciate OHA’s effort to develop the Kaka‘ako properties to find the best outcome in balance with the needs of the community, nature and the environment. I also respect the concerns of the Kaka‘ako and O‘ahu residents who wish to keep the makai views, ocean access and open spaces accessible to the public and free from further development. These are precious resources, to be sure, and I appreciate that OHA is not advocating for residential development along the Kewalo waterfront.

In making this decision, OHA has given due consideration to the voices of Kaka‘ako residents, as well as to the voices of its beneficiaries whose expectations are that OHA develop these lands with due consideration to economic and cultural values.

Thriving development on the Kaka‘ako lands will generate income to better address their statutory responsibility to improve the conditions of Native Hawaiians. **Unlike other developers whose profits are for their benefit, OHA’s profits are for the well-being of the Native Hawaiian community.** At the same time, others in the community are positively impacted by the residual impact of OHA’s programs and services.

The need for residential housing on O‘ahu is dire. If Native Hawaiians are to be able to remain in our homeland, the resources which rest in OHA’s care must be allowed to flourish and grow.

Mahalo for this opportunity to testify. Please support SB3122 SD2. Aloha,

Kehaulani Lum

To: **House Committee on Water & Land** Monday, March 10, 2014, 8:45AM
Chair: Rep. Cindy Evans
Vice-Chair: Rep. Nicole Lowen

SB3122 SD2

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Testimony in OPPOSITION – James Nelson

Chair Evans, Vice-Chair Lowen and members of the committees:

I am James Nelson, and I testify in strong opposition to this measure.

Currently, HRS §206E-31.5(2) expressly prohibits any residential development in Kakaako makai. This was the result of Act 317 of 2006. Chair Evans and Representative Thielen, as members of the House Committee on Water and Land at that time, surely recall how important and hard-fought the bill was that resulted in Act 317. I trust I am not alone in submitting to the committee that the memories of 2006 still resonate strongly among the public at large. I do not doubt that OHA serves its beneficiaries with important services and programs, but in this instance it is in no different position than was Alexander & Baldwin in 2006. As a matter of policy and for the benefit of the public at large, OHA's proposed development opportunities in Kakaako makai should be curtailed.

Moreover, OHA fully understood the statutory restriction against residential development when it sought and accepted conveyance of the Kakaako makai lands in 2012. Section 1 of this measure attempts to plead for legislative sympathy. In my view, it merely shows that OHA was either incompetent in calculating the value of these lands given the development restriction legally in place at the time, or that OHA negotiated in bad faith vis-à-vis the state and the public, and had no real intention of honoring the legal prohibition on residential development for any meaningful period of time.

I fully realize that no legislature is bound in perpetuity to the acts of previous legislatures. Repeals of, or exemptions from, duly enacted statutes occur every year. That said, I respectfully suggest that not nearly enough time has passed to substantially change the circumstances that resulted in Act 317 of 2006, and that any measure that seeks to undercut the importance of that Act is woefully premature. **If anything, the planned pace and density of high-rise development in Kakaako mauka makes the current statutory prohibition on residential development in Kakaako makai even more crucial.** I therefore request that the Committee defer this measure indefinitely.

Thank you for the opportunity to testify.

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 12:50 PM
To: waltestimony
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Shannon Rudolph | Individual | Oppose | No |

Comments: Strongly Oppose.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 4:31 PM
To: waltestimony
Cc: slwsurfing@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| sharon | Individual | Oppose | No |

Comments: ENOUGH - how much more can the Island take?

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 2:22 PM
To: waltestimony
Cc: sherrianwitt@aol.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| sherrian witt | 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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 8:19 AM
To: waltestimony
Cc: sophiabicoy@earthlink.net
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Sophia Bicoy | Individual | Oppose | No |

Comments: Do not build more buildings as it is driving the tourists away from Oahu. Who want to go on vacation and be sstuck in traffic for most of the time.

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

lowen2-Nga

From: Stephen T. Hazam <sthazam@yahoo.com>
Sent: Sunday, March 09, 2014 4:37 PM
To: waltestimony
Subject: Please oppose SB3122

Please oppose SB 3122. Don't allow residential housing in Kaka'ako Makai.

Respectfully,

Stephen T. Hazam
1288 Kapiolani Blvd., #1104
Honolulu, HI 96814-2867
Tel: 808-593-2798
<http://www.linkedin.com/in/stephenhazam>

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 5:16 PM
To: waltestimony
Cc: sd3@hawaii.rr.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Susan Douglas | 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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 11:40 AM
To: waltestimony
Cc: suzanne@punapono.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Suzanne Wakelin | 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

February 23, 2014

Committee on Judiciary and Labor, Senator Clayton Hee, Chair
Tuesday February 25, 2014
10:30 a.m, Conference Rm 016, State Capitol

And All Members of Committee on Judiciary and Labor

Re: Testimony in Opposition to SB 3122 SD 1

My name is Edith T. Iwami, mother of Ron Iwami, President of Friends of Kewalos. All who believed in the cause to preserve this last piece of public land – Friends rallied to the State Capitol and together with People Power preserved the public land at Kaka'ako Makai in 2005/2006. It was a grass roots endeavor, no budget but just pure determination.

This support received from the Legislature stopped a private developer from building luxury residential high-rise towers on this last public oceanfront land in Honolulu.

My reasons in Opposition of SB 3122 SD 1 are as follows:

1. OHA now has the same desire to build high rises on the same oceanfront land which is now SB 3122 SD 1.
Friends of Kewalos want OHA to understand the wish of the people and not develop residential homes on prime ocean front land.
2. It is my belief that Friends of Kewalos should not interfere with OHA's plans for growth – every property owner has a right to utilize his property for its best use, but knowing the sentiment of the people – OHA should reconsider its decision to develop residential homes on this prime ocean front land. I speak for myself as I am a licensed realtor to assist anyone desiring to own a place to live and have no objection to growth; however, there are shortcomings to think about seriously before it's too late.
3. This land should be preserved for generations to come—Many have children and grandchildren who must have a place to relax and enjoy the open air. If they reside in a condominium, it's all the more important that Legislators who are empowered to serve the needs of the people are aware of this **important legislation**. For this reason, **Kaka'ako Makai land must be kept open for easy access for ingress and egress for the people – young and old – surfers, caregivers to stroll their patients to breathe the fresh ocean air, picnickers, fishermen, and others who frequent the park.**
4. Currently Ala Moana Park is utilized heavily.
I know this to be a fact as I leave home between 6:00 to 6:30 a.m. on **Saturdays to be sure to find parking space** for my walking exercise. Spaces are filled up quickly and on a nice morning, it's such a thrill to see our famous

Diamond Head landmark with lights showing hotels, and high rises along the beach. You can see tourists taking photos at this early time of morning. It gives you an uplifting feeling to appreciate the ocean and the mountains.

