

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

ON THE FOLLOWING MEASURE:

S.B. NO. 3122, RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

BEFORE THE:

SENATE COMMITTEES ON HAWAIIAN AFFAIRS AND ON ECONOMIC
DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING

DATE: Wednesday, February 12, 2014 **TIME:** 3:30 p.m.

LOCATION: State Capitol, Room 224

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

Chairs Shimabukuro and Dela Cruz and Members of the Committee:

The Department of the Attorney General has serious concerns about this bill.

The purpose of the bill is allow the Hawaii Community Development Authority (HCDA) to approve residential development on lands owned by the Office of Hawaiian Affairs (OHA) after OHA conducts a public hearing, and to exempt OHA from the application of HCDA's rules requiring dedication for public facilities as a condition to development. As explained below, the bill may present serious constitutional questions.

On page 1, lines 4-10, the bill amends chapter 206E, Hawaii Revised Statutes (HRS), to include a new section that provides that HCDA may approve any plan or proposal for any residential development in Kakaako on lands owned by OHA after OHA conducts a public hearing. HCDA's Kakaako Community Development District is comprised of two areas: the area Makai of Ala Moana Boulevard (Makai area) and the area Mauka of Ala Moana Boulevard (Mauka area). Pursuant to section 206E-31.5, HRS, HCDA is currently prohibited from approving any plan or proposal for residential development in the Makai area notwithstanding anything contained in chapter 206E, HRS, to the contrary. The rules of statutory construction require that the new section added by the bill, if enacted, be read in conjunction with section 206E-31.5, and that both be given effect if possible. Thus, if the statutory prohibition on Makai area residential developments is to be given effect, the new section would likely be construed as authorizing HCDA to approve residential development only on OHA lands in the Mauka area, not in the Makai area. Accordingly, if the intent of this bill was to exempt OHA from the

prohibition against HCDA approving residential development in the Makai area, we do not believe that the bill accomplishes this on its face.

Any exemption from the prohibition on Makai area residential developments would probably need to be expressly provided for in chapter 206E, HRS, to be effective as a matter of statutory law. However, the bill indicates that the desired exemption would only be applicable as to OHA. Such an exemption may constitute special legislation, in violation of the Constitution of the State of Hawaii.

Article XI, section 5 of the State Constitution 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.

General laws apply to a class of persons or things having a reasonable and just relationship to the regulated subject, whereas special legislation discriminates in the favor a single person or entity by granting that single person or entity a special or exclusive privilege. For example, in the Superferry case, the Hawaii Supreme Court held that the act authorizing use of state lands by an illusory class of one – Hawaii Superferry – constituted special legislation in violation of constitutional requirement that legislative power over state lands be exercised only by general laws. Sierra Club et al. v. Dep't of Transp., et al., 120 Hawaii 181, 202 P.3d 1226 (2009). An exemption specific to OHA would effectively grant OHA the exclusive privilege of seeking approval for residential development within the Makai area, a privilege no other person or entity has. Accordingly, we believe that a specific exemption (even if expressly written into chapter 206E) for OHA may violate article XI, section 5, of the State Constitution.

On page 2, lines 18-22, and page 3, lines 1-7, the bill exempts OHA from the application of HCDA's rules requiring dedication for public facilities as a condition to development. For the reasons discussed above, this provision may also constitute special legislation because it expressly grants OHA a special privilege by exempting it from HCDA's dedication for public facilities requirement.

We respectfully ask that the Committee consider our concerns.



SB3122

RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Senate Committee on Hawaiian Affairs

Senate Committee on Economic Development, Government Operations and Housing

February 12, 2014

3:30 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** SB3122, which proposes to require OHA to conduct a public hearing on any plan or proposal for any residential development in Kaka‘ako on lands owned by OHA. For such development, the bill also proposes to exempt OHA from Section 206E-12, Hawai‘i Revised Statutes, which requires the authority to establish rules requiring dedication for public facilities, or cash payments in lieu thereof, by developers as a condition of development of real property pursuant to the community development plan.

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 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 tradition 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 Maki 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.

While OHA supports SB3122 as the vehicle for the residential entitlements, we recommend certain amendments to clarify the bill. Attached is our proposed SD 1. It would revise the original bill as follows:

1. Section 1 of the bill would now more explicitly state that the Hawai‘i Community Development Authority would have the authority to approve any plan or proposal for residential development on OHA’s Kaka‘ako lands, modified by the condition that OHA first hold a public hearing. We believe this directness is what was intended in the original bill. However, the original bill gives the impression of focusing on the hearing requirement while assuming that the authority of the HCDA to authorize OHA for residential development already exists. Our suggested revision is designed to correct this impression.
2. Section 2 of the original bill would be deleted and a new Section 2 substituted. The original Section 2 appears intended to reinforce the language in Section 1 that would require OHA’s public hearings on residential proposals to comply with the notice requirements for government agencies set forth in Section 1-

28.5, Hawai'i Revised Statutes (HRS). The original bill seeks to achieve this reinforcement by modifying the definition of "government agency" in section 1-28.5 to include OHA with respect to residential development in Kaka'ako. However, a perhaps unintended consequence of this language would be to leave Section 1-28.5 vulnerable to an interpretation that OHA is subject to the 1-28.5 notice requirements only with regard to its Kaka'ako residential development. Deleting the existing Section 2 of the bill is designed to avoid this unintended consequence. In addition, our proposed new Section 2 clarifies that OHA's residential development authority in Kaka'ako Makai would be exempt from the residential prohibition set forth in Section 206E-31.5.

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

A BILL FOR AN ACT

RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 206E, Hawaii Revised Statutes, is
2 amended by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§206E- Residential development of office of Hawaiian
5 affairs lands in Kakaako; public hearing prerequisite. (a) The
6 authority may approve any plan or proposal for any residential
7 development in Kakaako on lands owned by the office of Hawaiian
8 affairs; provided that approval may be granted only after the
9 office of Hawaiian affairs conducts a public hearing held in
10 accordance with subsection (b), notwithstanding hearing
11 procedures under chapter 91.

12 (b) Prior to submission to the authority of any plan or
13 proposal for any residential development, the office of Hawaiian
14 affairs shall hold a public hearing after notice is published,
15 in accordance with section 1-28.5, at least thirty days prior to
16 the hearing. The notice shall include:

- 1 (1) The date, time, and place of the hearing;
- 2 (2) A statement of the topic of the hearing; and
- 3 (3) A description of where, when, and how the residential
- 4 development proposal may be viewed by the public.

5 All interested persons may submit data or opinions, orally or in
6 writing, in conjunction with the hearing.

7 (c) Prior to submitting to the authority for approval any
8 plan or proposal for residential development, the office of
9 Hawaiian affairs shall fully consider all written and oral
10 submissions allowed pursuant to subsection (b) with regard to
11 the proposed residential development."

12 SECTION 2. Section 206E-31.5, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "[~~§~~206E-31.5~~§~~] **Prohibitions.** Anything contained in this
15 chapter to the contrary notwithstanding except section 206E- ,
16 the authority is prohibited from:

17 (1) Selling or otherwise assigning the fee simple interest
18 in any lands in the Kakaako community development
19 district to which the authority in its corporate
20 capacity holds title, except with respect to:

- 21 (A) Utility easements;
- 22 (B) Remnants as defined in section 171-52;

- 1 (C) Grants to any state or county department or agency; or
2 (D) Private entities for purposes of any easement,
3 roadway, or infrastructure improvements; or
4 (2) Approving any plan or proposal for any residential
5 development in that portion of the Kakaako community
6 development district makai of Ala Moana boulevard and
7 between Kewalo basin and the foreign trade zone."

8 SECTION 3. Section 206E-12, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§206E-12 Dedication for public facilities as condition to**
11 **development.** The authority shall establish rules requiring
12 dedication for public facilities of land or facilities, or cash
13 payments in lieu thereof, by developers as a condition of
14 developing real property pursuant to the community development
15 plan. Where state and county public facilities dedication laws,
16 ordinances, or rules differ, the provision for greater
17 dedication shall prevail.

18 This section shall not apply to the office of Hawaiian
19 affairs for any residential development in Kakaako on lands
20 owned by the office of Hawaiian affairs, pursuant to section
21 206E- ."

22 SECTION 4. Statutory material to be repealed is bracketed
23 and stricken. New statutory material is underscored.

S.B. NO. 3122

Proposed SD1

1 SECTION 5. This Act shall take effect upon its approval.



**O'ahu Council
of the Association of Hawaiian Civic Club**

Testimony Presented Before the
Senate Committee on Hawaiian Affairs
Senate Committee on Economic development, Government Operations and Housing
Wednesday, February 12, 2014 at 3:30 pm

By
Daniel Naho'opi'i, President
O'ahu Council

SB 3122 – RELATING TO HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY

Chairs Shimabukuro and Dela Cruz, Vice Chairs Hee and Slom, and Members of the Committees:

Aloha! My name is Daniel Naho'opi'i and I serve as the President of the Board of Directors for O'ahu Council of the Association of Hawaiian Civic Clubs (O'ahu Council). The O'ahu Council provides guidance to and assist in, the activities of all Hawaiian Civic Clubs on the island of O'ahu which is now or may hereafter be organized; advocate positions adopted by the Annual Convention, or as approved by the O'ahu Council; and promotes the self-determination and self-governance of the Native Hawaiian peoples.

On behalf of its Board of Directors and membership, we strongly support the SB 3122 which requires the Office of Hawaiian Affairs (OHA) 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 Hawai'i Community Development Authority. OHA's ability to fully develop its properties would provide a strong revenue stream to fund community-based programs to improve the conditions of Native Hawaiians today and tomorrow.

Mahalo for the opportunity to testify on this important measure.



Association of Hawaiian Civic Clubs
P. O. Box 1135
Honolulu, Hawai`i 96807

SENATE BILL 3122 RELATING TO HAWAII
COMMUNITY DEVELOPMENT AUTHORITY

JOINT COMMITTEES ON HAWAIIAN AFFAIRS and
ECONOMIC DEVELOPMENT, GOVERNMENT
OPERATIONS AND HOUSING

Wednesday, 2/12/14; 1:15 pm; room 224

Aloha Madam Chair Shimabukuro, Chairman Dela Cruz and members of the joint committees meeting on SB 3122 relating to the HCDA. I am Soulee Stroud, president of the Association of Hawaiian Civic Clubs here to lend support to this bill that would give trustees of the Office of Hawaiian Affairs an opportunity to expand provisions for its beneficiaries.

The Hawaiian community witnessed OHA's acceptance of the Kakaako Makai lands at presentations statewide with joy and disbelief that the government of Hawaii was finally settling a 100 year old debt with its native people.

OHA must be allowed to maximize its property to best serve its beneficiaries or the State, through HCDA, is in the awkward position of giving OHA a Kingdom, but withholding the Keys.

We support this bill and urge its passage.

Thank you for the opportunity to testify.

Contact: jalna.keala2@hawaiiantel.net

Aloha Chair Dela Cruz, Vice Chair Slom and Economic Development, Government Operations and Housing Members

As an Ewa resident and member of the Kanehili Cultural Hui who has witnessed how HAWAII COMMUNITY DEVELOPMENT AUTHORITY operates in Kalaeloa and how poorly they communicate with the local community and how evasive they are when information about developments is sought, it is very important that they become accountable to the communities and tax-payers.

I believe this organization clearly needs to be shut down because of lack of community oversight and adherence to State and Federal historic and cultural preservation laws, City planning rules and ordinances. They have a dedicated "Cultural Heritage Park," but really it has been used as an illegal dump site and excuse to do widespread damage to other very pristine areas that HCDA plans to turn into industrial sites. The word "front" or "façade" was made for how HCDA operates in Kalaeloa.

