

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committees on
TOURISM
and
WATER & LAND**

**Tuesday, February 14, 2017
9:30 A.M.
State Capitol, Auditorium**

**In consideration of
HOUSE BILL 1469
RELATING TO PUBLIC LANDS**

House Bill 1469 proposes to establish procedures for designating public land redevelopment districts, planning committees, district redevelopment plans, and designated redevelopment district revolving funds. The bill additionally establishes the powers and duties of the planning committees and modifies public land lease restrictions under Chapter 171, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) offers the following comments on this bill.**

Under Chapter 171, HRS, the Board of Land and Natural Resources (Board) is authorized to issue leases up to a maximum term of 65 years. Section 171-32, HRS, provides that it is the policy of the State to issue leases by public auction. As the preamble to this bill indicates, at the end of their lease terms, lessees have little incentive to invest in improvements to their leasehold properties because the leases cannot be extended further. Rather, new leases of the lands must be issued pursuant to the public auction process. As a result, the properties frequently fall into disrepair.

In 2015, the Legislative Reference Bureau (LRB) issued Report No. 2, Commercial Leasing of Public Lands: State Policies Regarding Leases Near End of Term. LRB found the states had maximum lease terms and reviewed how the other states' leasing practices dealt with end of the term leases. LRB concluded its report in stating:

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

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

While some states have policies that generally address the maintenance and improvement of leased public lands, these policies appear to arise when a lease agreement is initially drafted and entered into, or within the context of negotiations for a lease renewal, rather than during the last few years of an existing lease. In comparison, commercial leases of public lands in Hawaii include a general covenant that requires lessees to maintain the property. The Bureau offers no conclusions regarding which, if any, of the policies employed by the other states represents practices that should be incorporated into the commercial leasing of public lands in Hawaii.

This bill seeks to promote the redevelopment of public lands with commercial, industrial, hotel and resort uses. The Department's primary hotel and resort landholding is located on Banyan Drive in Hilo. The Department's main industrial landholdings are located at Sand Island, Oahu, and Kanoiehua Industrial Area in Hilo.

With respect to Banyan Drive, although a number of properties are in poor condition, the Department points out that the Hilo Hawaiian Hotel, the Hilo Bay Café (former Nihon Restaurant site), and the Grand Naniloa Hotel are State leasehold properties that are in good condition, with Naniloa currently undergoing an extensive renovation. The long-term leases for Uncle Billy's Hilo Bay Hotel (now the Pagoda Bay Hotel), Country Club Condominium (which is now a residential apartment building – not a condominium), and Reeds Bay all expired in 2016 and have been converted to month-to-month revocable permits. No new leases for these sites have issued yet because the Department has been working the County of Hawaii Banyan Drive Hawaii Redevelopment Authority (BDHRA), and prior to that the Banyan Drive Task Force, to develop a long term plan for the area. Once a long-term plan for Banyan Drive is settled on, the Department can issue new long-term resort leases for these properties, if that is what BDHRA ultimately supports.¹

With respect to the Kanoiehua Industrial Area, many of the leases of public lands in that area were issued in a two or three year period following the 1960 tsunami for terms of 55 years. Most of the lessees in this area applied for ten-year extensions of their lease terms under Section 171-36(b), HRS, which requires the lessee to make substantial improvements to the premises to qualify for a lease extension. Although some of the leasehold improvements are not in good condition, a number of them are well maintained, such as HPM Building Supply, Bank of Hawaii and Big Island Toyota on Kanoiehua Avenue, Central Supply on Makaala Street, Paradise Plants, and Kitchen and Bath Supply on Wiwoole Street, and the Coca-Cola bottling plant on Holomua Street.