Early morning activities keep everyone happy and ready for action for the rest of the day.

5. Lastly, request your assistance to keep Kaka'ako Makai land open for all the people of Hawaii. I am positive that Present and future generations will thank you to save our Kaka'ako.

Respectfully submitted:

Edith T. Iwami
3353 Oahu Avenue
Honolulu, Hi 96822
Email:
eiwami@horitarealty.com

1. OHA must remember the decision of the wish of the people to preserve development of residential homes on prime beach front land for the people. Friends of Kewalos should not interfere with OHA's plans for growth -- but just to ask their kokua that no high rise residential condos/apartments built right on the towers

COMMITTEE ON WATER & LAND

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair

RE: SB3122 SD2

March 10, 2014 8:45 a.m., Room 325

Chair Evans and Members of the Committee:

As you deliberate, wisely, on this bill relating to the Hawai`i Community Development Authority, please consider this Cree Proverb:

Only when the last tree has died

And the last river has been poisoned

And the last fish has been caught...

Will we understand that we can't eat money.

Thank you for this opportunity to share comments.

Sally Kaye
511 Ilima Ave.
Lāna`i City, HI 96763

Thomas Lee Travis

RR 2 Box 3317

Pahoa, Hi 96778

email: ttravis12@mac.com

mobile: (757) 639-7364

Sunday, March 9, 2014

Members of the House Committee on Water and Land for Hearing on March 10th:

I am testifying in opposition to SB 3122.

Much like the Public Land Development Corporation (PLDC), the Hawaii Community Development Authority (HCDA) was conceptually flawed in its creation. The HCDA, by streamlining administrative procedures needed to begin community developments, has weakened the voice of the community most affected by development of Kakaako. Community planning, community hearings, and opportunities for community recourse have been impacted. SB3122 continues the attempt to steamroll the community, depriving it of its needed voice.

Although justification for economic reasons might be made, it is wrong headed for State government to bypass local desires, direction, and planning. Communities should be given full voice concerning cultural, social, environmental, visions for the future. The State of Hawaii should not preempt local decision making, but instead should champion it. Emphasis on reestablishing local initiative serves several very important purposes:

- It breaks up the partnerships between big business and other powerful lobbies and the government, leveling the playing field for smaller and more innovative players.
- It will move our economy to a more sustainable model, as each community attempts to preserve what is considered best in that community.
- It will incentivize those with business interests to work with the local people, learning about the community and responding to it, rather than simply influencing the State Government through lobbying and political contributions.

I oppose SB3122.

Thomas Lee Travis

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 8:33 AM
To: waltestimony
Cc: holomuaorganics@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Tiana Laranio | Individual | Oppose | No |

Comments: To save. Hawai'i economically we need more FARM PLOTS not high rises! Think and make decisions based on health and life of community, not your pocket book or the financial success of already rich corporations!

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 2:55 PM
To: waltestimony
Cc: tjsimms2000@hotmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| tj simms | 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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 11:02 AM
To: waltestimony
Cc: tracy@permaculture-hawaii.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Tracy Matfin | Individual | Oppose | No |

Comments: I am concerned about the loss of Hawaii's sense of place, beauty, and vision. We need undeveloped open space not more development. "Aloha Aina"!

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 7:06 PM
To: waltestimony
Cc: vsc@hawaiiantel.net
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Victoria Cannon | Individual | Oppose | No |

Comments: We strongly oppose any development at Kaka'ako Makai. OHA has not shown itself to be trustworthy with Native Hawaiian investment the benefits of which end up not quite trickling down to the most needy. Victoria and Trudy Cannon

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 08, 2014 4:48 PM
To: waltestimony
Cc: williamlee244@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

SB3122

Submitted on: 3/8/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| William Lee | Individual | Oppose | No |

Comments: Special consideration should not be considered in this way. OHA should pursue other avenues to increase the value of the property without residential development. Keep Kakaako Makai free from condominium towers. Strongly oppose SB 3122, SD2.

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

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 7:43 AM
To: waltestimony
Cc: h20grl33@gmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Yi Nicholson | 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

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 5:57 PM
To: waltestimony
Cc: res1z0vb@hawaiiantel.net
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dana G. Moss | Individual | Oppose | No |

Comments: What a eye sore so close to our ocean. Please don't make all of us have to look at it/

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



"E Paepae I Luna Loa I Ka Malamalama"
"Hold High the Light of Knowledge"

Pearl Harbor Hawaiian Civic Club
Chartered: April 16, 1964
P.O. Box 66, Aiea HI 96701



Testimony of Charles Kapua, President

IN SUPPORT

SB 3122 SD 2 – RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY

HOUSE COMMITTEE ON WATER AND LAND

March 10, 2014

Aloha Chair Evans, Vice-Chair Lowen, and members of the Committees,

My name is Charles Kapua, President of the Pearl Harbor Hawaiian Civic Club. I am testifying on behalf of our club's members in strong support of SB 3122 SD 2. This bill will ensure that residential development proposed or planned by the Office of Hawaiian Affairs (OHA) at its lands in Kaka'ako Makai will include public meetings prior to decision-making by the Hawaii Community Development Authority.

In general, we support any measure that will facilitate or expedite OHA's development of Kaka'ako Makai. We supported the transfer of these lands to OHA in 2012 as a means for OHA to generate resources for OHA to fulfill its responsibility to improve the conditions of Native Hawaiians. These projects can help OHA to achieve financial self-sufficiency and long-term sustainability for our trust.

We expect this bill will provide for open meetings, consultation and exchange of mana'o to help mitigate concerns of the public on this development. Our club members also look forward to participating in these planning meetings.

For these reasons, we respectfully urge your committees to pass this bill. Mahalo nui loa for your consideration of our testimony.