Coordination and cooperation with City zoning and planning is severely lacking and HCDA doesn't even follow its own rules. During the Kalaeloa Draft Rules process a couple of years ago they completely rejected every single suggestion made by the attorney from the National Trust for Historic Preservation. These were suggestions that were showing how HCDA's rules would NOT be in compliance with national standards and allowed many variances and loopholes for developers to avoid State and Federal historic and cultural preservation compliance. These comments were all REJECTED by the HCDA director.

Clearly today the results are in- a blatant disregard for historic and cultural preservation and a complete blindness to apparently on-going developer sponsored "vandals" who systematically desecrate historic and cultural sites to reduce and destroy "historic integrity" and "cultural value."

There are many examples in Kalaeloa of extensive damage to valuable infrastructure and historic buildings that has been going on for years. It is being done apparently so that it requires a full replacement and of course that means by Hawaii tax-payers. I could send you a hundred photos of intentional damage done by Kalaeloa developers who want see everything out there flattened for land flips to the highest bidder. The more they can make Kalaeloa a cleared parking lot free of any historic and cultural issues, native plants, etc. the better for the land developers and HCDA insiders.

We now increasingly hear that all HCDA Kalaeloa lands "must be developed to their highest potential" (income for HCDA developers.) This means all previously promised open space, cultural and historic sites must be wiped out because the highest developer dollar wants it. It really makes you wonder if anything the State does anymore is about "the future" and "the keiki" or just about how much land development cash can be pocketed RIGHT NOW. The message here is that there REALLY ISN'T a future for anyone unless you are rich and can leave once all of the environment that once made the area a wonderful place to live has all been raped away. HCDA developers will just move on to the next target somewhere else and the local residents get stuck with tax bills and a depleted, polluted, unsustainable landscape.

HCDA has been cited for illegal dumping on HCDA's own property by the City building inspector (after it was pointed out to them.) Otherwise the people who are supposed to be enforcing City and State laws have NO IDEA what is going on in Kalaleoa unless HCDA calls them in- and that basically NEVER HAPPENS. And development continues with roads and other infrastructure NOT being done to City spec or following State environmental laws in Kalaleoa since no one really watches what is happening.

I have spoken with a current (and still largely understaffed) State Historic Preservation Division branch manager and was told that HCDA rarely if ever consults with them on anything, despite many ongoing projects in Kalaleoa in very sensitive cultural and historic areas. Kalaleoa is pretty well known as a "Wild West" place of developer lawlessness. Damage is done by "vandals," often in broad daylight. Powerlines, lightpoles, etc are regularly cut down along main roadways or side streets by "vandals." This is so that new ones must be put in and of course the Hawaii tax-payer always pays for it so who really cares?

It is amazing how the "vandals" and firestarters seem to be able to operate in Kalaleoa in broad daylight during working hours without any police or security noticing anyone doing anything. Only after a great deal of news media coverage have all of the continuous, almost daily fires (and perhaps with the help of the weather) allowed this aspect of Kalaleoa destruction to be at least temporarily curbed.

Large areas of military base electrical and telecommunication vaults and buildings have been stripped of copper wire, switching rooms trashed, equipment removed and valuable telephone/power poles (I have been told are worth around \$2000 each) sawed down everywhere. Nothing is ever done about it, over a period of over one and a half years, despite constant "security" patrols. Unless there are some really incompetent druggie thieves who get caught because they cut into live electrical wires and nearly get electrocuted, does any attention result. Amazingly these same people seem to just get away and return again and again. They also inhabit empty historic buildings right next door to developer offices!

Around a year and a half ago HCDA allowed a prospective PV site developer to go into a highly sensitive Hawaiian cultural area in Kalaleoa with a D9 Bulldozer and cut huge swaths of roads over a very large area. Not even straight lines (which is usually always done with a small, rubber tread BobCat for survey work), but wandering, unmitigated massive damage was done to one thousand year old ancient Hawaiian trails, habitation sites and heiau structures. No one at HCDA Kalaleoa questioned this!

Only because of outside complaints to DLNR was this project stopped. To this very day there has never been anything publicly disclosed as to WHO at HCDA authorized this massive and completely insane destruction. It has all been hushed up and likely it seems now the PV site developer paid someone some money so that nothing further was ever said about it. But they are planning MORE like this already!

Our Kanehili Cultural Hui was able to photograph the damage many months later when apparently an archaeological contractor (not SHPD which rarely looks at anything in Kalaleoa) was brought in to begin tagging all the site damage. We assume the contractor who did all the damage paid for the survey, but this doesn't address who at HCDA allowed this stupid fiasco to happen in the first place.

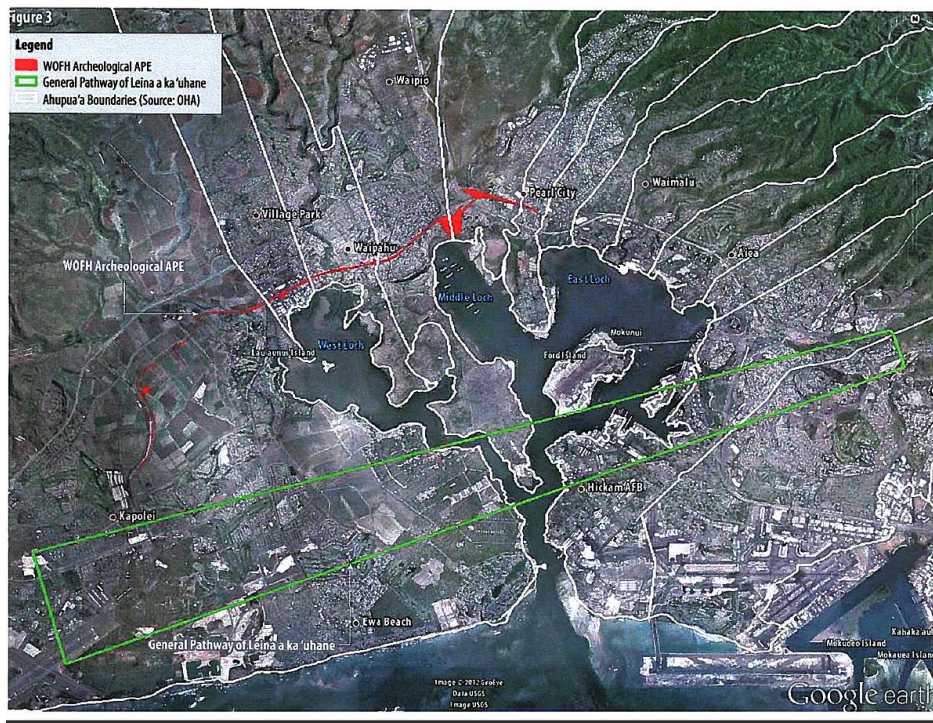
By the way, Kanehili is the ancient Hawaiian name for this area, not "Kalaleoa." Kalaleoa was just another land developer created name, like "Hoopili" is for Honouliuli and "East Kapolei" is for Ewa. It

makes it a lot more easy and convenient to bulldoze historic and cultural areas when they can't be remembered and linked to the past cultural history. At least DHHL did some native Hawaiian research when they named their nearby home development projects Kaupē'a and Kanehili. These are the true local area cultural names according to Hawaiian oral history. Ewa's history is still largely ignored.

HCDA's Kalaeloa is a Wild West area where developers make the rules they want. HCDA needs to be SHUT DOWN with by House Bill 1864 in the hope that some zoning and planning law and order can be established in this HCDA developer free fire zone. This is NOT what the local community wants!

John Bond, President, Kanehili Cultural Hui

BELOW: The HART Federal EIS has designated this Kanehili area as a National Register Eligible site for historic and cultural protection under State and Federal laws. It was the original intention of the community at the time of the Barbers Point Naval Base closure that significant historic and cultural sites would be forever protected for future generations to enjoy and not become just another paved over area like everything else in West Oahu.



HART EIS designated Leina a ka Uhane – Wahi Pana in 2012

However this is the HCDA Kalaeloa agenda, to cover over everything with development and use a process of continuous land degradation and pollution with truckloads of unchecked dump materials, including very dangerous substances known to cause genetic mutations and cancer. At the Kalaleoa shore the public is swimming in this chemical pollution and eating the remaining contaminated coastal food resources that haven't yet been killed off. And they say this is about the "Keiki and the future"?

Please pass House Bill 1864 and end this historic and cultural destruction!

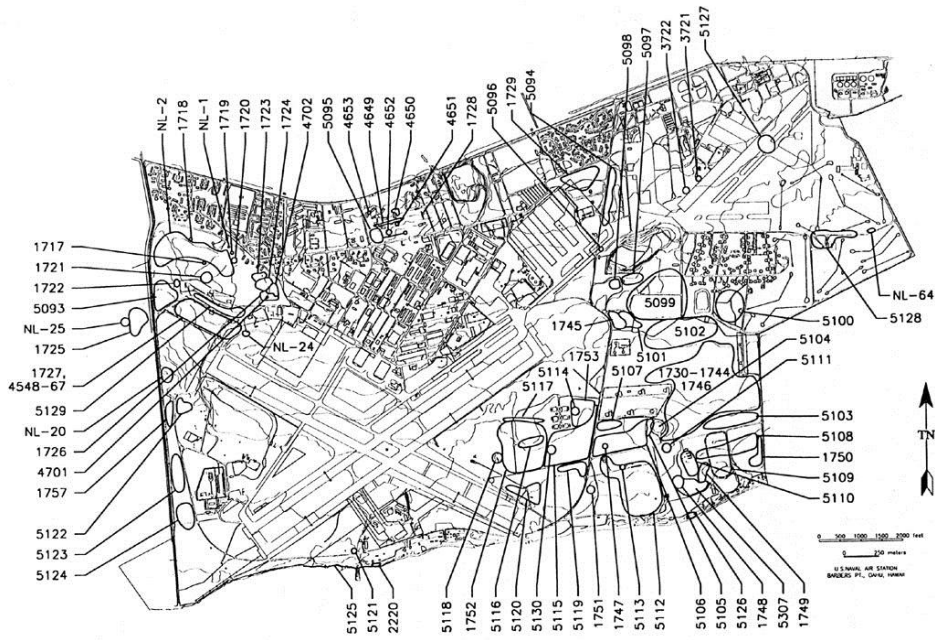
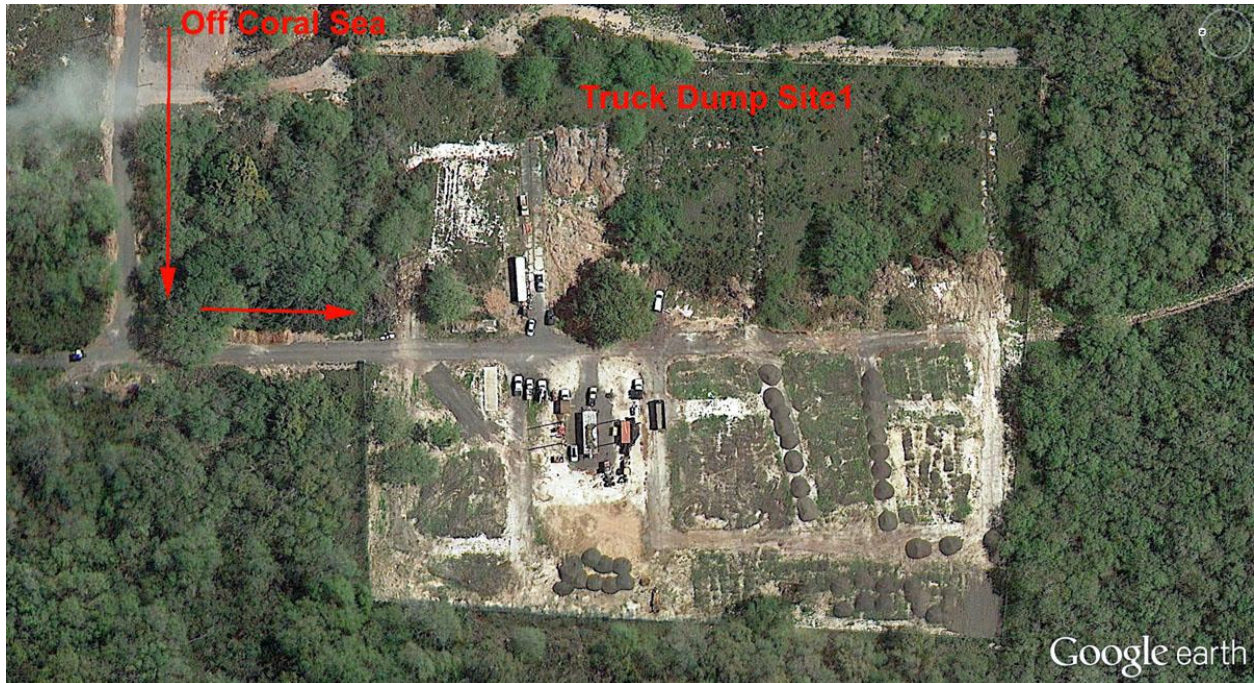


Figure 28. Archaeological and historical sites of NAS Barbers Point.