In the past, the Department has generally opposed legislative bills that proposed to allow existing lessees to acquire new lease terms on leases that are scheduled to expire soon, following instead

¹ The Department procured a consultant to conduct a number of studies to facilitate planning for Banyan Drive including a market study on tourism to determine if the area could support a new hotel, and studies on sea level rise, the viability of master leasing multiple parcels in the area, and the remaining useful life of existing structures on expiring lease premises. Another consultant, Erskine Architects, conducted a much more detailed architectural and engineering study on whether existing improvements on the expired lease premises should be demolished or rehabilitated.

general public policy to promote fairness in competition in access to public property. One reason for the Department's position was the statutory policy mentioned above favoring issuance of leases by public auction. Another reason was to preserve the State's legal right to the remaining value of the improvements after the lease term; when leases expire, the lessees' improvements on the land revert to State ownership pursuant to the express terms of the lease, unless the State directs the lessee to remove the improvements. Assuming the improvements have some remaining useful life, the State is then in a position to auction leases of improved properties at potentially greater rents than the State would receive for a ground lease alone,² which amounts can in turn be applied to public purposes.

The Department notes that there are a number of bills before the Legislature this session that would allow for the extension of existing leases. If one of these measures becomes law, the Legislature will have established a new policy for the Department to follow in the leasing of its public lands. Additionally, the Department recognizes that a prior legislative act providing for extensions of resort leases did have a beneficial effect on one State lease on Banyan Drive. The lessee of Hilo Hawaiian Hotel property took advantage of Act 219 Session Laws of Hawaii (2011) to extend its lease from 2031 to 2068, making substantial improvements to the property pursuant to a development agreement negotiated between the State and the lessee.

The Department thus acknowledges different public policy benefits from different approaches. Based on this, the Department now takes a neutral stance on legislative proposals to extend existing leases.

The Department respectfully suggests that extensions of existing leases in exchange for lessees making substantial improvements may be the better way to deal with end of lease issues and redevelopment of the State's commercial, industrial, hotel and resort lands.

In addition, the Department identifies the following issues with respect to this measure:

The bill creates an additional layer of bureaucracy in government

The bill provides that the Legislature may designate an area of public lands as a redevelopment district. Upon such designation, a nine-member planning committee is to be established as a policy-making board for the district. The planning committee, who serves without compensation, then appoints a district administrator for the district who is to be compensated. The planning committee may hire additional staff as well.

In addition to the administrator, the planning committee would likely require a secretary and perhaps more staff for proper administration, as well as office equipment, supplies, and travel expenses for the eleven committee members. There will be added expense for the committee to comply with HRS Chapter 92's sunshine law requirements. Further, the committee's actions may be subject to contested case hearings and appeals. The bill does not provide for an immediate general appropriation to carry out the purposes of the measure, and for the initial

² The Department also examined the possibility consolidating smaller parcels in this area to put out to lease at auction as larger lots. The Department's consultant conducted a market study on the demand for industrial parcels in Hilo, a lot consolidation analysis, and a master lease analysis of multiple parcels.

years of the committee's existence, it appears the expense of maintaining the committee would be borne by the Department's revenues from leases in the designated district. A conservative budget for such a planning committee, including payroll, fringe benefits, hearing officer fees, and other costs and expenses, would be \$500,000 annually.

The bill proposes an unnecessary, bureaucratic addition to the Department's operations. As explained above, the Department has been working with the BDHRA regarding plans for the Banyan Drive area. Additionally, the Department has procured consultants for Banyan Drive and the Kanoelehua Industrial Area in Hilo to analyze market trends, and explore options for redevelopment and rehabilitation of specific parcels or areas. After 2013 legislative session, former Governor Abercrombie approved the formation of a Banyan Drive Task Force that met a number of times to discuss many of the issues covered by the bill as they relate to the Banyan Drive area. The task force members included representatives from local businesses, the former executive director of the Big Island Visitors Bureau, the executive director of the 'Imiloa Astronomy Center of Hawaii, and representatives from the Hawaii County Mayor's Office and State legislators also attend the meetings. This informal task force has worked well and at limited expense to the State.

There are practical problems with the bill

As noted above, House Bill 1469 allows the Legislature to designate redevelopment districts on public lands. As defined in Section 171-2, HRS, public lands exclude lands used as roads and streets. While the State owns some contiguous parcels in both the Banyan Drive area and Kanoelehua Industrial Area in Hilo, it does not own or manage the roads, which often include utility lines and other infrastructure. Accordingly, to the extent the bill seeks to improve infrastructure in a given area, a redevelopment district designated by the Legislature would likely not include important infrastructure components. Rather, the district would be confined to the particular parcels under the Department's management.