LATE

Native Hawaiian Chamber of Commerce

P.O. Box 597, Honolulu, Hawai'i 96809
nativehawaiianchamberofcommerce.com • nhccoahu@gmail.com

TESTIMONY OF THE
NATIVE HAWAIIAN CHAMBER OF COMMERCE

TO THE
HOUSE COMMITTEE ON WATER & LAND

SENATE BILL NO. 3122, SD1
Relating to the Hawaii Community Development Authority

March 10, 2014

The Native Hawaiian Chamber of Commerce **supports** Senate Bill No. 3122,SD1. The Native Hawaiian Chamber of Commerce represents nearly 180 members who are dedicated to strengthening Native Hawaiian businesses and professions throughout the state. In addition to strengthening Native Hawaiian businesses and professions, part of our mission is to advocate for improving the conditions of Native Hawaiians as a whole. This measure seeks to allow the Office of Hawaiian Affairs (OHA) the opportunity to develop residential homes on its parcels in Kaka`ako after it conducts a public hearing.

We believe that it is vital for OHA to have a strong revenue stream in order to fulfill its fiduciary duty of bettering the conditions for Native Hawaiians. In order for OHA to do this, the agency needs the ability to fully develop its properties. Residential units are an important component of OHA's mixed use development plan that incorporates both land stewardship and cultural values in its design. From its inception, OHA has supported appropriate safeguards to ensure responsible development, sustainable growth, and the preservation of natural and cultural resources.

The Native Hawaiian Chamber of Commerce supports this bill and urges the committee to consider adopting OHA's amendments in passing out this measure. Mahalo for the opportunity to testify.

Marlene Lum
Board President
Native Hawaiian Chamber of Commerce

LATE

lowen2-Nga

From: Donaldlynn Macadangdang-Doa <doa@hawaii.edu>
Sent: Sunday, March 09, 2014 6:50 PM
To: waltestimony
Subject: SB3122 SD2 - Support

Categories: Red Category

Aloha,

My name is Leimomi Doane and I am a Native Hawaiian student at Kamakakūokalani at the at the University of Hawai‘i at Mānoa. I am emailing in support of SB3122 SD2 which would provide OHA with an opportunity to explore residential options on some of its parcels in Kaka‘ako Makai.

OHA received its Kaka‘ako Makai parcels after more than 30 years of negotiation (lawsuits, various bill proposals, etc) with the State over public land trust revenue, which is generated on lands that were stolen from the Hawaiian Kingdom after the illegal-United States aided-overthrow of our Queen Liliu‘okalani.

OHA's development at Kaka‘ako will increase its community grants, establish a place for Native Hawaiians in Kaka‘ako, and will help OHA accomplish the goals set forth in its strategic plan. This includes OHA's advocacy on wai, mālama ‘āina, and traditional and customary rights.

Eō,

Leimomi

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 6:51 PM
To: waltestimony
Cc: clareloprinzi@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| clare loprinzi | Individual | Oppose | No |

Comments: enough already

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

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 7:07 PM
To: waltestimony
Cc: mh@interpac.net
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Cory Harden | Individual | Oppose | No |

Comments: Hello legislators, Plant taro, not high-rises! mahalo, Cory Harden

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

Melody Kapilialoha MacKenzie, Esq.
579 Kāne‘apu Place ♦ Kailua, Hawai‘i 96734
(808) 780-8236 ♦ melodykmackenzie@gmail.com

LATE

S.B. 3122, S.D. 2
Relating to Hawaii Community Development Authority
House Committee on Water & Land
Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair
Hearing on Monday, March 10, 2014, at 8:45 a.m.

Mahalo for this opportunity to submit testimony in **support** of S.B. 3122, S.D.2, which enhances the ability of the Office of Hawaiian Affairs to develop land in Kaka‘ako Makai for residential use. I am an associate professor at the William S. Richardson School of Law and director of Ka Huli Ao Center for Excellence in Native Hawaiian Law. I submit this testimony, however, in my personal capacity as a private citizen and an attorney who has advocated on behalf of Native Hawaiian clients and organizations, including OHA.

As you know, in 2012, as the past due public land trust settlement bill was going through the Legislature, several legislators pushed to include certain residential “entitlements” for the Kaka‘ako Makai lands OHA was to receive. At the time, OHA asked legislators not to include such language since, if OHA did receive the lands, it would need additional time to review, plan, and determine the best use of those lands. OHA has now gone through an extensive review and evaluative process and believes that to achieve the best use and generate sufficient income to meet its fiduciary responsibilities, developing residential use of some of the Kaka‘ako Makai land is necessary. OHA is not seeking to develop residential use along the Kewalo waterfront.

OHA has a fiduciary responsibility to its beneficiaries to utilize the Kaka‘ako Makai land to generate income, which can then be used to fulfill needs in education, social services, health care, and other areas to improve the conditions of the Native Hawaiian community. OHA also has a responsibility to preserve natural and cultural resources, perpetuate traditional and customary practices, and ensure that all of its lands are managed in a sustainable and pono manner. OHA has stated that it seeks to “find the highest point at which the culturally rich use” of its Kaka‘ako Makai lands “intersects with revenue generating use of the parcels.” This is indeed a difficult, but worthy, undertaking. It is an undertaking that OHA should be encouraged to pursue and that the Legislature should support.

I commend the Legislature for considering S.B. 3122, S.D. 2, and urge the Committee to pass it. Mahalo nui.

LATE



Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai`i 96807

HOUSE COMMITTEE ON WATER AND LAND

**SB3122, SD2 (SSCR2699) RELATING TO THE HAWAII
COMMUNITY DEVELOPMENT AUTHORITY**

Monday, March 10, 2014; 8:45 am; Room 325

Aloha Madam Chair Evans, Vice Lowen and members of the House Committee on Water and Land. The Association of Hawaiian Civic Clubs supports this latest version of Senate Bill 3122 that will loosen the HCDA stranglehold on Kakaako Makai parcels conveyed to the Office of Hawaiian Affairs (OHA) by the State of Hawaii to settle long standing claims.

This bill exempts OHA from the residential development restrictions on specific parcels in order to fully realize the value of their lands. Once developed, these parcels will provide a significant source of income to support OHA's constitutional and statutory mandates to better the conditions of the Hawaiian and Native Hawaiian people.

We sincerely hope that the requirements for public hearings, the assessment of fees and the funds established for various public services and projects in Kakaako will alleviate some of the opposition to OHA's plans.

Thank you for the opportunity to support this bill.

Contact: jalna.keala2@hawaiiantel.net

Thank you for the opportunity to testify

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 9:13 PM
To: waltestimony
Cc: kealohafox@gmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Leanne Fox | 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.

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

lowen2-Nga

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 9:15 PM
To: waltestimony
Cc: coragalum@yahoo.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------|--------------|--------------------|--------------------|
| Corazon Galan Lum | 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.