Large areas within former Naval Air Station Barbers Point in 1997 were NEVER adequately surveyed for important native Hawaiian cultural sites. Much more information has now become available showing how very incomplete and random these past archeological surveys really were just to meet deadlines.

Kanehili Cultural Hui has found there are large areas of unidentified Hawaiian trails, habitations and cultural areas that have never been adequately surveyed in what is really ancient Kanehili and which only in April 2012 was it established that this area is a major Oahu wahi pana called the Leina a ka 'Uhane.





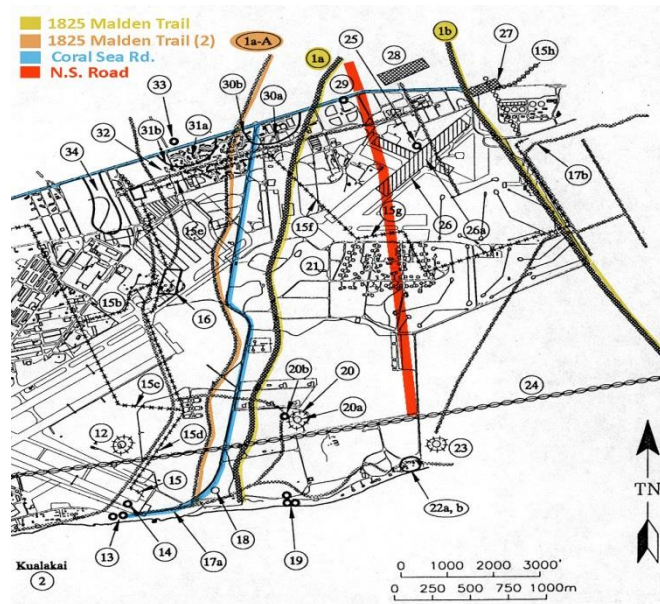
Table 7 presents the Leina a ka 'uhane as a single sacred and storied place, identifying the applicable ahupua'a, theme, National Register criteria, and integrity of relationship and condition.

Table 7. Leina a ka 'Uhane with Associated Theme and National Register Eligibility Criteria.

Wahi Pana	Ahupua'a	Theme	National Register A	National Register B	Integrity of Relationships	Integrity of Condition
Leina a ka 'uhane	Hālawa Moanalua, Waiau, Waimano, Pu'uloa, Honouliuli	2	Associated with pattern of events – Leaping off place to the spirit world	Associated with the akua Kānehili, Leiolono, and Milu	TBD	TBD

In our opinion, each of the 26 individually identified wahi pana, as well as the Leina a ka 'uhane, likely has integrity of relationship. Wahi pana are sacred and storied places on the land and our archival research and informant interviews suggest that these storied places are important to the retention and or transmittal of knowledge and beliefs about the land and history of the Hawaiian People on O'ahu.

HART EIS 2012 study by Kumupono LLC and SRI, Inc. shows National Register Eligibility for Kanehili Leina



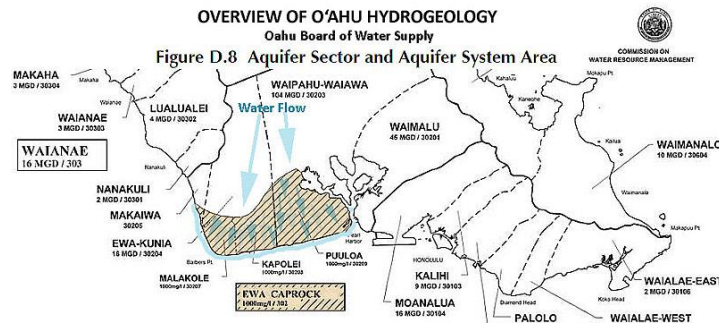
Navy BRAC of NASBP by Tuggles (IARII) shows Kanehili Trails and important sites HCDA wants destroyed.



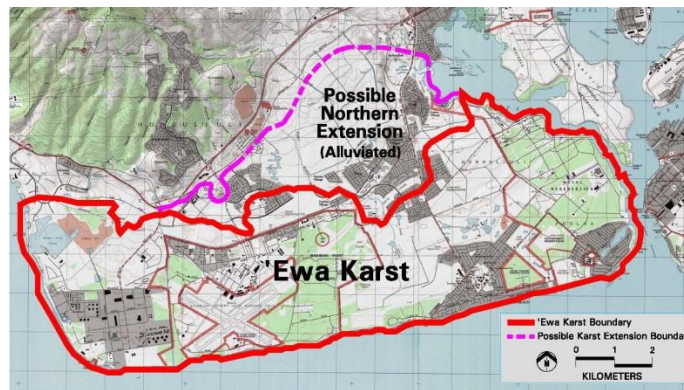
British Royal Navy 1825 Malden Trails map shows ancient Hawaiian Trails in Kanehili, Honouliuli.



HART lists important sites and Kanehili Leina falls just below the East Kapolei Station site



Hydrogeology map shows mountain to shore water flow through “caprock” (Karst)



Ewa Karst is actually a very porous ancient 100,000 year old reef, and result of past higher sea level.



From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: ikepono@hotmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 11:37:30 AM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Isaiah Kala Kaaihue	King Kamehameha HCC	Support	No

Comments: The entire membership of the King Kamehameha HCC supports SB3122.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**"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 – RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY
SENATE COMMITTEE ON HAWAIIAN AFFAIRS &
COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS, AND HOUSING**

February 12, 2014

Aloha Chair Shimanukuro, Chair Dela Cruz, 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. 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.



KO`OLAUPOKO HAWAIIAN CIVIC CLUB

February 6, 2014

To: Senator Maile S.L. Shimabukuro, Chair / & Members
Committee on Hawaiian Affairs

Senator Donovan M. Dela Cruz, Chair / & Members
Committee on Economic Development, Government Operations & Housing

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

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

Aloha, Senators Shimabukuro and Dela Cruz, and Members of these Committees:

The Ko`olaupoko Hawaiian Civic Club has voted to support Senate Bill 3122, which would 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.

Our communities in Windward O`ahu have long been engaged in discussions about the future of our island, and where growth should and could occur. Dating back until at least the 1970s, Ko`olaupoko's community leaders have been strong advocates for wise planning and the protection of valuable agricultural and conservation lands along the Windward side of the Ko`olau mountains.

In 1977, there was extensive islandwide discussion and debate about where major new growth should occur on O`ahu. Stakeholders from all of the communities, with diverse interests, participated in the process for revision of the O`ahu General Plan and development of the Hawai`i State Plan. Compromises were made; among them, the most important compromise, was that the Windward side of the island would remain primarily for agricultural and conservation purposes – i.e., watersheds – and that major new growth should occur in the Primary Urban Center of Honolulu and the Secondary Urban Center of `Ewa.

That is why we offer our support for this legislation, which would enable the Office of Hawaiian Affairs to work on plans with the community that would produce income, incorporate respect for cultural assets of the area, and deliver badly needed shelter for kupuna and young families.

We should note that we are not endorsing high-rise development per se; that is something that has to be addressed by the communities in the moku of Kona, O`ahu. However, we 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 for this opportunity to offer our mana`o.

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".



KUAKINI HAWAIIAN CIVIC CLUB OF KONA

P.O. Box 1097 • Kealahou, HI 96750 • kuakinihcc.org

TESTIMONY ON SB 3122

**SENATE COMMITTEES ON HAWAIIAN AFFAIRS AND
ECONOMIC DEVELOPMENT, GOVERNMENT RELATIONS, & HOUSING**

Hearing, Wednesday, February 12, 2014, 3:30 p.m., Rm. 224

Aloha Chairs and Committee Members,

The Kuakini Hawaiian Civic Club of Kona, a charter of the Association of Hawaiian Civic Clubs, submit testimony in **SUPPORT OF SB 3122** Relating to HCDA; Office of Hawaiian Affairs.

The Hawaiian people have waited patiently for a long time. Generation after generation, Native Hawaiians carried the “generational curse” within family stories that reflect the abuse done to the peoples whose ancestry come from these lands. When does the mo’olelo shift? When is it time for the Native Hawaiians allowed to gather their strengths and move forward? Correct me if I’m wrong, did OHA have another option to Kakaako? If so, was it is ready to be settled with the actual amount instead of the nominal settlement offered?

As a Native Hawaiian organization that supports the OHA with respect to the Admission’s Act Section 5 in particular to subsection (f), we strongly urge these committees to consider the historical facts behind the implications and requests made by the OHA. I will support this Legislation to develop a process to support OHA’s initiatives to fulfill its responsibilities to improve the conditions of Native Hawaiians.

For these reasons, we strongly urge that you support SB 3122, requiring OHA to conduct a public hearing on any plan or proposal for any residential development in Kakaako prior to submission of the plan or proposal to the HCDA. Mahalo nui loa for your consideration of our testimony.

Sincerely,
Shane Nelsen
President

From: [Ron Iwami](#)
To: [HWNTestimony](#)
Subject: *****SPAM***** Testimony in OPPOSITION to SB 3122
Date: Sunday, February 09, 2014 4:32:53 PM



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Senate Committee on Hawaiian Affairs, Senator Maile S. L. Shimabukuro, Chair

-
February 12, 2014 @ 3:30 pm

-
Conference room 224, State Capitol

-
Testimony in opposition to SB 3122

-

Friends of Kewalos is a non-profit community group dedicated to Protect, Preserve, and Malama Kewalo Basin Park and the surrounding Kaka‘ako shoreline area to ensure continued ocean access and the ability to enjoy the area for future generations to come.

Public policy for the Kaka‘ako Makai lands was established in 2006 as a result of a huge People’s movement called “Save our Kaka‘ako”. People of all ages and walks of life marched to the Capitol with our red shirts and had numerous rallies which resulted in a near unanimous legislative passage of a law prohibiting residential development in Kaka‘ako Makai.

Our worst fear is if an exception is allowed to build residential then other landowners will ask for exceptions too and before you know it the law is void and we have another Waikiki in the making. It is too late for Waikiki, but not too late for Kaka‘ako.

In addition, with all the development coming to the Mauka area, it has become more imperative that we keep this land for public use.

We stand by this law, and we hope you do too, to keep this last public oceanfront land in Honolulu residential free for all the people to enjoy, now

and for future generations.

Mahalo for this opportunity to testify and share our mana'o.

Ron Iwami
President, Friends of Kewalos



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

February 12, 2014

COMMITTEE ON HAWAIIAN AFFAIRS

Senator Maile Shimabukuro, Chair
Senator Clayton Hee, Vice Chair

COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING

Senator Donovan Dela Cruz, Chair
Senator Sam Slom, Vice Chair

SB 3122

RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Committee Chairs 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 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 showed that residents *do not* want makai views, ocean access and open spaces covered with development.