The Department relies on the revenues from leases of public lands to fulfill its fiduciary duties

This bill proposes that 50% of the revenues from properties in a development district are to be deposited into a development revolving fund, and that moneys in the fund shall be used solely to promote the purposes of the bill. The Department and the Board are responsible for managing approximately 1.3 million acres of public lands comprised of sensitive natural, cultural and recreational resources. The Department's responsibilities include managing and maintaining the State's coastal lands and waters, water resources, conservation and forestry lands, historical sites, small boat harbors, parks, and recreational facilities; performing public safety duties (e.g., flood and rockfall prevention); issuing and managing leases of public lands (agriculture, pasture, commercial, industrial, and resort leases); maintaining unencumbered public lands; and enforcing the Department's rules/regulations.

To properly perform these fiduciary duties, the Board determined that the Department should utilize a portion of the lands it manages to generate revenues to support the Department's operations and management of public lands/programs. Annual lease revenues currently support

the Special Land and Development Fund (SLDF), with revenues coming primarily from leases for commercial, industrial, resort, geothermal and other renewable energy projects.

The SLDF is a critical and increasingly important funding source for various divisions within the Department to deal with emergency response to natural catastrophes such as fire, rockfall, flood or earthquake and hazard investigation and mitigation. The SLDF also is critical for staff support of various programs and funding conservation projects on all state lands. It has also become an important source of state match for federally funded endangered species and invasive species initiatives that otherwise would not go forward.

The authority to construct, improve, renovate and revitalize areas within the counties is already authorized under Section 46-80.5, HRS

The bill seeks to redevelop the infrastructure and facilities within designated redevelopment districts. However, the bill is unnecessary because there are already existing laws and ordinances that provide the process and financing to make such improvements, as evidenced by the County of Hawaii's creation of BDHRA.

Section 46-80.5, HRS, authorizes the various counties to enact ordinances to create special improvement districts for the purpose of providing and financing such improvements, services, and facilities within the special improvement district as the applicable county council determines necessary or desirable to restore or promote business activity in the special improvement district. This is the same purpose sought by this bill.

Under the authority of Section 46-80.5, HRS, the County of Hawaii, as an example, enacted Chapter 12 of the Hawaii County Code, which authorizes the County of Hawaii to create improvement districts to construct new, or improve existing infrastructure and facilities, including roadways and utility infrastructure and improvements. It should also be noted that the responsibilities for maintaining such improvements within the proposed redevelopment districts are already vested with the County of Hawaii. Most, if not all, of the public roadways and utility infrastructure within any potentially designated district boundaries have been dedicated to the County.

Thank you for the opportunity to comment on this measure.



HB1469
RELATING TO PUBLIC LANDS
House Committee on Tourism
House Committee on Water & Land

February 14, 2017

9:30 a.m.

Auditorium

The Office of Hawaiian Affairs (OHA) Beneficiary Advocacy and Empowerment Committee will recommend that the Board of Trustees **OPPOSE** HB1469, which would authorize lease renewal options for all public lands, and allow indefinite lease extensions for leases of certain public lands. Such provisions may result in the indefinite use of public lands by single private lessees, regardless of whether such lands are put to their highest and best use.

This measure may authorize leases that violate the State's fiduciary obligations under the public trust and the public land trust. Under Article 11, section 1 of the Hawai'i State Constitution and Chapter 171, Hawai'i Revised Statutes (HRS), the State, through the Board of Land and Natural Resources (BLNR), holds in trust approximately 1.3 million acres of public lands, including the natural and cultural resources they contain, for the benefit of present and future generations. Much of these lands are also subject to the public land trust created by Article 12 of the Hawai'i State Constitution and section 5(f) of the Admission Act, which requires that a portion of revenues derived from public land trust lands be dedicated to OHA, for the purpose of bettering the conditions of Native Hawaiians. The trust status of these lands imposes upon the BLNR specific fiduciary obligations of due diligence and undivided loyalty, in making the trust corpus productive and maximizing its benefits for the trust's Native Hawaiian and public beneficiaries. **By authorizing options for renewal of lease terms for any and all public lands, as well as allowing indefinite extensions of lease terms for certain lands, this bill may invite century-long leases that substantially inhibit the BLNR from exploring future uses of trust lands, that may provide much greater benefits to both Native Hawaiians and the public.** For example, this measure would allow any public land to be leased for a 65-year term, with an option to renew – essentially giving a single private entity lease rights to public lands for a 130 year period. Such a lease would effectively eliminate the State's ability to carry out its fiduciary duty to maximize the financial and intangible benefits derived from the trust corpus for over a century at a time, regardless of the identification of more appropriate or beneficial uses of the leased lands.