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

LATE

Testimony in Opposition to SB3122, SD2
Galen Fox, Kaka'ako United

Chair Evans, Representatives:

I'm Galen Fox of Kaka'ako United and oppose SB3122, SD2 which would allow residential construction on OHA land makai of Ala Moana Blvd. in Kaka'ako makai.

I am a keiki o ka aina. I remember when a powerful governor, backed by the (then) most powerful labor union, almost succeeded in turning Magic Island into a hotel district, in the name of progress and jobs. That was in 1969.

But most of us, nearly all of us, remember well the surfer-led people's crusade to preserve Kaka'ako makai from another governor's attempt, in the name of progress and jobs, to build condos (largely for an offshore market) on our precious Kaka'ako waterfront land. That was just 8 years ago! How can we so quickly forget?

OHA already has the \$200 million owed it under the ceded lands settlement. How much more can OHA, without building residential condos, earn from the Kaka'ako lands granted it? I don't know, but that figure, with good stewardship, should move well beyond \$200 million. If not, OHA should sell the land rather than change the law.

We the people want OHA with us in continuing to protect the limited Kaka'ako makai shoreline from residential condo development. Build on the mauka side of Ala Moana, if necessary. Let's stand together. Mahalo.

LATE

Testimony of Jonathan Ching

SB3122 SD2

Relating to the Hawai'i Community Development Authority
House Committee on Water & Land

Monday, March 10, 2014, 8:45 a.m.
Capitol, Room 325

Aloha Chair Evans, Vice-Chair Lowen, and Members of the House Committee on Water & Land,

‘O Jonathan Makana Ching ko‘u inoa. I am testifying in a personal capacity in **STRONG SUPPORT** of SB3122 SD2, which authorizes residential development on certain specified parcels owned by the Office of Hawaiian Affairs (OHA) as well as requiring applicants for residential development in Kaka‘ako to hold a public hearing prior to submitting a plan or proposal to the Hawai'i Community Development Authority (HCDA).

I am an avid surfer who regularly surfs at surf breaks located off of Kewalo Basin Park. Locals love surfing at Kewalo amidst the hustle and bustle of Honolulu and Waikīkī because it does not have the crowds like Waikīkī and other more crowded beaches. As a Native Hawaiian who has been surfing for a decade, I believe that if allowed to developed residential properties along Kaka‘ako Makai, OHA will respect the interest of local surfers who want access to the beach for their friends and families.

OHA’s 2012 settlement for the Kaka‘ako Makai properties was the result of negotiations between the State of Hawai‘i and OHA over past claims for OHA’s pro-rata share of the public land trust revenue. However, the parcels as currently zoned do not allow OHA’s properties to adequately fulfill their maximum potential. SB3122 SD2 would allow OHA to fulfill its vision to converting Kaka‘ako into a place for Hawaiians. I believe OHA understands the needs of Hawaiians and locals alike and will strive to not only maintain, but also increase public access to the ocean and shoreline for those practicing traditional and customary rights as well as for those seeking leisure and recreation.

I support SB3122 SD2 because allowing OHA to fully maximize the potential of its properties in Kaka‘ako Makai will have a direct impact on OHA’s beneficiaries like myself. I was fortunate enough to receive a scholarship while in college, which was funded primarily by an OHA grant. Had it not been for this scholarship, I would have had to incur more debt. The revenue generated from the development of Kaka‘ako Makai will allow OHA to continue supporting Native Hawaiians dreams of higher education and entrepreneurship.

I support this proposal because I believe that OHA will truly approach development of these lands responsibly. I encourage this committee to please join me in supporting the OHA and SB3122 SD2.

lowen2-Nga

LATE

From: Vai Auva'a <pauvaa@gmail.com>
Sent: Sunday, March 09, 2014 9:11 PM
To: waltestimony
Subject: SB3122 SD2 - Support

Categories: Red Category

As a native son of Samoa, I have been surprised to see the reaction by non-Hawaiians to OHA's efforts to seek revenue generating options on Hawaiian lands in Kakaako (as I understand the lands were originally alii lands that were eventually sold or traded to the Territory or State). I do not know of any organization that spent more resources—time and money—fighting for appropriate access. Thus to suggest that OHA will develop projects that block off access to the ocean ignores OHA's 30 plus year fight for appropriate access to the shoreline. In my professional career I work with young challenged juveniles, the majority of which are Native Hawaiian that come from challenged families (drug abuse, poverty, health, parents in jail, etc.). I hope OHA seeks responsible revenue generating opportunities to address many of the challenges facing kanaka maoli, the first people of this 'aina.

--

"O le upega tautau, 'ae fagota."
If at first you don't succeed try, try and try again.

lowen2-Nga

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 9:45 PM
To: waltestimony
Cc: clamor808@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Clara K Morikawa | Individual | Oppose | No |

Comments: Definitely oppose.....there should NOT be any residential buildings developed in Kakaako Makai. It is the law.....let's abide by it. NO EXEMPTIONS!!

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



From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 10:08 PM
To: waltestimony
Cc: mkorman@email.phoenix.edu
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Michael Korman | Individual | Oppose | No |

Comments: I strongly oppose SB 3122 SD2 and highly encourage you to not approve this bill. Not long ago, the people of Hawaii came together to guide the development of the Kakaako Waterfront for the benefit of everyone. We produced a master plan for Kakaako Makai to include a beautiful park with waterfront. Now a special interest group seeks to undo the collaborative and inclusive efforts of so many people. Please do not allow this to happen and oppose SB 3122 SD2. Thank you very much!

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



KO'OLAUPOKO HAWAIIAN CIVIC CLUB

March 10, 2014

LATE

IN SUPPORT

To: Rep. Cindy Evans, Chair
And Members
Committee on Water and Land

From: Alice P. Hewett, President
Ko'olaupoko Hawaiian Civic Club

Subject: S.B. 3122, SD2, Relating to Hawaii Community Development Authority

Aloha Chair Evans and Members of this Committee:

The Ko'olaupoko Hawaiian Civic Club offers its strong support for Senate Bill 3122, Senate Draft 2, which would identify a process by which the Office of Hawaiian Affairs could help realize a reasonable return on its newly-acquired property in Kaka'ako-makai.