SB 3122 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 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 would be considered *special legislation*, just to benefit 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 in committee.

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: rangien2010@yahoo.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 2:43:52 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Puanani Rogers	Ho`okipa Network - Kauai	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

Testimony in Opposition to SB 3122

THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2014

COMMITTEE ON HAWAIIAN AFFAIRS
Senator Maile S.L. Shimabukuro, Chair
Senator Clayton Hee, Vice Chair,
Brickwood Galuteria, Sam Slom & Michelle N. Kidani

COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING
Senator Donovan M. Dela Cruz, Chair
Senator Sam Slom, Vice Chair
Rosalyn H. Baker, Laura H. Thielen, Suzanne Chun Oakland,
Glenn Wakai, J. Kalani English

DATE: Wednesday, February 12, 2014

TIME: 1:15 p.m. 3:30 p.m.

PLACE: Conference Room 224

State Capitol

415 South Beretania Street

I Oppose SB 3122, the proposal for residential development in Kakaako.

My name is Wayne Takamine and I participated in the creation and approval of the Kaka'ako Makai Master Plan as the Chair of the Kaka'ako Makai Community Planning Advisory Council (CPAC). There are some excellent proposals and concepts in the Kaka'ako Makai Conceptual Master Plan.

This past Saturday February 8th, I participated during the HB 2554 hearing and was moved on the amount of passion there is on this topic. However, there is no doubt that the community that pushed for the prohibition of residential planning and development in Kaka'ako Makai and the prohibition of the sales of state land in Kaka'ako are still well supported. The most compelling subject is the value of the land that presents OHA with the many options to benefit its Hawaiian people.

I would like to see OHA use the land to plan and develop concepts that would directly benefit the Hawaiian communities. A place where there community leaders create friendly bonds and where long-time rivals and compete to find solutions to strengthen its community. If OHA can create a concept that can build a stronger Hawaiian community and believe many other communities will follow and eventually the state and federal government will start to offer subsidies to help fund these programs and facilities. The challenges could serve as motivation for the Hawaiian community to take action and work for a common goal. Our Kaka'ako Makai master plan says to start small and take chances safely with small steps and then move on to

achieve bigger goals when ready. Then as things begin to fall into place with experience the goal would be to grow, diversify and sustain the facilities and programs. Perhaps with some commercial activities. But keep control of the land! Remember to leave some for the future generations!

I am not fond of the idea of residential development in Kaka'ako makai and strongly urge that SB 3122, and any bill with residential development in Kaka'ako Makai be denied. I am also very hopeful that with patience, good leadership, fellowship and a good business plan, OHA will make sustainable revenue from the lands in Kaka'ako Makai for its future generations. Development related toward a Hawaiian community center for the preservation of its cultural heritage would bring the highest returns for the Hawaiian community.

Respectfully,

Wayne Takamine
Community Planning Advisory Council (CPAC)
Honolulu

Senate Committee on Hawaiian Affairs
Senate Committee on Economic Development, Government Operations and Housing
Joint Committee Hearing
February 12, 2014, 3:30 PM
Conference Room 224

Testimony Strongly Opposing Senate Bill 3122

Aloha Committee Chairs, Vice Chairs and Committee Members:

This is to express *strong opposition* to Senate Bill 3122. This measure effectively strips established public protections from large portions of Honolulu's essential Kaka'ako public shoreline resource by exempting the Office of Hawaiian Affairs (OHA) public agency from the Legislature's 2006 public-interest prohibition on any residential development in Kaka'ako Makai.

SB 3122 accomplishes this maneuver by allowing the Hawaii Community Development Authority (HCDA) to approve any residential development proposal or project on OHA public trust property as long as OHA conducts one public hearing. Yet the prohibition on any residential development in Kaka'ako Makai falls under the HCDA governing statute, and OHA was keenly aware of this essential prohibition protecting Kaka'ako Makai in the public interest when they accepted this property.

In addition, OHA's appointed representatives participated on the Kaka'ako Makai Community Planning Advisory Council during the community-based planning process that fully vetted and established the attached Vision and Guiding Principles for the Kaka'ako Makai master plan for public shoreline lands, including Kewalo Basin to the foreign trade zone and from Ala Moana Boulevard to the shoreline. The Kaka'ako Makai master plan elements provide for a significantly important and unique community gathering place comprised of public recreational, cultural and educational features and facilities.

The Kaka'ako Makai Community Planning Advisory Council (CPAC) was established under the advice of House Concurrent Resolution 30, 2006, and worked closely with OHA's representatives at CPAC's steering committee, project team, and planning committee open public meetings during the community-based Kaka'ako Makai planning process. The intrinsic cultural knowledge shared by OHA's representatives and traditional practitioners from the Hawaiian community inspired important guiding principles for Kaka'ako's public shoreline resource plan. The larger community learned from, respected and relied upon this cultural knowledge as a guiding light.

Yet, despite this comprehensive public effort from 2007 through 2010, upon receiving certain parcels of Kaka'ako Makai public land in 2012, OHA hired Group 70 as a planning consultant to justify "highest and best use" residential development in Kaka'ako Makai – contrary to the State statute protecting this public land for public use by so many locals and visitors alike:

(§206E-31.5) Prohibitions. Anything contained in this chapter to the contrary notwithstanding, the authority is prohibited from:

(1) Selling or otherwise assigning the fee simple interest in any lands in the Kakaako community development district to which the authority in its corporate capacity holds title, except with respect to:

- (A) Utility easements;
- (B) Remnants as defined in section 171-52;
- (C) Grants to any state or county department or agency; or
- (D) Private entities for purposes of any easement, roadway, or infrastructure improvements; or

(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.

[L 2006, c 317, §1]

I fully concur with CPAC Chair Wayne Takamine's written testimony on this measure. The above statutory language must be protected and preserved in the greater public interest, and carried through for Kaka'ako Makai. Please **HOLD** SB 3122.

Respectfully,

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

KAKA'AKO MAKAI COMMUNITY PLANNING ADVISORY COUNCIL

THE VISION FOR KAKA'AKO MAKAI

The Hawaiian Place of Ka'ākaukui and Kukulūāe'o¹

Kaka'ako Makai is the community's gathering place. A safe place that welcomes all people, from keiki to kūpuna, with enriching cultural, recreational and educational public uses. A special place that continues the shoreline lei of green with scenic beauty, connects panoramic vistas mauka to makai, and encourages ecological integrity of land, air and sea. Kaka'ako Makai honors, celebrates and preserves its historic sense of place, Hawaiian cultural values and our unique island lifestyle for present families and future generations.

GUIDING PRINCIPLES

Community Cultural Gathering Place

Establish Kaka'ako Makai as a gathering place where community and culture converge in response to the natural scenic beauty of the green shoreline open space.

- *Celebrate the intertwined cultures of the community by ensuring a welcoming gathering place for a broad cross-section of people diverse in age, income and ethnicity.*
- *Provide enriching public recreational, cultural and educational opportunities for residents and visitors alike through Kaka'ako Makai's scenic coastal and marine environment, the Native Hawaiian cultural heritage, compatible facilities and activities, and historic sites and settings.*

Hawaiian Culture and Values of the Ahupua'a

Base the framework for planning, decision-making and implementation of the Kaka'ako Makai master plan on Native Hawaiian values and traditional and customary rights and practices protected by the State.²

- *Emphasize the host Hawaiian culture.³*
- *Incorporate the ahupua'a concept and spirit of caring for, conserving and preserving the self-sustaining resource systems necessary for life, including the land that provides sustenance and shelter, the natural elements of air, wind and rain extending beyond the mountain peaks and streams of pure water, and the ocean from the shoreline to beyond the reef where fish are caught.*
- *Adopt the ahupua'a lifestyle of individual kuleana working together and contributing to the whole for a greater level of stewardship, conservation, and proper management of resources with contemporary land-use benchmarks, such as growth boundaries and carrying capacity.*
- *Assure that the planning of collective or individual traditional features, settings, and activities will be overseen by Hawaiian historic and cultural experts to prevent misinterpretation or exploitation.*

¹ *Ka'ākaukui and Kukulūāe'o* were once the 'ili (Hawaiian sub-districts) whose shoreline portions became Kaka'ako Makai. *Ka'ākaukui* literally means "north light." *Kukui* tree nut oil is used for candles, perhaps once glowing at night in the fishing village on the north side of the shoreline. *Kukulūāe'o* is a place name referring to the marshes, salt pans, and fish ponds once fronting Kewalo Basin. This is also the name of a Hawaiian stilt marsh bird species, perhaps with a call sounding like the name.

² Hawaii State Constitution, Article XII, Section 7. Inform the planning process by the principles and traditions of the ahupua'a, and inspire the master plan by the interconnected relationship of people.

³ §206E-34(c)(5), Hawaii Revised Statutes. The Hawaiian host culture is emphasized as pre-eminent yet inclusive of other cultures.

Open View Planes

Protect, preserve and perpetuate Kaka'ako Makai's open view planes from the mountains to the sea as an inherent value of the Hawaiian ahupua'a and an important public asset for residents, visitors and future generations.⁴

- *Ensure planning and development safeguards to identify, document, retain, restore and protect makai-mauka and diamondhead-ewa open view planes to the Ko'olau mountains, Diamond Head (Lē'ahi) and the Wai'anae mountains as seen from the view vantage areas and vicinities of Kaka'ako Makai's public lands and Kewalo Basin Harbor.*

Coastal and Marine Resources

Preserve, restore and maintain Kaka'ako Makai's valuable coastal and marine resources for present and future generations.

- *Enable the monitoring, protection, restoration, and conservation of natural coastal and ocean resources, including reef and marine life, through responsible stewardship and sustainable practices.*
- *Protect and sustain the coastal environment for cultural uses including fishing, ocean gathering, surfing and ocean navigation.*

Expanded Park and Green Space

Ensure expansion of Kaka'ako Makai's shoreline parks as significant landscaped open spaces⁵ joining the lei of green parks extending from Diamond Head (Lē'ahi) to Aloha Tower.

- *Implement the Hawaiian values of the ahupua'a and mālama 'āina by preserving shoreline open space, protecting scenic coastal and marine resources, and respecting the natural interaction of people, land, ocean and air.*
- *Welcome residents and visitors alike with green open space, abundant shade trees and opportunities for family recreation.*
- *Use the established park planning standard of at least 2 acres per 1000 residents as a benchmark to assure sufficiency of park space to contribute to the health and welfare of Kaka'ako Mauka's growing population and offset increased urban density, noise and pollution.*

Public Accessibility

Provide open and full public access to recreational, cultural and educational activities within and around Kaka'ako Makai's parks and ocean shoreline.

- *Ensure complete public recreational access with minimal impact to the environment, including drop-off accommodation of ocean recreation equipment and connections to public transportation.*
- *Provide a shoreline promenade and tree-lined paths to safely and comfortably accommodate pedestrians, bicyclists and the physically impaired.*
- *Provide sufficient shared parking complementary to the natural setting to support all uses in Kaka'ako Makai, with workplace parking available for recreational and cultural users during non-working hours.*

⁴ Significant Panoramic Views Map A-1, Honolulu Primary Urban Center Development Plan.

⁵ Inclusive of Kewalo Basin Park, Kaka'ako Waterfront Park and Kaka'ako Gateway Park.

Public Safety, Health and Welfare

Ensure that Kaka'ako Makai is a safe and secure place for residents and visitors.

- *Keep public use areas safe day and night for public comfort and enjoyment.*
- *Ensure that exposure to land and ocean is environmentally safe for people and marine life by assuring timely investigation, determination, and remediation of contaminants.*
- *Ensure that Kaka'ako Makai remains free and clear of elements, activities and facilities that may be potentially harmful to the natural environment and public well-being, including laboratories containing and experimenting with Level 3 or higher bio-hazardous pathogens and/or biological toxins known to have the potential to pose a severe threat to public health and safety.⁶*

Public Land Use Legislation – Public Use of Public Lands in the Public Interest

Recognize and respect the effort and intent of the Hawaii State Legislature to uphold the greater public interest by ensuring and sustaining public uses on Kaka'ako Makai State public lands for the greater public good.