Notably, leases that extend beyond several generations may not only unduly restrict the State and future generations from making sound decisions on the best use of public

lands, but may also lead to a sense of entitlement on the part of the lessee, which may and has in the past resulted in the sale and privatization of leased public lands.

OHA understands that this measure appears intended to facilitate the redevelopment of “commercial, industrial, resort, and hotel parcels,” such as the commercial and hotel lands along Banyan Drive in Hilo. OHA also understands that the redevelopment of such areas may be facilitated by allowing for lease extensions consistent with standard mortgage terms, such as the 15-year extensions currently proposed in HB575 HD1. This measure, however, would allow for leases of public land far beyond any reasonable mortgage term, for a broad range of leases including intensive agriculture, aquaculture, mariculture, special livestock, pasture, and industrial leases. **Furthermore, this measure would open up all leases of public lands to lease renewal options, without qualification; it is unclear why such a provision would be helpful, particularly given that HRS § 171-36(b) already authorizes the BLNR to include lease renewal options in limited circumstances.**

Finally, OHA notes that the proposed amendment to the definition of “public purpose” in HRS Chapter 171 to include “redevelopment of public lands” is unclear and unnecessary for the stated purposes of this measure.

Therefore, OHA urges the Committees to **HOLD** HB1469. Mahalo for the opportunity to testify on this measure.



Statement of
George D. Szigeti
Chief Executive Officer
Hawai'i Tourism Authority
on
HB1469 Relating to Public Lands
House Committees on Tourism
and Water & Land
Tuesday, February 14, 2017
9:30am
Auditorium

The Hawai'i Tourism Authority (HTA) offers the following **comments** on HB1469, which would establish procedures for designating public land redevelopment districts, planning committees, district redevelopment plans, and redevelopment district revolving funds. The bill would also set the powers and duties of planning committees, allow modifications of public land lease restrictions, and appropriate funds.

HTA supports a mechanism to facilitate the improvement of existing visitor accommodations on public lands, including on Banyan Drive. Improvements to visitor infrastructure are essential as Hawai'i competes in the global tourism market.

Mahalo for the opportunity to comment.

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEES ON TOURISM AND WATER AND LAND
ON
HOUSE BILL NO. 1469

February 14, 2017
9:30 a.m.
Auditorium

RELATING TO PUBLIC LANDS

House Bill No. 1469 establishes a framework to identify areas of commercial, industrial, resort, and hotel parcels in need of revitalization and redevelopment of the parcels. The bill modifies land lease restrictions pursuant to Section 171, HRS, and creates a nine-member planning committee for each redevelopment district to provide policy direction and prepare a redevelopment plan. The bill authorizes establishment of a revolving fund for each redevelopment district that would generate revenues through 50% of the income, revenues, and receipts from the public lands in the redevelopment district; legislative appropriations; and grants, gifts, and other funds. House Bill No. 1469 appropriates an unspecified sum of general funds for FY 18 and FY 19 for this effort.

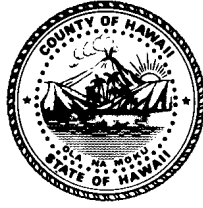
The Department of Budget and Finance takes no position on the establishment of redevelopment districts or the modification of land lease provisions. As a matter of general policy, the department does not support the creation of any revolving fund which does not meet the requirements of Section 37-52.4 of the HRS. Revolving funds

should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to House Bill No. 1469, it is difficult to determine the number of revolving funds that will be created and whether the proposed source of revenues will be self-sustaining for each revolving fund.

The department has concerns on the general fund revenue impact of the bill since half of the revenue, income, and receipts from public lands in each designated redevelopment district will be diverted away from the Special Land and Development Fund. Pursuant to Section 171-19, HRS, excess moneys in the Special Land and Development Fund lapse to the credit of the State general fund.