Members of our civic club are deeply concerned about planning for the future of our island, particularly as it affects Windward O'ahu. Some of our members have been involved in community planning for decades, working to ensure that the islandwide general plan for O'ahu – the vision embraced in 1978 by the Honolulu City Council – is adhered to. A major component of that plan was to anticipate new growth occurring in the Primary Urban Center of Honolulu, which includes Kaka'ako, and the Secondary Urban Center of 'Ewa.

We support this particular initiative because, in our view, OHA deserves the opportunity to properly develop certain parcels of lands given to the agency by the State of Hawai'i. We know this is a concern to those of you who represent constituents from the Kaka'ako area, and we understand your desire to appease residents who have moved into Kaka'ako over the past 25 years.

However, we believe the vision which was created through major compromises in the Oahu Revised General Plan of 1978 must prevail over the arguments raised by opponents of this bill. When the Legislature created the Hawai'i Community Development Authority, this body knew that its major purpose was to oversee development of Kaka'ako – what did your predecessors expect would happen in this area? If growth was not to occur in the rural areas of the island, it was being directed to this area.

None of wants to see wall-to-wall high-rises lining Ala Moana Boulevard, the amendments to the legislation should make it clear what the limitations will be for the parcels in question. We urge your committee to approve this bill. Mahalo.

The Ko'olaupoko Hawaiian Civic Club was established in 1937 and is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart".

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 9:19 PM
To: waltestimony
Cc: kaleolum@gmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kaleo Galan Lum | 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.

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

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 9:32 PM
To: waltestimony
Cc: michelematsuo@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| michele matsuo | Individual | Oppose | Yes |

Comments: Thank you for the opportunity to testify on this measure. I strongly oppose it. The Legislature made the right decision in 2006 to keep residential development out of Kakaako Makai. At the 2013 Hawaii State Bar Association Convention, Prof. Maxine Burkett of Richardson School of Law presented, and informed the seminar that due to the graphability of climate change, a tort nexus can be established between climate change like rising sea levels and damage suffered from flooding for instance. She opined that governments can be held liable for granting approvals for development when infrastructure later is insufficient or there is other damage which occurs. (paraphrasing). Allowing OHA to develop residential projects on hazmat fill land seems to be unwise in the extreme. Future generations may have to pay billions in damages and even remediation costs. Around the world, communities are moving inland. Flood maps prepared by the UH show fresh water flooding far inland in Kakaako. The Kakaako Makai lands are in the flood area and tsunami inundation zone. Why would we consider allowing development there? OHA knew that it was illegal to build residential developments on the lands it accepted as settlement for ceded land claims. There was a law against such development. Many others, myself included, advised those we knew at OHA to refrain from accepting the Kakaako Makai lands. We should not compound OHA's mistakes by allowing residential development in Kakaako Makai. Please kill SB 3122. Thank you.

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

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 10:44 PM
To: waltestimony
Cc: admin@honuaconsulting.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| Trisha Watson | Individual | Support | Yes |

Comments: Aloha Honorable Committee Members, I am writing in strong support of this measure, which helps to fulfill the State's longstanding obligation to the Office of Hawaiian Affairs and the Native Hawaiian community. As an expert in both environmental policy and the rights of indigenous peoples, I hereby testify that this legislation fulfills critical Constitutional obligations of the State and helps to advance the rights of Native Hawaiians. Claims that this legislation would infringe upon public access rights or create undue hardship upon the environment are unfounded. Additionally, the due diligence and public notice components of the legislation help to ensure the protection of environmental and public access rights. I am confident that the Office of Hawaiian Affairs will take any and all appropriate measures to be good stewards of this land, as it consistent with all their past land stewardship activities. I am also hopeful that upon codification of this bill and through a public consultation process, the public will take the opportunity to better inform themselves as to the history of this area, Native Hawaiians and the many historical events that led to necessity of this legislation. I urge the Committee to pass this legislation. Sincerely, Trisha Kehaulani Watson-Sproat, JD, PhD

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

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 09, 2014 10:40 PM
To: waltestimony
Cc: paulakomarajr@yahoo.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/9/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Paul A. komara, Jr. | Individual | Oppose | No |

Comments: I oppose this Bill SB3122 because the people who live in this area do not want a 75 story high rise being built and managed by a defacto State agency.

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

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 3:55 AM
To: waltestimony
Cc: toddcw@live.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/10/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Todd Wetmore | Individual | Oppose | No |

Comments: I, Todd Wetmore, OPPOSE SB3122 HD2. This bill seeks to allow residential development in Kakaako Makai giving OHA the right to renege on their deal they made with the State 2 years ago. I am telling OHA to stick to their deal and develop the land as set forth in the law. NO RESIDENTIAL DEVELOPMENT IN KAKA'AKO MAKAI. We do not need/want Yuppie Crap to dominate Kakaako & set a precedent of unbridled development of Honolulu; The HCDA is simply a rubber stamp, headed up by businessmen. By allowing the foxes to guard the henhouse, we turn our political system into a whorehouse. The people voted NO on this reckless "wild west" development of Kakaako. Listen to us. Passing out permits like Halloween candy is dirty pool & smells like corruption even if it isn't. This business of public/private partnerships is not Capitalism, fir the government chooses winners & ousts losers via lease terminations. Social engineering is sordid business when it all comes together without the public being a part of it & only told about it when nothing can be done about it. "Fascism should more properly be called corporatism, since it is the merger of state and corporate power." - Benito Mussolini

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

LATE

Aloha Madam Water & Land Committee Chair Evans, Madam Vice Chair Lowen, and other Committee Members,

Office of Hawaiian Affairs (OHA) funding makes a meaningful impact in the Native Hawaiian community today and I urge the Water & Land Committee to imagine OHA's potential for impacting the Native Hawaiian community by supporting the creation of a sustainable revenue stream.

I urge you to support SB3122, relating to residential entitlements for OHA's Kaka'ako Makai properties.

Passing SB3122 is simply the right thing to do for the State of Hawaii because it will help advance the state's commitment to address the historical injustices committed against the Native Hawaiian people, through the creation of a sustainable revenue stream for the Office of Hawaiian Affairs' (OHA) strategic priorities and increased allocation of revenue for community grants.

I am a licensed attorney and a PhD student who has been a recipient beneficiary of Native Hawaiian programs generally. My testimony today is submitted in my own personal capacity.