- *Preclude the sale of public land and development of housing in Kaka'ako Makai;⁷*
- *Demonstrate commitment to serve the highest needs and aspirations of Hawaii's people and the long-term good of Hawaii's residents and future generations through community-based planning;⁸*
- *Restore the site-dependent use of Kewalo Basin Cove to the Kewalo Keiki Fishing Conservancy.⁹*

Kewalo Basin

Ensure that Kewalo Basin Harbor's unique identity is retained with continued small commercial fishing and excursion boat uses, keiki fishing and marine conservation, marine research and education, and accessible green park open space expanding the lei of green between Ala Moana Park and Kaka'ako Waterfront Park.

- *Enable continued functional commercial boating uses at Kewalo Basin Harbor¹⁰ and preserve the beneficial relationships between the existing small commercial fishing and excursion boat businesses and land-based maritime support service businesses.*
- *Ensure that Kewalo Basin will continue as a State of Hawaii commercial harbor and valuable public facility asset by repairing, maintaining and enhancing the harbor for small commercial fishing and excursion boat use.*
- *Ensure the protected use of Kewalo Basin Cove for Kewalo Keiki Fishing Conservancy keiki fishing and marine conservation programs.*
- *Support Kewalo Marine Laboratory's continued valuable marine biology and ecosystems research and education in the vicinity of Kewalo Basin.*
- *Ensure preservation of Kewalo Basin Park, the net house and parking lot for public use, upgrade and improve existing facilities within the park, and provide green open space between Ala Moana Park and the channel frontage.¹¹*

⁶ Protection of the public health and safety is first and foremost in this area a) immediately adjacent to a Shoreline recreation area and the urban population center, b) in close proximity to a regional beach park and the Waikiki primary visitor destination, and c) within the updated tsunami zone.

<http://beta.abc3340.com/news/stories/1007/460171.html> http://www.nytimes.com/2007/10/05/us/05labs.html?_r=1

⁷ §206E-31.5, Hawaii Revised Statutes.

⁸ HCR 30, 2006.

⁹ Act 3, 2007, Special Session.

¹⁰ §206E-33(2), Hawaii Revised Statutes.

Cultural Facilities

Offer public enrichment opportunities through both fixed and flexible cultural facilities that celebrate the diverse cultures of Hawai'i and blend compatibly with the shoreline open space.

- *Contemplate compatible indoor and outdoor performance venues that encourage the teaching, practicing, and presentation of hula, theater, music, dance, and other performing and visual arts, with an outdoor multi-cultural festival space for Honolulu's diverse ethnic communities.¹²*
- *Contemplate educational facilities, such as an exhibition hall with permanent, interactive and rotating exhibits, museums communicating the cultural history of the area, and places for traditional Hawaiian cultural practices.¹³*
- *Establish a cultural market stocked by local farmers, fishers and Hawaiian traditional craft makers to reflect the Hawaiian values of gathering and trading in the ahupua'a between the mountains and the sea.¹⁴*
- *Ensure a community center for local families to gather, interact and learn from each other.*

Small Local Business

Apportion a limited number of small local businesses to assist in cooperatively sustaining Kaka'ako Makai's public use facilities.

- *Ancillary small businesses may include diverse local restaurants, cafés, small shops, markets or other uses that will complement the recreational, cultural, harbor or other public facilities serving the community interest.¹⁵*
- *Encourage small local enterprises that emphasize the Hawaiian culture and support traditional local products, rather than large corporate retailing attractions.*

Site Design Guidelines – A Hawaiian Sense of Place in Landscape, Setting and Design

Ensure that Kaka'ako Makai's public use facilities are compatible in placement, architectural form, and functional design within the landscape of the shoreline gathering place.¹⁶

- *Provide and maintain abundant native coastal plants and trees to blend the scenic and sensory qualities of the coastal environment and create a Hawaiian sense of place.*
- *Identify, protect, preserve, restore, rehabilitate, interpret and celebrate Kaka'ako Makai's historic sites, facilities, settings, and locations.*
- *Maintain the quality of coastal environmental elements including natural light, air and prevailing winds.*
- *Mandate sustainability principles, conservation technologies, and green building standards for buildings, grounds and infrastructure.¹⁷*

¹¹ Inclusive of greenbelt connections between Ala Moana Park and Kewalo Basin Park, between the Net House and Kewalo Basin Channel, and between Ala Moana Boulevard and Kewalo Basin to Point Panic.

¹² §206E-34(d)(3), Hawaii Revised Statutes.

¹³ §206E-34(d)(5), Hawaii Revised Statutes.

¹⁴ §206E-34(a) and (b), Hawaii Revised Statutes.

¹⁵ §206E-34(d)(2), Hawaii Revised Statutes.

¹⁶ Encourage private development mauka of Ilalo Street to compliment the gathering place concept of the Kaka'ako Makai public use area on public lands by providing landscaped set-backs and inviting open architecture at the street level.

¹⁷ Ensure reasonable carrying capacity with limited infrastructure for sufficient water supply, storm-water drainage and waste disposal.

Community/Government Planning Partnership

The Kaka'ako Makai Community Planning Advisory Council places the public interest first and foremost, and will strive to uphold the greater good of the community in partnership with the HCDA as the public oversight agency by:

- *Openly working with the community, the HCDA and the HCDA's planning consultants as guaranteed by government commitment to ongoing community representation and involvement throughout the master planning process;*
- *Openly communicating with the State Legislature and other elected public officials;*
- *Committing the time and effort required to meet the goals and objectives of the Kaka'ako Makai planning process, and advocating responsibly in the public interest both collectively and individually, notwithstanding premature or conflicting proposals.*

Future Funding and Management

Assure and assist viable and sustainable operation of public uses and facilities on State public land in Kaka'ako Makai through public/private partnerships and 501(c)(3) non-profit management¹⁸ similar to successful park conservancies and their stewardship programs.

- *The community land conservancy will be essential in determining safeguards to restore, protect and perpetuate Kaka'ako Makai's natural shoreline resources and view planes, historic and recreational resources, and public uses on State public lands in the public interest as a quality of life benchmark.*
- *This conservancy may be a public/private partnership of the Kaka'ako Makai Community Planning Advisory Council (CPAC), the Hawaii Community Development Authority (HCDA) or current oversight agency, and private contributing interests to both monitor and underwrite public use on State public land in service to the public good.¹⁹*

¹⁸ §206E-34(c)(3), Hawaii Revised Statutes.

¹⁹ A public/private community benefits agreement may be developed upon completion of the master plan to define respective responsibilities and contributions.

Larry Geller
Honolulu, HI 96817

HB3122
HWN/EGH
Wednesday, Feb. 12, 2014
3:30 p.m.
Room 224

COMMITTEE ON HAWAIIAN AFFAIRS
Senator Maile S.L. Shimabukuro, Chair
Senator Clayton Hee, Vice Chair

COMMITTEE ON ECONOMIC
DEVELOPMENT, GOVERNMENT
OPERATIONS AND HOUSING
Senator Donovan M. Dela Cruz, Chair
Senator Sam Slom, Vice Chair

Feb. 11, 2014

Re: **SB3122 - Relating to Hawaii Community Development Authority**

In Opposition

Sen. Shimabukuro, Sen. Hee, Sen. Dela Cruz, Sen. Slom, and members of the Committee:

HCDA, unfortunately, is making decisions that are arguably not in the public interest. Whether or not they hold public hearings is almost irrelevant because they are not bound by the outcome of those hearings.



**HCDA proposal so awful
it seems like maybe a ruse**

How we just don't deserve to live in Hawaii. Last week's announcement that the Hawaii Community Development Authority is mulling over leasing almost one-third of Kakaako Waterfront Park to a private corporation confirms the worst fears of public-private development. The plan, as explained by

the park. When it opens Kakaako Waterfront Park was called "Honeolua Park." It was by politicians as gift to its people area, a realtor won most of the ment awards this "We are going wonderful water will rival anything has in this world importantly if we people to their o said them: Gov. In This was one t government part lived up to its by park performed planned. It was a terlude between and coexisten t and the vibrant, Pacific Ocean. It

In this instance, HCDA is to be given authority to approve residential development plans so that OHA can build on the waterfront property that the community holds to be so valuable as a public space.

One may question the wisdom of OHA accepting land from the State ostensibly valued at \$200 million when that valuation can only be achieved by building towers on the land. That aspect of the decision to give the land to OHA was never before the public at the time the deal was done.

HCDA has demonstrated that it has no respect for preservation of irreplaceable public spaces--the clip at the upper left laments the HCDA decision to chop up park space for the benefit of a private light-show concession that would be a blight on the land.

Finally, the use of land **in the inundation zone** for residential housing seems exceedingly unwise in the face of climate change. It is not that sea levels will soon rise to overflow the property--but increasingly, storm surges and high tide will advance deeper inland on the Kakaako peninsula. An article in the Star-Advertiser also mentioned the danger of ground water rising even in the center of the area.

Please do not give HCDA this authority.

Larry Geller



Testimony of Leimana DaMate

Before the Senate Committee on
Hawaiian Affairs
And
Economic Development, Government Operations and Housing

Wednesday, February 12, 2014
3:30 P.M.
State Capitol, Conference Room 224

In Support of S.B. 3122

RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Senate Bill 3122 requires OHA to conduct a public hearing on any plan or proposal for any residential development in Kakaako prior to submission of the plan or proposal to the Hawaii Community Development Authority (HCDA)

I have been a strong supporter of the Office of Hawaiian Affairs ever since they were formed in 1978. I was an employee of OHA's for 12 years and have been active in community affairs before, during and after my time with them. Because of my long association with OHA, I firmly believe that they have the best interests of the Hawaiian people as their priority.

Finally, after years of striving, OHA is now in the position of having property where they can house beneficiaries. Their ability to fully develop their property would also provide a strong revenue stream to fund community-based programs that would improve the conditions of Hawaiians now and in the future.

As a strong Hawaiian landowner, OHA has committed to develop Kakaako Makai lands with an emphasis on its cultural priorities. That is important to my family and I, as our ancestors originally developed Kakaako.

On behalf of my 'ohana, I urge you to pass S.B. 3122. Thank you for the opportunity to testify on this important measure.

Respectfully yours,

Leimana DaMate
Phone: 808-372-9638

Testimony in Support of SB 3122

Relating to Hawaii Community Development Authority

SENATE COMMITTEE ON HAWAIIAN AFFAIRS

Senator Maile S.L. Shimabukuro, Chair

Senator Clayton Hee, Vice Chair

And

SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, GOVERNMENT
OPERATIONS AND HOUSING

Senator Donovan M. Dela Cruz, Chair

Senator Sam Slom, Vice Chair

February 12, 2017

3:30 p.m., Room 224

Aloha Chair Shimabukuro, Chair Dela Cruz, Vice Chair Hee, Vice Chair Slom, and members of the committees:

I am Homelani Schaedel, a native Hawaiian who is 64 years old, and I consider myself a beneficiary of the Office of Hawaiian Affairs (OHA).

The diligent and deliberate efforts of OHA and its' Trustees, some who are no longer with us today; took 33 years, 5 months, and 5 days for the State to settle a long over due debt to Native Hawaiians, that is more than half of my lifetime.

Its' been almost two (2) years since Governor Abercrombie signed Senate Bill 2783. I believe, OHA in good faith accepted the settlement on behalf of all their beneficiaries at the estimated value of \$200 million appraised by the States' appraiser.

