

SR 46

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
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LAND
STATE PARKS

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

POST OFFICE BOX 621
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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WATER, LAND, AND AGRICULTURE**

**Wednesday, May 04, 2016
11:00 A.M.
State Capitol, Conference Room 225**

**In consideration of
SENATE RESOLUTION 46, PROPOSED SENATE DRAFT 1
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
ENGAGE IN EARNEST NEGOTIATIONS WITH THE CURRENT LANDOWNERS
OF THE MAKAI LANDS OF KAPUA TO ACQUIRE THOSE LANDS ON
BEHALF OF THE STATE OR TO LEASE THOSE LANDS IN PERPETUITY
ON BEHALF OF THE STATE**

Senate Resolution 46, proposed Senate Draft 1, requests that the Department of Land and Natural Resources (Department) engage in negotiations to acquire certain lands located at Kapu‘a, Island of Hawai‘i. **The Department supports this measure.**

The Department is aware that the proposed acquisition includes four parcels that cover over 7,780 acres of land within the Agricultural and Conservation State Land Use Districts, including two parcels that sit next to the Manukā Natural Area Reserve, which is the State’s largest natural area reserve and is part of the South Kona Wilderness Area that the Legislature created in 2011 (Act 178).

The Kapu‘a makai area contains significant historical, archaeological, and cultural resources (including a hōlua slide, ancient coastal trail, and village sites) and superb biological resources including native dryland forest and associated common and rare native Hawaiian plants. The site is remote and not easily accessed and contains extensive uninterrupted coastal and lowland open space. The coastal waters are pristine and in excellent condition. However, the land area is degrading due to feral goats, invasive fountain grass, inappropriate human use, and a lack of management at this time.

Recognizing that the property's significant natural and cultural resources should be protected, the Department has moved ahead with updating the appraisal to determine the lands' present fair market fee value. If the current land owners are willing to sell the lands at the newly-appraised value, then the Department will seek funding for the purchase, including due diligence and closing costs, and for ongoing management of the acquired lands.

Thank you for your consideration of this testimony in support of this measure.



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The Trust For Public Land's Testimony In Support of SR 46 SD 1 Requesting DLNR To Engage In Earnest Negotiations Re Kapua Lands Senate Committee on Water, Land & Agriculture, Conf. Room 225 Wednesday, May 4, 2016, 11:00 a.m.

Aloha Chair Gabbard, Vice-Chair Nishihara, and Committee Members:

The Trust for Public Land strongly supports Senate Resolution 46, SD 1 requesting the Department of Land & Natural Resources to engage in earnest negotiations to acquire the lands of Kapua in South Kona on Hawai'i Island.

I personally had several conversations with Senator Gil Kahele regarding the preservation of Kapua, years before he became a Senator, and visited Kapua twice. The land has important cultural resources (including a well preserved holua slide listed in the State and National Historic Registers) and natural resources (including endangered forest species such as kauila, a very dense native wood once used for spears and tools – so dense, that it sinks in water).

I am very sad that we were not able to preserve and protect the Kapua lands in Senator Kahele's lifetime. The Trust for Public Land strongly supports the voluntary negotiated acquisition of the property. Mahalo for hearing this resolution in order to fulfill the long-held wishes of Senator Kahele. He was a true gentleman who shared the aloha spirit with all whom he touched. It was my honor to know him.

I regret that I may not be able to attend the hearing in person due to a prior commitment.

Me ke aloha,

Lea Hong
Hawaiian Islands State Director
Edmund C. Olson Trust Fellow



To: Committee on Water, Land, and Agriculture
Senator Mike Gabbard, Chair
From: Barbara Dalton
Re: SR46 SD1 (in favor)
Date: May 3, 2016

Mahalo for the opportunity to express support for SR46 SD1, requesting the DLNR to engage in earnest negotiations with the current owners of the makai lands of Kapua to acquire or lease those lands in perpetuity on behalf of the state. Approving SR46 is the very least the Legislature can do after the original bill's failure to pass (SB3071).

Testimony for SB3071 indicated support from many organizations and individuals. The Kapua area of South Kona occupies a segment of the longest stretch of undeveloped coastline remaining in Hawaii. Ten years ago, the late Senator Daniel K. Inouye expressed in private conversations his wish that this coastline be acquired and preserved. As you are aware, the late Senator Gilbert Kahele authored SB3071 from his deathbed; it then received unanimous approval from Senators Tokuda, Dela Cruz, Chun Oakland, English, Galuteria, Harimoto, Inouye, Taniguchi, Wakai, and Slom of the Senate Committee on Ways and Means, and, after passing to the House, unanimous approval from Representatives Yamane, Cullen, Evans, Ing, C. Lee, Lowen, Say, and Thielen of the House Committee on Water and Land.

Earlier testimony for SB3071 points out that the Kona Community Development Plan (CDP) places a high priority on "preserving. . .diverse coastlines, protected nearshore waters, open space, and vast untouched upland landscapes," and that each of these specifications is present in the Kapua lands. But promotional language on current owner The Resort Group's website clearly states the opposite intent for the Kapua lands: "*Tropical islands are among the world's most desirable locations for exotic vacation retreats and vacation home ownership. . .[T]his is . . .a place still sparsely populated and open to discovery.*"

The Kona CDP also states "the majority of future growth should be directed north of Kailua. . .while density in South Kona should be kept low, and its character should remain rural." As a long-time resident of South Kona, I can assure you that a swanky and exclusive resort would clash incongruously with the lifestyle of "old Hawaii" that is the norm in the region.

I hope I have persuaded you to approve SR46 and thus take one small measure to preserve a piece of pristine Hawaii that is in jeopardy of being forever altered.

Very truly yours,
Barbara Dalton

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: Nikopavao@gmail.com
Subject: *Submitted testimony for SR46 on May 4, 2016 11:00AM*
Date: Saturday, April 30, 2016 6:44:11 AM

SR46

Submitted on: 4/30/2016

Testimony for WLA on May 4, 2016 11:00AM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Niko pavao	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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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: watland@hawaii.edu
Subject: Submitted testimony for SR46 on May 4, 2016 11:00AM
Date: Tuesday, May 03, 2016 8:58:57 AM

SR46

Submitted on: 5/3/2016

Testimony for WLA on May 4, 2016 11:00AM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Robbie Watland	Individual	Support	No

Comments: Aloha Chair Gabbard, Vice Chair Nishihara and members of the committee: I submit testimony in strong support of SR46 Proposed SD1, which would request the DLNR to engage in earnest negotiations with the current land owners of the makai lands of Kapu'a to acquire those lands on behalf of the state or to lease those lands in perpetuity on behalf of the state. I was honored to have been invited to take a tour of Kapu'a and other ahapua'a in the area back in the early 2000s headed by the late Senator Gil Kahele. For fear of development over these very pristine, historic and cultural sites, Senator Kahele worked with the legislature in passing Act 59, SLH 2003, which established the South Kona Wilderness Area and the development of a comprehensive management plan for the area. Kapu'a and other areas within the South Kona Wilderness Area must be preserved for future generations.

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: tabraham08@gmail.com
Subject: Submitted testimony for SR46 on May 4, 2016 11:00AM
Date: Sunday, May 01, 2016 8:54:19 AM

SR46

Submitted on: 5/1/2016

Testimony for WLA on May 4, 2016 11:00AM in Conference Room 225

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

Comments: Expanding and preserving landmarks true to hawaii is good it helps people understand the culture better.

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