

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the House Committee on  
WATER AND LAND**

**Friday, February 13, 2015  
10:00 A.M.  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 149  
RELATING TO LEGISLATIVE JURISDICTION**

House Bill 149 proposes to cede concurrent legislative jurisdiction over certain lands on Oahu and Kauai used for defense purposes to the United States. **The Department of Land and Natural Resources (Department) offers the following comments.**

The bill indicates that the lands identified are all owned by the United States Navy. But the Department's review of the tax map key numbers shows that some of the lands are in private ownership. In addition, one of the parcels (TMK: 9-9-01:12) is a state parcel set aside to the Department of Education for a school site. Page 2 below shows the ownership information. The Department disagrees that the school site is "Navy land" or that it is used for defense purposes. Similarly, two of the parcels (TMKs: 7-1-01:28 and 7-1-02:09) appear to be owned by the Agribusiness Development Corporation, which is a state agency.

If the intent of this bill is to grant authority to federal law enforcement agencies over the lands designated in the bill, then the Department suggests that the intent be stated more clearly. As the bill presently reads, it is not clear the degree of jurisdiction that will be given to the United States over the lands. In particular, the Department does not understand why the United States or the Navy would require concurrent jurisdiction over the school site.

Thank you for the opportunity to testify.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

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

TMK	Current Owner	Document #	Date	Grantor
148014006	USA	1995-074766	7/27/1989	Leroy Chung et al [Civil No. 89-00063]
171001028	State of Hawaii, ADC	T-8379214	12/10/2012	The Trust for Public Land
171001039	Ali'i Turf Co, LLC	T-3844134	4/2/2009	Estate of George Galbraith
171001040	Ali'i Turf Co, LLC	T-3844134	4/2/2009	Estate of George Galbraith
171001041	Ali'i Turf Co, LLC	T-3844134	4/2/2009	Estate of George Galbraith
171001042	Ali'i Turf Co, LLC	T-3844134	4/2/2009	Estate of George Galbraith
171001043	Ali'i Turf Co, LLC	T-3844134	4/2/2009	Estate of George Galbraith
171001044	Ali'i Turf Co, LLC	T-3844134	4/2/2009	Estate of George Galbraith
171002005	Dropped			
171002009	State of Hawaii, ADC	T-8764084	12/30/2013	Castle & Cooke, Inc.
171002031	Castle & Cooke, Inc.	TCT 469179	1/18/1996	
171002032	Castle & Cooke, Inc.	TCT 469179	1/18/1996	
171002033	Castle & Cooke, Inc.	TCT 469179	1/18/1996	
171002035	Dole Food Co, Inc.			
171002036	Dole Food Co, Inc.			
191010011	USA	TCT 182053 and TCT 301969		James Campbell Estate
191010015	USA			
191010016	USA			
197018003	USA	81488	9/14/1945	Bishop Estate, Civil 598
197018010	USA	Bk 2442, p425	3/16/1951	Oahu Railway and Land Company
197018019	USA	81488	9/14/1945	Bishop Estate, Civil 598
199001008	USA	Bk 1777, p228	8/27/1943	Oahu Railway and Land Company, Civil 493
199001012	State of Hawaii, BLNR	EO 3340	7/3/1986	Set aside to DOE by EO 3340 for school. Majority of the parcel was acquired from the City in 1983, and remaining portion was acquired through land exchange [of non-ceded lands] with USA in 1985.
199071045	USA	T-1038920	9/24/1980	Queen's Medical Center et al
412002011	USA	2003-027187	2/13/2003	LPC Corporation (fka Lihue Plantation Company, Ltd.)
412002012	USA	2003-027187	2/13/2003	LPC Corporation (fka Lihue Plantation Company, Ltd.)
412002015	USA	2003-027187	2/13/2003	LPC Corporation (fka Lihue Plantation Company, Ltd.)

HOUSE COMMITTEE ON WATER AND LAND

Testimony on House Bill No. 149, Relating to Legislative Jurisdiction

Hearing Date and Time: February 13, 2015 10:00 a.m.

Chair Yamane, Vice-Chair Cullen, and Representatives,

My name is Randall Young, and I am the counsel for Navy Region Hawaii. At this time, we respectfully ask that this bill be deferred until next year to allow us the opportunity to reconcile some recently discovered technical issues which should be resolved before this bill is considered further.

I greatly regret any inconvenience this may have caused, and apologize for any such inconvenience.

From: mailinglist@capitol.hawaii.gov  
Sent: Tuesday, February 10, 2015 8:42 PM  
To: waltestimony  
Cc: leeydao@gmail.com  
Subject: Submitted testimony for HB149 on Feb 13, 2015 10:00AM

**HB149**

Submitted on: 2/10/2015

Testimony for WAL on Feb 13, 2015 10:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
E Yadao	Individual	Oppose	No

Comments: HB149 Stating for the Record, I ask where are legislators' duties to protect and hold in trust Hawaiian lands which cannot be ceded, sold nor transferred to any other party? You are remiss in your constitutional obligations that you swore an oath to uphold. This is a constitutional matter and obviously you have forgotten this. Jurisdiction still resides with Kingdom and until you prove otherwise nothing can be done to alter it's correct and lawful status.

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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cullen4-Rachele

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From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, February 11, 2015 5:44 PM  
To: waltestimony  
Cc: ekandagawa@gmail.com  
Subject: \*Submitted testimony for HB149 on Feb 13, 2015 10:00AM\*

**HB149**

Submitted on: 2/11/2015

Testimony for WAL on Feb 13, 2015 10:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emily Kandagawa	Individual	Oppose	No

Comments:

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

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