A sustainable revenue stream for OHA community grants, and other types of funding, is the lifeline to support programs necessary for the betterment of conditions of Native Hawaiians. I have both created and administered programs that used OHA funding. One such program has helped increase the number of Native Hawaiians admitted into law school as well as the number of licensed Native Hawaiian attorneys. OHA funding has also contributed to the development of some of America's best law student indigenous rights/law advocates. University of Hawaii law students consistently win top awards in the only Indian law competition in the United States. Over the 22-year history of the National Native American Law Students Association's annual moot court competition, University of Hawaii law students have won 36 awards. Last weekend, (February 28 – March 1) while competing at the University of Oklahoma, the University of Hawaii placed three teams in the top four teams in the competition.

Again, I urge you imagine what the Native Hawaiian community can accomplish with your support of SB3122.

Sincerely,

Derek H. Kauanoë

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 1:33 AM
To: waltestimony
Cc: rafberg81@gmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

Categories: Red Category

SB3122

Submitted on: 3/10/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Rafael Bergstrom | 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



COUNCIL FOR NATIVE HAWAIIAN ADVANCEMENT

2149 Lauwiliwili Street, Suite 200, Kapolei, Hawaii 96707
Tel: 808.596.8155/800.709.2642 • Fax: 808.596.8156/800.710.2642
www.hawaiiancouncil.org

LATE

March 10, 2014

To: Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair
Members of the Committee

From: Michelle Kauhane, CNHA President & CEO

Re: SB 3122/SD2 – Relating to Hawaii Community Development Authority
HCDA; Office of Hawaiian Affairs - **SUPPORT**

Thank you for the opportunity to submit testimony on SB3122, authorizing the Hawaii Community Development Authority to approve any plan or proposal for residential development of OHA lands in Kakaako after meeting a public hearing prerequisite.

CNHA is a member based nonprofit network of over 160 community organizations governed by a 21 member board. Our mission is to enhance the well-being of Hawaii through the cultural, economic and community development of Native Hawaiians. We administer the *Native Hawaiian Policy Center*, along with our coalition partners. Throughout the year, we convene our respective members of small business owners, nonprofit executives, housing advocates and homestead leaders to identify our annual policy priorities. Access to affordable housing is a priority for CNHA as we understand the need for sufficient housing stock to meet the unmet demands of Hawaii residents.

CNHA is also a HUD-certified housing counseling agency and a Native Community Development Financial Institution (CDFI). We have engaged in the development of affordable housing through the implementation of a modified self-help program and have witnessed first hand through our programs the high demand for housing options throughout the state.

CNHA encourages passage of SB3122 to provide OHA with residential entitlements that support the development of housing on its Kakaako Makai parcels. Development of OHA's Kakaako Makai lands will allow OHA to better address its statutory responsibility to improve the conditions of Native Hawaiians.

The state legislature has an incredible opportunity to advance economic stimulus, create jobs in the construction trades, shepherd in valuable infrastructure development in the state, and open the pathway for increasing housing stock to meet the unmet need for housing in Hawaii. Thank you for the opportunity to support SB 3122.

LATE

**Francine H. Gora
938-B Alewa Dr.
Honolulu, HI 96817
PH. 808 256-8448
Email: fhgora@gmail.com**

TO: Representative Cindy Evans, Chair and Members of the
Committee on Water and Land

RE: S.B. 3122 SD2 Relating to Hawaii Community Development Authority – In Support

Aloha:

As a Native Hawaiian and Lihū`e Moku Director of the O`ahu Council of Hawaiian Civic Clubs, I support the initiative to allow the Office of Hawaiian Affairs to develop comprehensive plans for its recently-acquired lands in Kaka`ako that would meet the needs of Native Hawaiian beneficiaries of this Hawaiian trust.

As you know, we need OHA to generate additional revenues through this development. The “ripple effect” will produce the following:

- Affordable housing
- More employment for Native Hawaiian businesses
- More retail markets for vendors of locally produced products
- More community centers for senior citizens
- More programs for the youth
- More cultural programs

As a result, OHA will be able to continue the partnership on behalf of the Native Hawaiian beneficiaries by adhering to the following propositions:

- Advising leadership, personnel, and partners about the issues of their newly acquired project
- Implementing policy decisions
- Communicating with the State Legislature and communities that may be affected by the development activities,
- Informing the appropriate agencies about policies and avenues of redress
- Promoting appropriate attention to their experiences and concerns.
- Investigating and resolving any complaints filed by the public.

In conclusion, I support this legislation, which would enable the Office of Hawaiian Affairs to work on plans with the community that would produce income and incorporate respect for cultural assets of the area.

I urge your committees to approve this legislation, because it calls for community input and participation in the planning for the traditional Hawaiian district of Kona, O`ahu.

Mahalo nui loa.

Francine H. Gora

lowen2-Nga

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 8:10 AM
To: waltestimony
Cc: lottj001@hawaii.rr.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/10/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| JONATHAN LOTT | Individual | Oppose | No |

Comments: Strongly opposed to making a land-use exception for housing development in the form of SALES makai of Ala Moana Boulevard. Consider another way to make a fair deal to OHA, if indeed the original conditions are deemed to have been unfair.

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

lowen2-Nga

LATE

From: Monica Morris <monicam@oha.org>
Sent: Monday, March 10, 2014 8:13 AM
To: waltestimony
Subject: SB 3122, Individual Testimony in Support of Measure, Monica Morris

Categories: Red Category



December 18, 2013, OHA's New Address will be
737 Iwilei Road, Honolulu, HI 96817, (phone/fax numbers will remain the same)

Monica T.L. Morris
'Aho Pueo Kulekele Aupuni, Public Policy Advocate
Office of Hawaiian Affairs
☎: (808) 594-0285 📠: (808) 594-1825 ✉: monicam@oha.org

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 8:06 AM
To: waltestimony
Cc: maria.makaleha@gmail.com
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/10/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Maria Walker | Individual | Oppose | No |

Comments: Aloha Senators, I am strongly opposed to SB3122, and ask you to oppose it also. Please consider the concept of "carrying capacity" for our islands, where unchecked development cannot possibly continue to be sustainable in a place with finite boundaries and resources. Please leave the last few undeveloped areas as they are. Mahalo Maria Walker

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

lowen2-Nga

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 10:08 AM
To: waltestimony
Cc: kealiig@hotmail.com
Subject: *Submitted testimony for SB3122 on Mar 10, 2014 08:45AM*

Categories: Red Category

SB3122

Submitted on: 3/10/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Keali'i Gora | 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.

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

lowen2-Nga

LATE

From: Eugene Lehano <lehano588@yahoo.com>
Sent: Monday, March 10, 2014 10:52 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Categories: Red Category

House Committee on Water & Land
Rep. Cindy Evans, Chair
Monday, March 10, 2014
8:45 am Conference room 325, State Capitol

Dear Rep. Cindy Evans, Chair

Please uphold the law, No Residential in Kaka'ako Makai.