Thank you for your consideration of our comments.

Aaron S. Y. Chung
Council Member
District 2 South Hilo



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aaron.chung@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL

County of Hawai'i
Hawai'i County Building
25 Aupuni Street
Hilo, Hawai'i 96720

TESTIMONY OF AARON CHUNG HAWAI'I COUNTY COUNCIL MEMBER

**COMMITTEE ON TOURISM
COMMITTEE ON WATER & LAND
HEARING DATE: TUESDAY, FEBRUARY 14, 2017**

IN SUPPORT OF HB1469, RELATING TO PUBLIC LANDS

Chairs Onishi and Yamane and Committee Members,

Thank you for allowing me the opportunity to voice my support for HB1469, which establishes procedures for designating public land redevelopment districts, planning committees, district redevelopment plans and designated redevelopment district revolving funds, and other essential guidelines and funding appropriations. This is one of four House Bills which, along with their companion Senate Bills, will be considered by the legislature this session. I support them all and leave it to you and our Big Island delegation to sort through the merits of each. It is more important to keep in mind that all of these bills share a common and fundamental recognition, which is that the statutory framework governing the management of State lands, though well-intentioned, is stifling our potential for economic growth. I cannot recall ever getting excited over legislation, at any level of government, but these bills excite me for the simple reason that it will give Hilo town and its people the tools to enable us pull ourselves out of a forty-year old economic funk. In other words, it gives us hope.

Hilo was once one of the more vibrant towns in the State. Or so I've been told. In 1976, when I was a senior in high school, Hilo was already on a downward trajectory from its heyday due to a variety of reasons, not the least of which were the improvements to the Kona airport which made flying into Hilo unnecessary to those tourists seeking the more stylized Hawaiian vacation. Still, we have other resources to offer that can make for a unique visitor experience, but we will not be able fulfill that marketing potential without a decent inventory of hotel rooms and a solid and attractive commercial center in support thereof. Unfortunately, the current land management system thwarts the ability of our hotels and businesses to make important improvements to their aging infrastructure. It also provides no incentive for new hotels or businesses to make investments in our community. And of course without all of those things, we can have no reasonable expectation of getting more flights from the mainland or Asia. Please give us that chance.

Your support of HB1469 and other bills aimed at revitalizing our Hilo town will be greatly appreciated. Thank you for considering my thoughts on this matter.

Submitted By	Organization	Testifier Position	Present at Hearing
Susan L.K. Lee Loy	District 3, Hawai'i County Council	Support	No

Comments: I fully and strongly support this bill because it allows for improved management of leases of state-owned parcels such as Banyan Drive and the Kanoelehua Industrial Area in Hilo, which are both part of my Council district. I agree with the statement in Section 1: "Because of restrictions imposed by various land management policies, there is little incentive for lessees of various parcels to make improvements to the leased parcels. This has resulted in dilapidation, deterioration, and obsolescence of the properties, which reduces the revenue-generating potential of the parcels." House Bill No. 1469 will go a long way to rectify this problem and will allow for economic growth.



HB1469

House Committee, TOU/WAL
Chair TOU Richard Onishi
Chair WAL Ryan Yamane

Aloha Chair Onishi & Chair Yamane

I am Garth Yamanaka, Committee chair for Government affairs for the Kanoelehua Industrial Area Association (KIAA). Established in 1968, KIAA is an active business association that is comprised of both small and large businesses and organizations within specific Hilo and Keaau boundaries. One of our goals is to advance the commercial and community interests of our member firms. Presently, we represent approximately 350 business members employing approximately 4,500 workers.

KIAA supports the purpose of this measure which is to identify areas of commercial, industrial, resort, and hotel parcels in need of revitalization and to establish guidelines for the redevelopment of those parcels. The current framework for management of public lands in the East Hawaii area has created an environment that is sub-par to market expectations. The passing of HB 1469 will help to push policy in the right direction as local expertise has an opportunity to be a part of a redevelopment district that will allow public lands to be managed property which in turn will help these sites to be revitalized and relevant in today's market.

We urge you to pass HB 1469 and Mahalo for this opportunity to provide testimony.