In their 2012 reports to Senate President Shan S. Tsutsui; the Judiciary & Labor and Ways & Means committee along with the Hawaiian Affairs and Water, Land, & Housing committees both stated..."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". In addition The Hawaiian Affairs and Water, Land, & Housing committees stated..."The Office of Hawaiian Affairs may choose to work with the Hawaii Community Development Authority, the Public Land Development Corporation, or other entities to obtain entitlements, develop these ceded lands, or both".

Since passage of Act 015; OHA and its' Trustees have been exploring ways to develop the highest and best use of Kaka'ako Makai to ensure long term optimal income to serve its' beneficiaries. In addition, they must also balance the transformation of these lands respectfully and with cultural sensitivity to stand the test of time and elements as did our ancestors.

While we will hear voices who oppose the passage of this bill, it is time for all to hear, we are tired of being told what we can or cannot do, or what we should and should not do with our lands. I ask all here to remember, it was our ancestors who walked and worked these lands; they taught us how to be good stewards of the 'āina.

We agree Kaka'ako Makai is for the benefit of native Hawaiians, what we may not agree on is how it should be developed. That kuleana rest on the shoulders of OHA and its' Trustees, do not tie their hands. Let them do their work!

I find it ironic that through out the 33 plus years of negotiations, the State said there were no funds to settle's OHA's claim. Yet recently, we learned the State now has a surplus of \$800 million dollars. How did we accumulate such a surplus in a short span of less than two (2) years? One can surmise that this windfall was withheld until after the settlement between OHA and the State was reached. If this is remotely possible, I believe native Hawaiians will consider it a great travesty of government. I couldn't begin to imagine the grave repercussions this would generate.

If OHA is unable to consider residential development for Kaka'ako Makai, then we should look at the State using the surplus funds to pay OHA the \$200 million dollars, and reimburse OHA for all costs and fees expended to date on this project.

Tho I am only one of thousands from those who came before me, and those who are here now; it is for those who will come after me, that today, I raise my voice and ask you to pass SB 3122.

It is my hope that I will live to see today's vision for Kaka'ako Makai become tomorrow's reality.

Mahalo for the opportunity to present my testimony.

**Francine H. Gora
938-B Alewa Dr.
Honolulu, HI 96817
PH. 808 356-8448**

TO: Senator Maile Shimabukuro, Chair & Members
Committee on Hawaiian Affairs

Senator Donovan M. Dela Cruz, Chair / & Members
Committee on Economic Development, Government Operations & Housing

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

Aloha, Senators Shimabukuro and Dela Cruz, and Members of these Committees:

As a Native Hawaiian and Lihu`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

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, incorporate respect for cultural assets of the area, and deliver needed shelter for kupuna and young families.

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

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: barb@punapono.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 11:35:57 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments: SB 3122 - RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY (HCDA) I strongly appose SB3122. This is a very bad bill that should not proceed for the following reasons: SB 3122 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 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? Please hold this bill and do not allow it to proceed, Barbara Cuttance 14/266 Papaya Farms Road, Pahoia, HI 96778

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From: [Robert Fleckenstein](#)
To: [HWNTestimony](#)
Subject: Testimony tin Opposition to SB 3122
Date: Monday, February 10, 2014 6:45:48 PM

Hello,

You know as well as I that the residents of Hawaii care less for the financial exploitation of their most beautiful Islands but more towards the desire of continual enrichment and love of their land not only for now but for future generations. It is seen in their care for public parks, expressions of reservations towards the continual expansion of land and resources, and in their fears of mismanagement and or in judgements of decisions which effect them and their families, that are rightfully theirs, by you. As "hired" representatives of this most God gifted land you yourselves, which have sworn to work for the people of Hawaii, need to truly consider the impact of these two Bills, HB 2544 and SB 3122.

As a past resident of Hawaii, and especially being employed by "Hawaii Tuna Packers" in the area effected by your actions, I have seen the results of development there over the last 45 years. Although the phases "the water is less blue, the visibility has rapidly decreased, and reef cuts are becoming harder to heal" might seem insignificant, it saddens and sickens me to see the effect on the life there below the surface in that once fresh pristine coastline. The water is dirty now, the reefs are dieing in the less saline environment, and the marine life struggle to survive not knowing that they are thinning because of uncontrolled over expansion and that no one really seems to care. And this digression must not only effect the wonderful life below the surface there but those who share with the creatures in it, the swimmers, body surfers, divers, surf boarders, and any one who really lives near it; it is truly a great source of oxygen.

Of all the places on this earth I have visited I must say the government of Hawaii seems to be the most common sensed for making the most practical decisions; it is truly warming. And I am sure reason will overcome regarding the development of "Kewalos" and all of Hawaii for that matter. People are immigrating who are more "down-to-earth" in their thinking and who will hopefully place more importance on the health of the earth, themselves, and others. I must say as publicly elected officials you most have at one time or the other come across the phrase by the once King of Hawaii, Kamehameha III, *UA MAU KE EA O KA AINA I KA PONO*, "*The Life of the Land is perpetuated in Righteousness*," it is used as a motto now. I hope common sense will prevail.

Sincerely,

God Bless All,

Bob Fleckenstein,

Lancaster, California USA

Testimony for the
Senate Committee on Hawaiian Affairs
and
Senate Committee on Economic Development, Government Operations and Housing
Wednesday, 1530 hrs, February 12, 2014
Conference Room 224
Senate Bill 3122
Relating to the Hawaii Community Development Authority (HCDA)

Chairperson Shimabukuro and Members of the Committee on Hawaiian Affairs

Chairperson Dela Cruz and Members of the Committee on Economic Development, Government Operations and Housing

My name is Grace Ishihara and I am a resident of Kakaako. Thank you for giving me this opportunity to submit a testimony.

I strongly oppose SB 3122 for the following reason:

In 2006, the law of the land in Hawaii prohibited residential development in Kakaako Makai. The law ensures the public use of these lands and the careful supervision of these assets. The available lands should be preserved for public use such as park space.

Kakaako is lacking the adequate park space and this will become more severe when the authorities approve, and the developers' construct -- 30 plus new towers in Kakaako. The area will require 60 acres of park space for Kakaako's 30,000 new residents.

This area of land on the Makai side of Kakaako is precious and we all need to preserve and protect. No matter what the reason is, we should not destroy it by building condominiums and residential units. What I would like to see is a Hawaiian cultural center that can be enjoyed by both the people of Hawaii and the tourists. Where will the surfers, paddle boarders, swimmers go to if we keep taking away their beaches? Where will the children play when there are no adequate park spaces in Kakaako? These are important questions that need to be answered now.

I urge the committee members to pass SB 3122. We need to protect and preserve our assets.

Grace Ishihara
ue-wale0903@hotmail.com

Anything contained in this chapter to the contrary notwithstanding, the authority is prohibited from:

(1) Selling or otherwise assigning the fee simple interest in any lands in the Kakaako community development district to which the authority in its corporate capacity holds title, except with respect to:

(A) Utility easements;

(B) Remnants as defined in section 171-52;

(C) Grants to any state or county department or agency; or

(D) Private entities for purposes of any easement, roadway, or infrastructure improvements; or

(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: shockleyjr@gmail.com
To: [HWNTestimony](#)
Cc: [Sen. Maile Shimabukuro](#); [Sen. Donovan Dela Cruz](#)
Subject: Testimony in Opposition to SB 3122 (OHA condo development of their newly aquired land at Kaka"ako.)
Date: Sunday, February 09, 2014 10:31:24 PM

Aloha!

Please note the overwhelming public anger at OHA's effort to skirt existing State Law by acquiring a variance by means of SB 3122 so they can develop condominium projects on the Kaka'ako coastal area. If the State allows this kind of "variance law" to pass, then the original law prohibiting this kind of activity in Kaka'ako and the Kewalo Basin area will become useless to protect Hawaii's future generations from over-development.

The land OHA is trying to develop is precious and needs to be protected from development that will bring revenue to OHA at the expense of all the residents and visitors of O'ahu.

We are adamantly opposed to SB 3122. As our representatives who are guardians of Honolulu's future, we hope that you feel the same way.

Mahalo for your time,

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

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: barbarapolk@hawaiiantel.net
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 10:39:03 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Oppose	No

Comments: I oppose SB3122 because it reverses the prohibition of residential development of land in Kakaako Mauka passed in 2006 and the conceptual master plan for the area that resulted from considerable public input and planning. OHA was aware of this prohibition when it accepted the land. To reverse that decision now is inappropriate and leads to public cynicism about any attempt to engage the public in planning for our communities. The open areas along the waterfront around Kakaako Waterfront Park are scheduled for development as parks and open space. They will be badly needed for that purpose as additional residential development takes place in Kakaako Mauka. Please do not pass this bill.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: mahea80@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 11:02:18 AM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Gayla Haliniak	Individual	Comments Only	No

Comments: As a Native Hawaiian who receives funding to improve and perpetuate my community. I fully support this bill. We need OHA to continue to provide the resources needed to sustain our Native Hawaiian Programs, such as education, culture, entitlements, providing resources, and advocating for Native Hawaiians especially looking out for our Kupuna. OHA does what DHHL cannot do for our Native Hawaiian peoples. I submit my full support. Mahalo

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: eo50@icloud.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Wednesday, February 05, 2014 4:11:32 PM

SB3122

Submitted on: 2/5/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

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

Comments: We need to preserve our shoreline for public use and manage the area carefully for future generations. I strongly oppose SB 3122.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: evernw@aol.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 8:26:32 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Evern Williams	Individual	Support	No

Comments: Please make sure that these housing developments include TRUE affordable housing for our people and not just luxury condominiums.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: ryjakr@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 5:26:31 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
George K. K. Wong	Individual	Comments Only	No

Comments: I would like to express my support of Senate Bill 3122. The development of these properties would produce income which will be used to support Hawaiian programs and services which not only benefit Hawaiians but ALL people of Hawai'i through their health, education and income initiatives. I would appreciate your sincere support as well. Mahalo, George K.K. Wong

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: georgeandmary@mac.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 13:15PM*
Date: Thursday, February 06, 2014 8:12:42 AM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
George Outlaw	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: dakatz@aol.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 4:19:07 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: bknunies@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 10:47:03 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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?

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From: [Pigao, Bernard C SSG USA TF Tigershark](#)
To: [HWNTestimony](#)
Subject: (U//FOUO) Testimony in Opposition to SB 3122
Date: Monday, February 10, 2014 12:38:34 PM

UNCLASSIFIED//FOR OFFICIAL USE ONLY

To ALCON,

I, SSG Bernard Pigao, oppose this bill and believe that Kakaako Mauka should remain for public use only. I don't think we need another Waikiki. Also the traffic, infrastructure and the congested population will have a negative impact to our aina. I'm currently deployed and wish I was there to oppose SB 3122 and support Friends of Kewalos.