Mahalo nui,
Gene Lehano

lowen2-Nga

LATE

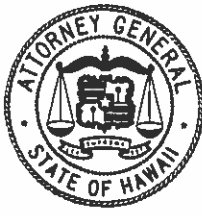
From: Curtis Tanaka <tanakac014@hawaii.rr.com>
Sent: Monday, March 10, 2014 8:31 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Categories: Red Category

Attn: Please stop residential development in Kakaako Makai.

Mahalo, Curtis Tanaka, resident of Hawaii

House Committee on Water & Land
Rep. Cindy Evans, Chair
Monday, March 10, 2014
8:45 am Conference room 325, State Capitol



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2014**

ON THE FOLLOWING MEASURE:

**S.B. NO. 3122, S.D. 2, RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY.**

BEFORE THE:

HOUSE COMMITTEE ON WATER AND LAND

LATE

DATE: Monday, March 10, 2014

TIME: 8:45 a.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Charleen M. Aina, Deputy Attorney General
Lori N. Tanigawa, Deputy Attorney General

Chair Evans and Members of the Committee:

The Department of the Attorney General offers the following comments because the Department has concerns that this bill could be challenged as special legislation and violative of article XI, section 5, of the State Constitution.

The purpose of this bill is to increase the revenue generation potential of three of the nine parcels of land at Kakaako Makai that were transferred to the Office of Hawaiian Affairs (OHA) by Act 15, Session Laws of Hawaii 2012. It permits three of the the parcels to be developed for residential use, and by doing so enhances OHA's ability to satisfy the State's and its responsibility under article XII, sections 4 and 6 of the State Constitution to better the conditions of native Hawaiians.

The bill proposes to amend the laws relating to the management of Kakaako Makai in four ways: (1) to except the three parcels of land from the prohibition against residential development makai of Ala Moana Boulevard and authorize the Hawaii Community Development Authority (HCDA) to consider applications for residential development on three of the nine parcels that were transferred to OHA in 2012, and permit residential development on the two parcels that are located along Ala Moana Boulevard at up to 400 feet; (2) to exempt the developers of the three parcels of land from HCDA's rules requiring dedication of land, facilities, or cash for public facilities as a condition to development; (3) to require HCDA to collect a Kakaako Makai Association fee from the owners of residential units developed on the three parcels; and (4) to establish a special account in the HCDA revolving fund into which the

association fees HCDA collects are to be deposited and used to fund various public services and projects in the Kakaako Makai area.

Article XI, section 5, of the Constitution of the State of Hawaii provides:

The legislative power over the lands owned by or under the control of the State and its political subdivisions shall be exercised only by general laws, except in respect to transfers to or for the use of the State, or a political subdivision, or any department or agency thereof.

(Emphasis added.) To minimize against a challenge that this bill is special legislation and is thus violative of this provision of the State Constitution because it excepts three parcels of land that the Legislature transferred to OHA from Kakaako Makai's residential development zoning restriction, a purpose section was added to the bill by the Senate Committee on Judiciary and Labor. Section 1 of this bill's S.D. 2 now clarifies that the purpose of this bill is to increase the revenue generating capacity of three of the parcels transferred to OHA by Act 15, and to further OHA's ability to fulfill the State's and its constitutional responsibility to use a portion of the income and proceeds from public land trust lands to better the condition of native Hawaiians.

We suggest that Section 1 of this bill be rewritten to make the bill's purpose even clearer, and attach a revised section 1 to this testimony for the Committee's use.

LATE

SECTION 1. The purpose of this Act is to enhance the revenue generating capacity of three parcels of land that were transferred to the office of Hawaiian affairs by Act 15, Session Laws of Hawaii 2012. To accomplish this, the bill raises the building height limit for two of the three parcels to four hundred feet, and lifts the current restriction against residential development in Kakaako Makai to which the parcels are subject, to allow residential development by the office of Hawaiian affairs itself, or by third parties to which the office of Hawaiian affairs conveys the parcels.

The office of Hawaiian affairs was established under article XII, section 5 of the Hawaii State Constitution to "hold title to all the real and personal property now or hereafter set aside or conveyed to it which shall be held in trust for native Hawaiians and Hawaiians." Its board of trustees is authorized by article XII, section 6 of the State Constitution "to manage and administer the proceeds from the sale or other disposition of the lands, . . . and income derived from whatever sources for native Hawaiians and Hawaiians, including all income and proceeds from that pro rata portion of the trust referred to in section 4 of this article [i.e., the public land trust] for native Hawaiians." That section also authorized the board "to exercise control over real . . . property . . . transferred to the board for native Hawaiians "

LATE

In Section 1 of Act 15, the legislature found that one of that Act's purposes was to

effectively and responsibly fulfill the constitutional obligation to native Hawaiians under article XII, sections 4 and 6, of the State Constitution between November 7, 1978, up to and including June 30, 2012, by . . . providing additional resources to the office [of Hawaiian affairs] in the form of fee simple title to certain parcels of land

In the same section of that Act, the legislature declared that the "[c]onveyance of the fee simple interest to the lands . . . will allow the State to effectively and responsibly meet [those] constitutional obligations to native Hawaiians."

"[T]he fee simple interest to [nine] parcels of land [including Lots 1 and 9 of File Plan 2471 and the parcel identified by TMK (1) 2-1-15-61, was] conveyed to the office of Hawaiian affairs as grantee, as of July 1, 2012, as is, where is" in Section 2 of Act 15. In that same section of the Act, however, the legislature specifically directed that "[t]he [nine parcels] are and shall remain (even after conveyance to the office) under the jurisdiction and authority of the [HCDA] with respect to zoning, land use conditions and all other matters over which the [HCDA] has jurisdiction and authority to act," and "shall be subject to all laws, except sections 206E-8, 206E-10, 206E-34, Hawaii Revised Statutes, and as otherwise provided in this Act"

LATE

Particularly pertinent to the purpose of this Act, the legislature further declared that "[t]he Properties conveyed by this Act shall be deemed income and proceeds from the public land trust, as if the Properties had been paid out of the income and proceeds from the public land trust pursuant to article XII, section 6 of the State Constitution," see Section 6 of Act 15, and "[t]he office of Hawaiian affairs shall administer the Properties in accordance with its duties under the Hawaii Constitution and as provided by law," see Section 2 of Act 15.