Mahalo,

Garth Yamanaka
Committee Chair for Government Affairs
KIAA

**Testimony before the House Committee on Tourism
and the House Committee on Water and Land**

**By Leila Beals
Supervising Land Agent, Hawai'i Electric Light**

**Tuesday, February 14, 2017
9:30 a.m., Auditorium**

House Bill No. 1469 –Relating to Public Lands

Chairs Onishi and Yamane, and Members of the Committees:

My name is Leila Beals and I am testifying on behalf of the Hawaii Electric Light Company in support of HB 1469.

HB 1469 would modify public land lease restrictions. The Hawaii Electric Light Company supports the bill for the following reason:

- Hawaii Electric Light Company currently has a State Lease No. S-3925 that expires on August 26, 2030. The area we are leasing is part of our Kanoelehua Baseyard which is our main area of operation. The leased area supports our generation, distribution, warehouse, maintenance, engineering and system operations. If enacted into law, this legislation will provide a means for Hawaii Electric Light Company to extend our lease, thus allowing us to continue our operations to serve the community.

Thank you for the opportunity to testify on this matter.



House Tourism Committee / House Water and Land Committee
Chair Richard Onishi, Chair Ryan Yamane

02/14/2017 at 9:30 AM in the Auditorium
HB1469 –Relating to Public Lands

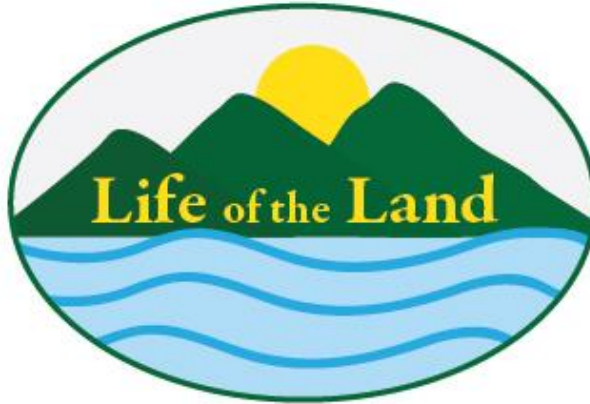
TESTIMONY –COMMENTS
Corie Tanida, Executive Director, Common Cause Hawaii

Dear Chair Onishi, Chair Yamane, and committee members:

Common Cause Hawaii offers comments on HB1469 which would establish procedures to designate public land redevelopment, planning committees, and district redevelopment plans; establish the powers and duties of planning committees; and modifies public land lease restrictions.

Under this proposal, planning committees are given broad powers including renewing or renegotiating leases, and making and executing contracts. Thus it should be specified that *all* planning committees are subject to our Sunshine Laws to ensure that the public has every opportunity to participate and voice their opinions on plans and activities which will affect their neighborhoods.

Thank you for the opportunity to offer testimony **offering comments on HB1469**.



P.O. Box 37158, Honolulu, Hawai`i 96837-0158
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COMMITTEE ON WATER & LAND
Rep. Ryan I. Yamane, Chair
Rep. Sam Satoru Kong, Vice Chair

Tuesday, February 14, 2017
9:30 AM
Auditorium

HB 1469 Relating to Public Lands

PLEASE HOLD

Aloha Chair Yamane, Vice Chair Kong, and Members of the Committee,

Life of the Land is Hawai`i's own energy, environmental and community action group advocating for the people and `aina for 47 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

The bill states, HRS "§171-F District redevelopment plan. (a) ... In carrying out its planning activities, the committee **shall comply with** applicable state and county statutes, ordinances, and rules. ... (f) The designated district redevelopment plan **shall supersede** all other inconsistent ordinances and rules relating to the use, planning, development, and construction on public land in the designated district."

Section 171-1, Hawaii Revised Statutes, is amended ...as follows: "Public purpose" ...includes ...redevelopment of public lands."

The proposed law sounds like a quasi-PLDC land grab. Please hold.