Aloha and have a nice day,
Bernard Pigao
Hawaii Army National Guard
Aviation

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: bianca@kahea.org
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 9:09:23 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Bianca Isaki	Individual	Oppose	No

Comments: Aloha e Senators, I'm writing as a bodysurfer, surfer, and diver and a part of a community of similar ocean users whose community is based at Kaka`ako waterfront park (and previous to that, the landfill fronting the waterfront in Kaka`ako). The point panics community is especially tied to Kaka`ako and the park and parking lot in particular. Dougie Kainoa Palama, a master bodysurfer, photographer, and diver, was a fixture of Kaka`ako waterfront park until two days before he died. Some lucky people nicknamed him "Daddy" because he had helped them out - teaching them how to surf and entrusting them with gear and fins. My cousin was Dougie's hospice worker and she said that he was the only client who had asked them to treat them at the beach. Expansion of permitted kinds of Kaka`ako makai development under SB3122 raises concerns that development will overrun the place that has sustained this unique community. My more specific concern with SB3122 is section 3, "§206E-12 Dedication for public facilities as condition to development." Dedication of property for public parking and beach access is crucial to sustaining Kaka`ako's open space and the community that has grown within it. Exempting any developer from that requirement raises concerns that less resources will be available for dedications of land for parking, access, and facilities. Thank you for considering my concerns, Bianca Kai Isaki, Ph.D., Esq.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: cedric@alignmarketingllc.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 1:22:51 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Cedric Duarte	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: haipoalani@yahoo.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 2:32:18 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Hanalei Y. Aipoalani, Ph.D.	Individual	Support	No

Comments: Dear Honorable Committee Chairs Shimabukuro and Dela Cruz, and respective members: Aloha no! I am writing to express my support of SB3122. 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

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: mauibrad@hotmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 3:34:39 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Parsons	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: ckkimura@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Wednesday, February 05, 2014 3:10:52 PM

SB3122

Submitted on: 2/5/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Cara Kimura	Individual	Oppose	No

Comments: I oppose SB3122. Kakaako makai lands should not be developed for residential use. There is a shortage of park space in Kakaako as it is -- the Kakaako makai lands should be preserved as park space for public use.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: alemorrier@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Tuesday, February 11, 2014 12:53:50 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
alicia morrier	Individual	Oppose	No

Comments:

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February 9, 2014

TO: Senate Committee on Hawaiian Affairs
Senate Committee on Economic Development, Government Operations and Housing

SUBJECT: Testimony in Opposition to SB 3122

Dear Committee Members,

I strongly oppose SB 3122. There is overwhelming public anger at OHA's effort to skirt existing State Law by acquiring a variance by means of SB 3122 so they can develop condominium projects on the Kaka'ako coastal area. If the State allows this kind of "variance law" to pass, then the original law prohibiting this kind of activity in Kaka'ako and the Kewalo Basin area will become useless to protect Hawaii's future generations from over-development.

The land OHA is trying to develop is precious and needs to be protected from development; there should be no residential development on the makai side of Ala Moana Boulevard nor should there be any buildings over current existing heights for commercial, private or other uses.

We are adamantly opposed to SB 3122; as our representatives who are guardians of Honolulu's future, we hope you feel the same way.

Mahalo Nui Loa,

A handwritten signature in black ink, appearing to read 'AL Frenzel', with a stylized, cursive flourish.

AL Frenzel
84-933 Alahele St.
Waianae, HI 96792
(808) 343-4916

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: annmarie@hawaii.rr.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 10:19:33 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Marie Kirk	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: anohano@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 5:50:02 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Anolani Hanohano	Individual	Support	No

Comments: I support OHAs initiatives & ability to fully develop its properties would provide a strong revenue stream to fund community-based programs to improve the conditions of Native Hawaiians today and tomorrow.

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To: [HWNTestimony](#)
Cc: aniko2@juno.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 11:13:21 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Avi Okin	Individual	Oppose	No

Comments: We are overdeveloped as it is; the land and people need a long break.

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Cc: ikepono@hotmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 11:21:19 AM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Isaiah Kala Kaaihue	Individual	Support	No

Comments: I support this bill whole heartedly.

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To: [HWNTestimony](#)
Cc: oneheart@aloha.net
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 4:27:54 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Chuck Flaherty	Individual	Support	No

Comments: Please allow OHA to have the same rights and opportunities to develop Kaka'ako makai as adjacent and nearby property owners.

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To: [HWNTestimony](#)
Cc: claudiarice25@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Tuesday, February 11, 2014 10:41:53 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
claudia rice	Individual	Oppose	No

Comments:

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Cc: dkn@hawaii.rr.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 6:47:35 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Nahoopii	Individual	Support	No

Comments: We should support OHA's ability to fully develop its properties including residential use. Jobs and revenues from these investments have a high beneficial multiplier because they will fund programs to improve the conditions of Native Hawaiians.

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To: [HWNTestimony](#)
Cc: ululani2006@hawaiiantel.net
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Saturday, February 08, 2014 8:27:26 AM

SB3122

Submitted on: 2/8/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Beirne	Individual	Support	No

Comments: Aloha All: I am Ululani Beirne and I am submitting my testimony of support for S.B. 3122 to have public hearings prior to OHA creating any development plans for residential Housing for Kaka'ako. Mahalo

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Cc: hndrl@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 12:32:20 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

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

Comments: No public hearing is necessary because OHA should not be allowed any changes to the Kakaako makai plan developed by HCDA with the community. OHA accepted the deal, they need to live with it. If they are allowed changes, then what was the whole point of creating law that prohibited the development proposed by A&B? If they are allowed changes, is Kamehameha Schools/Bishop Estate going to be allowed residential to increased their makai land values? They have an important Hawaiian mission as well.

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To: [HWNTestimony](#)
Cc: ds.pups08@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 4:18:11 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn Tanimoto	Individual	Support	No

Comments:

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From: [Kai Manera](#)
To: [HWNTestimony](#)
Subject: SB3122
Date: Tuesday, February 11, 2014 1:46:35 PM

Aloha,

My name is Deldrine Kauinohea Kapuni Manera

I am in support of SB3122.

As members of the OHA board have pledged, the aina at Kakaako will not include any development that is not allowed on the waterfront.

Furthermore, it would be political suicide for OHA to not comply with their words of intent or to go against the very people they represent and serve. Throughout our history, we have witnessed how irresponsible and reckless development have impacted and even destroyed the native Hawaiian's way of life.

OHA cannot take that risk or breach their word.

And in keeping with their kuleana to generate monies for the future of our people - the beneficiaries - it is the duty of the trustees to make sure the prime lands of Kakaako serve that purpose - to keep Hawaiians on top of the economic game as an assurance for future capital gain for all Hawaiians.

Whether we like it or not, we need to address the capital kuleana that comes with acquiring aina at Kakaako.

I support the trustees with an open heart and mind and pray they do the same.

Mahalo.

I am in opposition to Bill SB3122. We have already been down this road once. The people spoke, the legislature listened. And agreed that developing one of the last shore lines available to the people in urban Honolulu should be saved for them. Why should OHA be exempt from the rules that everyone else has to follow? Isn't this the organization that represents the people who want to keep Hawaii Hawaiian? Isn't it bad enough that Mauka of Ala Moana Blvd. (Kakaako) the plans are to destroy the beauty of the area with tall buildings. Now OHA wants to destroy Makai of that. If it wasn't alright for A & B to do it, what makes it ok for OHA? Let' face it. In the end it is always about the money and OHA is proving no different than any of the other developers. Please defeat this bill and save our precious shorelines for all of the people of Hawaii.

Jackie Scott

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: jtkondo@yahoo.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 13:15PM*
Date: Wednesday, February 05, 2014 9:00:57 PM

SB3122

Submitted on: 2/5/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
jan kondo	Individual	Oppose	No

Comments:

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From: [Jennifer Chiwa](#)
To: [HWNTestimony](#)
Subject: Testimony in Support of SB 3122 for 2/12/14, 3:30 pm Hearing
Date: Monday, February 10, 2014 1:27:29 PM

Aloha, Members of the Committees on Hawaiian Affairs and Economic Development, Government Operations and Housing. Please support SB 3122 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

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 11:26:31 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Jeremy K. Hopkins	Individual	Support	No

Comments:

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To: [HWNTestimony](#)
Cc: drjlam@aol.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 10:01:45 AM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
jerry lam	Individual	Oppose	No

Comments:

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Cc: jgelert@yahoo.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Tuesday, February 11, 2014 2:56:18 PM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
John Gelert	Individual	Oppose	No

Comments:

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To: [HWNTestimony](#)
Cc: jolidavis@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 11:41:27 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Jolle Li	Individual	Support	No

Comments: The Office of Hawaiian Affairs has always stood firm in cultivating and perpetuating Hawaii's aina and its precious resources. They are good stewards of our home. The revenue generated from the development of Kakaako Makai can continue to support community volunteers like myself. 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 Office of Hawaiian Affairs and HB2554 and SB3122

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Cc: lottj001@hawaii.rr.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 11:34:56 AM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
JONATHAN LOTT	Individual	Support	No

Comments:

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Cc: kahaleal@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Tuesday, February 11, 2014 12:46:17 PM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kahale Muhlestein	Individual	Support	No

Comments:

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To: [HWNTestimony](#)
Cc: hkahealanilii@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 11:54:53 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kahealani Lii	Individual	Support	No

Comments: In light of OHA's statement that they will not develop residential on the Kewalo harbor, I support OHA's request and hope other developers will follow OHA's lead. Mahalo to OHA for being transparent and proactive by talking with the members of my hui in Kapolei.

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Cc: kaliko08@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Friday, February 07, 2014 10:18:29 AM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kaliko Santos	Individual	Support	No

Comments: I am in support of this bill.

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To: [HWNTestimony](#)
Cc: kamailem@oha.org
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 2:22:02 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kamaile Maldonado	Individual	Support	No

Comments: I support this measure because it will help provide resources for OHA's advocacy (cultural preservation, protection of aina, health, criminal justice, human services, water rights, etc..) and the resources OHA makes available for its beneficiaries (\$14m grants and sponsorships annually; low interest loans to 2,000 NHs).

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Cc: kapena3321@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 3:57:38 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kapena Enos	Individual	Support	No

Comments: In its plans, OHA will incorporate projects that balance the desires of the community that Kaka’ako Makai be a “people’s gathering place” where people can go to relax, exercise, relieve stress, and enjoy the beautiful scenery, and its fiduciary responsibility to the beneficiaries that it serves to build a corpus that allows it to maintain the lands it was given as part of a settlement with the state in 2012 and to build its corpus to deliver programs and services to its beneficiaries.

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Cc: kapinapalacat@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 4:20:47 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments:

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To: [HWNTestimony](#)
Cc: kardeen.wong7@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 5:19:59 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kardeen Wong	Individual	Comments Only	No

Comments: I would like to express my support of House Bill 2554. I feel it's about time that these properties be developed to produce income which will be used to support Hawaiian programs and services which not only touch Hawaiians but ultimately touch ALL people of Hawai'i. I would appreciate your sincere support as well. Mahalo, Kardeen H. Wong

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To: [HWNTestimony](#)
Cc: kareen.tanoue@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 2:46:12 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kareen Tanoue	Individual	Oppose	No

Comments: I oppose OHA residential development on Kaka'ako Makai.

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To: [HWNTestimony](#)
Cc: kealiig@hotmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 7:09:04 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Keali'i Gora	Ka Lei Papahi 'o Kakuhihewa	Support	No

Comments:

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Cc: joe96817@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 12:50:35 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

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.

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Cc: kmaunupau@yahoo.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 1:51:57 PM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kuuleinani Maunupau Gaspar	Individual	Support	No

Comments: Please Support SB3122

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To: [HWNTestimony](#)
Cc: laulani@aol.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 7:59:00 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lawrence A. Woode, Jr.	Individual	Support	No

Comments: Aloha Senator Espero, Request your support of this bill. SB3122 would help provide a much needed source of revenue to support Native Hawaiian programs. And OHA's Board of Trustees have indicated that they will ensure open access to the Kewalo waterfront and not allow residential development along the waterfront.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: lindalegrande2243@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 2:26:02 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Legrande	Individual	Oppose	No

Comments: OHA was well aware of the restrictions on this land when they jumped in and bought it. I am opposed to this Bill for a number of reasons: 1) They blew it and now want the public to suffer the consequences of out of scale towers on this property to generate the money they need to fund their grants. Could they be more creative as to how they fund their grants? They own plenty all over the Island. This is sacred land and should not be built on with residential towers. 2) This would set a horrible precedent for other developers to build makai of Ala Moana Blvd. along the Waterfront area. 3) Who will be responsible when the 'waters rise'? And rise they will, maybe not in our lifetime but I do not want my children and grandchildren to be responsible to clean up the mess when these buildings (including Waikiki!) all come tumbling down with the inevitable global warming. OHA will build and general their money and walk away but it is the general public who will be left with the millions/billions of dollars it will take to clean up the mess. Please just don't go there! 4) Hold the public hearings on any of these building/development plans on Saturdays so working folks (who are most affected) can attend. Thank you very much, Linda LeGrande

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To: [HWNTestimony](#)
Cc: ggexcavations@hotmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 2:28:30 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Kirbin	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: lucialyou@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 10:55:22 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lucia You	Individual	Oppose	No

Comments: SB 3122 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. OHA is not above the law and the people have already spoken about development in Kakaako Makai when residential development was banned by the legislature after massive citizen protests against an A&B proposal to construct several 200-foot condo towers there. Now, SB 3122 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? Respectfully, Lucia You Kailua, HI. 96734

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: lynnehi@aol.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 11:49:28 AM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments: 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. Please kill this bill now. lynne matusow 60 n. beretania, #1804 honolulu 96817

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: noheagl@hotmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Friday, February 07, 2014 4:04:12 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Marie-Gertrude N Leopoldo	Individual	Support	No

Comments: I support OHA's effort in creating affordable living accommodations for Native Hawaiians in the Kakaako area. I support their efforts in strategic planning and the creation of self-sufficiency for Native Hawaiians and programs that will empower the Native Hawaiians in employment opportunities in these hard economic times.