Relying on its board of trustees' authority to "exercise control" over lands which the office holds in trust for native Hawaiians, and to "manage and administer" the income and proceeds from the public land trust lands it receives, the office of Hawaiian affairs has asked the legislature to enact this bill allow the office to maximize the income or proceeds three of the parcels of land conveyed by Act 15 could generate for purposes of bettering the conditions of native Hawaiians, by allowing the parcels to be developed for residential use.

The legislature finds that the on-going transformation of Kakaako into a place where the people of Honolulu can live, work and play, should increase the revenue generating potential of the land conveyed to the office of Hawaiian affairs by Act 15, and concomitantly increase the number of programs and kinds of services that the office was created to provide for native

LATE

Hawaiians. The legislature also finds that even more revenue could be generated to provide programs and services to better the conditions of native Hawaiians, if the office were permitted to develop some or all of the parcels it received under Act 15 for residential use.

The legislature agrees that the residential development restriction to which all of the parcels transferred to the office of Hawaiian affairs by Act 15 should be lifted to allow the office to realize the most income or proceeds that Lots 1 and 9 of File Plan 2471, and the parcel identified by TMK (1)2-1-15-61 could generate, if they were developed for residential use.

Finally, the legislature finds that inasmuch as this bill furthers one of the principle purposes for which the office of Hawaiian affairs was established as a state agency, its provisions should be deemed consistent, and not violative of article XI, section 5 of the State Constitution.

LATE

lowen2-Nga

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 7:26 AM
To: waltestimony
Cc: rnnichol@hawaii.edu
Subject: Submitted testimony for SB3122 on Mar 10, 2014 08:45AM

Categories: Red Category

SB3122

Submitted on: 3/10/2014

Testimony for WAL on Mar 10, 2014 08:45AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Robert N. Nicholson | Individual | Oppose | No |

Comments: Kaka Ako is already a very congested area and the parks that will be negatively effected will play a profound impact on the tax paying residents on this island that use the ocean for recreation. Bottom line a promise is a promise, please keep this promise.

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

LATE

lowen2-Nga

From: Paakaula, Keri-Lynn <kerilynn.paakaula@heco.com>
Sent: Monday, March 10, 2014 7:30 AM
To: waltestimony
Subject: Testimony in Strong Opposition to SB 3122 SD1

Categories: Red Category

PLEASE! NO RESIDENTIAL DEVELOPMENT IN KAKAAKO MAKAI!

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any unauthorized review, use, copying, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender immediately by reply e-mail and destroy the original message and all copies.

LATE

Re: Hawaii Community Development Authority – Residential Housing in Kakaako Makai

Aloha mai kakou, Chair Evans , Vice chair Lowen and House committee members of Water and Land,

My name is Juanita Mahienaena Brown Kawamoto, personal representative for Na Kupuna Moku O Ka Kuhihewa adopted by Na Kupuan Moku O Keawe, the Foster, Brown, Stockham, Smith, Akina, Prendergast Ohana and trust which is in strong opposition of SB3122 SD2

Residential Housing in Kakaako Makai is a unconstitutional, high risk, fiscally unsound and libelous disaster waiting to happen. The minimum regard for proper planning for a project of this magnitude and nature is calling upon a number of reckless and dangerous environmental impacts that will not be easily remedied should the State of Hawaii choose to allow this kind of irresponsible development to occur. The current certified mapping describing the impending sea rise and flooding impacts brought about because of global warming has already alerted many insurance agencies to quantify the high risk involved in coastal development around the Kakaako district. The current Tsunami zone that exists in this area will already create additional fiscal concerns for anyone proposing housing development in these fast lands. We sympathize and understand the desperate need for OHA to resolve the financial losses imposed by accepting this very high risk and financially unsound settlement that has left the Hawaiian beneficiaries in a seriously precarious position and situation.

We want to recommend an ideal proposal for the Hawaiian beneficiaries – who are facing perilous fiscal losses, OHA-the State agency responsible for accepting these horrible settlement conditions and the State Legislature who is being asked to break the trust of the community that supported and believed in the elected officials who were enacted by law set in 2006 to protect these fragile makai lands:

Repeal the Kakaako settlement, return the land in trust to the Kakaako United kuleana to be protected in perpetuity, forever and give the Hawaiian community the cash solvent value of what was ordained via the ceded lands reimbursement to OHA to be utilized for existing successful programs and nationhood education – the only real reason for OHA's existence.

We strongly recommend WAL kill this bill.

Mahalo for the opportunity to testify.



LATE

Submitted by

Shannon Wood, *President*

Windward Ahupua`a Alliance

P.O. Box 6366

Kane`ohe, HI 96744

Voicemail: 808/247-6366; Cellular: 808/223-4481 or 808/224-4496 (personal)

Website: <http://www.waa-hawaii.org>; E-mail: info@waa-hawaii.org

COMMITTEE ON WATER AND LAND

Rep. Cindy Evans, Chair

Rep. Nicole Lowen, Vice Chair

8:45 am

Monday, March 10, 2014

Conference Room 325

SB 3122 SD2 - RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY
Comments

I am Shannon Wood, the co-founder and president of the *Windward Ahupua`a Alliance*, a 501c3 Hawai`i non-profit corporation which was established in July, 2002, to create the **Ko`olau Greenbelt & Heritage Trails System** to restore, protect & provide public access to the *mauka* lands on the Windward side of O`ahu along the base of *Na Ko`olau* as well as to support locally-owned sustainable economic activities in the more developed areas. Its mandate, however, has greatly expanded over the past eleven-plus years well beyond these important regional issues.

Back in 2006 **WAA** became involved in the *Kaka`ako* (re)development because we've been actively pushing hard to preserve & protect agricultural and conservation lands. That doesn't mean build dozens of 40-story high-rises.

SB 3122 SD2 is not something the general public should support unless there are a number of restrictions as to what can and cannot be done on the land.

These include height restrictions, housing restrictions, and land use options open to **all** of the people who live, work & play here in Hawai`i.

For example, why not build *Housinag First* facilities no higher than four stories open to all. Why not establish a community garden open to all *Kaka`ako* residents. Why not require building commercial and retail facilities also no higher than four stories.

Ten years from now, if *Kaka`ako Maka`i* winds up like the other other side of *Ala Moana Boulevard* because you do not put in significant restrictions, then I join my colleagues who oppose this legislation. We worked so hard seven years ago to make these lands open to all.