Mahalo,

Henry Curtis,
Executive Director

February 13, 2017

COMMITTEE ON TOURISM

Rep. Richard H.K. Onishi, Chair

Rep. James Kunane Tokioka, Vice Chair

COMMITTEE ON WATER & LAND

Rep. Ryan I. Yamane, Chair

Rep. Sam Satoru Kong, Vice Chair

Testimony in Support of HB1469

Aloha Chairs Onishi and Yamane,

Hawaii Planing Mill, Ltd. dba HPM Building Supply will be celebrating its 96th anniversary on August 8, 2017. We have over 320 employees and operate 8 facilities across Hawaii Island, Oahu and Kauai. Today we are a 100% employee-owned company and proud that all our success is returned to the communities we serve. Our roots are in Hilo, where HPM was founded in 1921. Since 1961, we have been a lessee of the State of Hawaii and were a recipient of one of the original “tidal wave” leases. The original 55-year lease term came up in 2016 and we have since been granted a 10-year lease extension which expires in 2026.

We respectfully ask for your support of HB1469. The opportunity to establish and designate public land redevelopment districts brings forward an effective framework to revitalize our Hilo community. Also important to this bill is the establishment of procedures for designating planning committees, district redevelopment plans, and redevelopment district revolving fund appropriations.

We also appreciate that HB1469 modifies public land lease restrictions, which will benefit the Kanoelehua industrial area where our primary 5-acre Hilo customer center exists. This is important to us as this may allow HPM and other companies currently under lease with the DLNR to potentially renew our lease terms and make substantial improvements to our properties and facilities. Most importantly, we have confidence that the comprehensive nature of HB1469 and its mechanisms for funding provide the right ingredients to make meaningful and timely impact and will establish the economic foundation and engine for our future generations of our Hilo community to thrive.

Thank you for your support of this bill.

Mahalo,



Robert M. Fujimoto, Chairman of the Board Emeritus



Michael K. Fujimoto, Chairman and Chief Executive Officer



Jason R. Fujimoto, President & Chief Operating Officer

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa L. Nakama	BIFA	Oppose	No

Comments: We stand in opposition of this HB1469 we do not need another bad public land grab bill to only financially benefit the few, while the public suffers. This is not pono and must stop the greed of the few to take away public lands to fill their pockets of the few. AOLE!!!!

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Ponoholo Ranch Limited	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Marlene Hapai	Hawaii Island Portuguese Chamber of Commerce	Support	No

Comments: On behalf of the Hawaii Island Portuguese Chamber of Commerce, we support HB 1310 and HB 1469 to improve Hilo's economy with a focus on redeveloping the Hilo area. There is much potential in this area and increasing our tax base would provide more needed services for the Hilo area as well as make this area more visitor and resident friendly. Marlene Hapai, President HIPCC

Submitted By	Organization	Testifier Position	Present at Hearing
Distin Barca	ohana farms	Oppose	No

Comments: Please stop these very corrupt attempts against what the Majority of Hawaii wants. Protection for Mauna A Wākea . Mahalo nui. Dustin Barca Ohana O Kaua'i Ohana Farms



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

HOUSE COMMITTEE ON TOURISM & HOUSE COMMITTEE ON WATER AND LAND
Tuesday, February 14, 2017, 9:30 AM, State Capitol Auditorium
House Bill 1469, Relating to Public Lands

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Onishi, Chair Yamane, and Committee Members:

The League of Women Voters of Hawaii strongly opposes HB 1469 which establishes procedures for designation of public land redevelopment districts and unaccountable “committees” with authority to negotiate non-bid long-term leases to existing lessees, override unspecified public land use “ordinances and rules”, earmark use of public lease revenues, and waive public collection of lease revenues within redevelopment districts.

We support public planning for redevelopment of public lands and transparent, competitive procedures for award of long-term commercial leases on public lands. We oppose HB 1469 because this bill contains provisions which would encourage existing commercial lessees of public lands to “play politics” to gain special unfair treatment.

Thank you for the opportunity to submit testimony

Submitted By	Organization	Testifier Position	Present at Hearing
brian nakano	Chika Nakano Repair Shop	Support	No

Comments: Please support this bill.

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Oppose	No

Comments: Oppose circumvention of local rule and local planning. www.WeAreOne.cc

2/13/2017

To Whom It May Concern,

On behalf of the Hawaii Island Chamber of Commerce, I support HB 1310 and HB1469 to improve Hilo's economy with a focus on the redevelopment of the Hilo area. There is much potential in this area and increasing our tax base would provide more needed services for the Hilo area as well as make this area more visitor and resident friendly.