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From: [Marvin Heskett](#)
To: [HWNTestimony](#)
Subject: Testimony in Opposition to SB 3122
Date: Monday, February 10, 2014 9:34:18 PM

Aloha,

I urge you to Oppose SB3122. The legislative process has already produced a law that was created by our community to reserve the one small stretch of coastal urban Honolulu for it's residents. As Kakaako develops adding 10s of thousands of more people, this land will serve a vital function in providing a recreational and cultural resource. By voting to reverse the law that voting tax paying citizens worked to pass in 2006, you will be going in direct confrontation with the voting public.

The only way to vote is NO on SB3122,

Marvin Heskett
3252 Palolo Terrace Pl
Honolulu, HI 96816

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: igoraaina@hotmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Thursday, February 06, 2014 3:17:29 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Gora-Aina	Individual	Support	No

Comments: I support this bill because I believe it will help OHA to fulfill it's fiduciary commitment to their beneficiaries in the longterm. OHA has always advocated on preservation of natural & cultural resources. It will be no different in Kakaako Makai.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: mkorman@email.phoenix.edu
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 1:58:42 PM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments: I oppose SB3122. Kakaako makai lands should not be developed for residential use. There is a shortage of park space in Kakaako as it is -- the Kakaako makai lands should be preserved as park space for public use.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: noalano@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Sunday, February 09, 2014 10:08:37 PM

SB3122

Submitted on: 2/9/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Noalani Nakasone	Individual	Support	No

Comments:

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From: [Pam Wood](#)
To: [HWNTestimony](#)
Subject: Opposition of SB 3122
Date: Sunday, February 09, 2014 2:49:50 PM

Testimony of Pamela Wood

For the Senate Committees on Hawaiian Affairs and Economic Development,
Government Operations and Housing
Wednesday, February 12, 2014 – 3:30 pm – Conference Room 224
Re: Opposition of SB 3122

Chair Shimabukuro, Chair Dela Cruz and Members of the Senate Committees on
Hawaiian Affairs and Economic Development, Government Operations and Housing:

Thank you for allowing me the opportunity to oppose SB 3122. 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 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.

Requiring a public hearing prior to OHA submitting a development permit application to the Hawaii Community Development Authority (HCDA) will not protect the community. I urge you to oppose SB3122 and to continue to support legislation that will insure NO RESIDENTIAL DEVELOPMENT IN KAKAAKO MAKAI.

Pamela Wood
725 Kapiolani Blvd., #3002

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: ptadaki@hotmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 10:37:51 AM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments: I strongly oppose this Bill. We have addressed this a few years ago..NO residential highrise on the Makai side of Kaka'ako. OHA should have known of this limitation when they agreed to the land swap. You can't make an exception just for one group.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: silverpenny10@hotmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 2:26:25 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
penny s	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: ralpheburr@aol.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 2:19:02 PM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ralph E. Burr	Individual	Support	No

Comments: I support this bill.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: makikirandy@yahoo.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 9:55:50 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Oppose	No

Comments: Keep Kaka`ako Makai residence free. We need parks, not more homes for millionaires. OHA can generate revenue in other ways. Development is not the only way to fund OHA's programs.

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From: [Reef M](#)
To: [HWNTestimony](#)
Subject: Opposition to HB3211
Date: Monday, February 10, 2014 1:40:26 PM

To whom it may concern,

I'm writing in opposition of HB 3122 and any new development in the Kakaako Makai area. We must preserve the open areas and beach access. I work in the area and surf at Kewalos and often bring my family to enjoy the area. Any development in this area will only lead to more development and an increase in traffic, limit access, and increase storm water runoff and associated pollutants into the ocean. We should perserve and protect the already existing law for this area.

Respectfully,

Reef Migita

reef_migita@hotmail.com

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: rfreitasjr@hotmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 10:50:49 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Freitas Jr.	Individual	Oppose	No

Comments: I oppose this bill!!!

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: rkayelny@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Tuesday, February 11, 2014 5:50:04 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Kaye	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: rkorph@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Wednesday, February 05, 2014 4:06:08 PM

SB3122

Submitted on: 2/5/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

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

Comments: Our present statutes prohibit residential development in Kakaako Makai. The law preserves the public use of these lands and the careful management of these valuable assets. There is no need to change the law. I strongly oppose SB 3122.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: rontthi@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 13:15PM*
Date: Thursday, February 06, 2014 9:43:49 PM

SB3122

Submitted on: 2/6/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Taniguchi, Pharm.D.	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kahuroy@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Friday, February 07, 2014 8:39:12 AM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Roy Newton	Individual	Support	No

Comments: I am in support of this bill. I think all avenues should be explored to maximize the potential for land use in a cultural and sensitive manner.

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From: [Ruey Hwu](#)
To: [HWNTestimony](#)
Subject: Testimony in Opposition to SB 3122
Date: Monday, February 10, 2014 11:09:16 PM

Please consider this testimony in Strong OPPOSITION to SB 3122.

Public policy for the Kaka‘ako Makai lands was established in 2006 as a result of a huge People’s movement called “Save our Kaka‘ako”. People of all ages and walks of life marched to the Capitol with our red shirts and had numerous rallies which resulted in a near unanimous legislative passage of a law prohibiting residential development in Kaka‘ako Makai.

Granting this exception will set a dangerous precedent for other landowners requesting exception to a law that is on books. There is already ongoing large scale development approved for Kaka'ako Mauka, if the Makai land is developed as well it will leave little to no public land and further strain the limited infrastructure.

I stand by the law prohibiting residential development in Kaka'ako Makai.
Thank you for your consideration.

Ruey Hwu
1462 Honokahua St.
Honolulu, HI 96825

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: shane.nelsen@gmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Friday, February 07, 2014 4:18:03 PM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Shane Nelsen	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 8:57:50 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments: Oppose. I'd prefer you just Repeal the HCDA, it sounds like a heck of a mess and an embarrassment from all that I've read. Who thinks up these boondoggles, anyway? Sheesh..

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Testimony of
Sharon Y. Moriwaki
Before the
Senate Committees on Hawaiian Affairs and on Economic Development, Government
Operations & Housing

Wednesday, February 12, 2014, 3:30 p.m., Conference Room 224

**In Support of SB 3122,
Relating to Hawaii Community Development Authority**

Chairs Shimabukuro and Dela Cruz, and Members

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

SB 3122 will terminate a long-standing law and practice that prohibits HCDA from approving plans and proposals for residential development in Kaka'ako Makai – our last open shoreline in Honolulu.

If passed, SB 3122 will betray the trust that community residents have in government, and, in particular, HCDA as its agent.

Based on the foregoing, we strongly oppose SB 2696 and urge the bill be filed.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: sherrianwitt@aol.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Tuesday, February 11, 2014 10:46:28 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Oppose	No

Comments:

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From: [Maki Tsukada](#)
To: [HWNTestimony](#)
Subject: *****SPAM***** Testimony in Opposition to SB 3122
Date: Monday, February 10, 2014 12:49:18 PM

Please keep the Kewalo-Kakaako area as it is without no highrise buildings like Waikiki.
Keeping traditional town atmosphere will be considered highly.

Shuji & Maki Tsukada
da47385@qa2.so-net.ne.jp

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: scolem34@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 6:04:33 AM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Individual	Oppose	No

Comments: My name is Stuart Coleman, and I strongly oppose this bill that would allow residential development in Kakaako Makai. I was one of the thousands of residents who worked hard to pass the law banning residential development in this area, and I want to keep it that way! We cannot keep creating special exemptions to our laws I'm the name of development.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: suzanne@punapono.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 11:24:28 AM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kaimookalani@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 11:25:52 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
T. Kahuehuokalani Kealoha	Individual	Support	No

Comments: I am an OHA beneficiary and a Hawaiian Homelands waitlist applicant. This Kakaako Makai property is an opportunity for OHA to generate more income for its beneficiary needs. I strongly support SB 3122.

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To: [HWNTestimony](#)
Cc: theede@hawaii.rr.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 13:15PM*
Date: Friday, February 07, 2014 9:02:31 AM

SB3122

Submitted on: 2/7/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

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Thomas Lee Travis

RR 2 Box 3317

Pahoa, Hi 96778

email: ttravis12@mac.com

mobile: (757) 639-7364

Testimony on Senate Bill 3122

Members of Hawaiian Affairs:

Members of Economic Development, Government Operations and Housing:

Much like the Public Land Development Corporation (PLDC), the Hawaii Community Development Authority (HCDA) was conceptually flawed in its creation and, to the degree it continues to exist, must be changed to meet the needs of Hawaii. It was created to streamline administrative procedures needed to begin community developments. But the streamlining power given to the HCDA cut to bone, removing community planning, community hearings, and opportunities for community recourse with disagreement.

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 and control of their cultural, social, and environmental visions for the future. The State of Hawaii should not preempt the 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 us 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.

Senate Bill 3122 moves us in the wrong direction. I strongly urge you to oppose this bill.

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: tjsimms2000@hotmail.com
Subject: *Submitted testimony for SB3122 on Feb 12, 2014 15:30PM*
Date: Monday, February 10, 2014 2:25:30 PM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
tj simms	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: vallofoto@yahoo.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Monday, February 10, 2014 3:47:30 AM

SB3122

Submitted on: 2/10/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Loh	Individual	Oppose	No

Comments: Please vote NO and oppose SB3122. Open waterfront in Honolulu is essential to retain shoreline accessibility for both visitors and residents, and to maintain a buffer zone from urban congestion that is irreplaceable. Please do not allow highrise buildings in this area and oppose SB3122. Mahalo.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: vsc@hawaiiantel.net
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 8:42:49 AM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

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

Comments: We oppose this bill. DO NOT allow OHA to develop residential high-rises in Kaka'ako Makai. This is public shoreline!!! 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.

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: aycockburr@aol.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 15:30PM
Date: Tuesday, February 11, 2014 2:17:07 PM

SB3122

Submitted on: 2/11/2014

Testimony for HWN/EGH on Feb 12, 2014 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Virginia Aycock	Individual	Support	No

Comments: This is a much needed action. I fully support it.

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From: mailinglist@capitol.hawaii.gov
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Cc: williamlee244@gmail.com
Subject: Submitted testimony for SB3122 on Feb 12, 2014 13:15PM
Date: Wednesday, February 05, 2014 4:17:11 PM

SB3122

Submitted on: 2/5/2014

Testimony for HWN/EGH on Feb 12, 2014 13:15PM in Conference Room 224

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

Comments: We need to manage Kakaako Makai carefully and preserve the public use of the area for future generations. I strongly oppose SB 3122.

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