Mahalo,

Christopher Parayno
Techy3 Studio Productions
8089377101
chris@techy3.com

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Oppose	No

Comments: Aloha, As per our group's stated purpose which is to protect and enjoy the waters of our home, so does this bill go against the sensible protection of those natural resources by creating bad land use policy. This bill is against the tenets of Smart Growth, would potentially limit the success of community development plans, and further instates top-down, developer-driven land use policy which the residents of West Hawai'i have been fighting for decades. The stated goal of having only development and real estate experts on the committee shows how out of touch this legislation is from the public interest including the protection of Public Trust Resources and forward-thinking, sustainable management of public lands. There are so many reasons to deny this dangerous bill, and we hope that our leaders will not fall to the polished creation of development and other corporate interests who work diligently to keep the public out of their public lands and public processes. mahalo for hearing our call. Say "NO" to HB1469. sincerely, janice palma-glenie for the Kona Kai Ea chapter of Surfrider Foundation

Submitted By	Organization	Testifier Position	Present at Hearing
David S. De Luz, Jr.	Big Island Toyota/David S. De Luz, Sr. Enterprises, Inc.	Support	No

Comments: Aloha Chairs's Onishi and Yamane and fellow committee members: I/we STRONGLY SUPPORT HB 1469, because this bill would allow the community of East Hawaii, especially because the State of Hawaii controls/owns a significant amount of parcels/land holdings in the "heart" of the small business corridor, the opportunity to have the ability to redevelop what once was a thriving d economic hub. It currently is in quite disrepair and in dire need of attention, especially with the input and guidance of our local stakeholders. The passage of HB 1469 will be start of the rebuilding, a rebirth of a once proud and vibrant East Hawaii properties and key to becoming a a vital and sustainable economic engine again! Thank you for the opportunity to submit this testimony and I/we ask you to PLEASE SUPPORT passage of HB 1469! Mahalo, David S. De Luz, Jr. 808-895-4284 VP Big Island Toyota, Inc.

BRIAN J. DE LIMA

ATTORNEY AT LAW

February 13, 2017

Chair Richard Onishi
Chair Ryan YamaneCommittee on Tourism and Committee on Water & Land
Hearing: HB 1310 and HB 1469
Date: 2/14/17 at 9:30 a.m. Auditorium

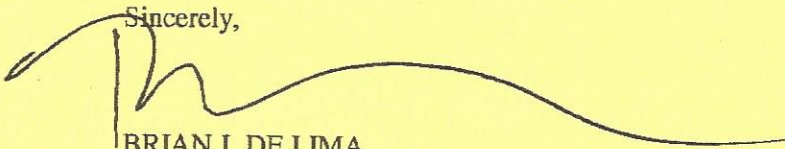
Dear Chair Onishi, Chair Yamane, and Members of the Committees on Tourism and Water & Land:

I am a Member and Chair of the Hawaii County Banyan Drive Hawaii Redevelopment Agency. The Agency will not be meeting until later this month and has not discussed the legislation being proposed. However, as a life long resident of Hilo, I applaud the leadership of our legislators in recognizing the need to broaden and focus on economic needs of our community.

I attended a community meeting about a week ago and I was impressed with the widespread community support and recognition that it is imperative that the State utilize all of its assets to increase opportunities for our Hilo community.

Thank you for the opportunity to provide testimony and support for the proposed legislation.

Sincerely,


BRIAN J. DE LIMA

**Jeffrey Melrose
Island Planning
1405 Waianuenuue Ave.
Hilo, HI 96720**

February 13, 2017

Combined Testimony on HB 1310 and HB 1469 Related to Waiakea Peninsula and Related to Public Lands respectively

Aloha Members of the Tourism, Water and Land Committee

I would like to testify in support of both of the above measures as important tools to help promote economic revitalization of the Waiakea Peninsula and other State owned Industrial properties in Hilo Town.

I am a land planner who has worked primarily on Hawaii Island for the last 25 years. I am also a past President of the Hawaii Island Chamber of Commerce and of the Hilo Downtown Improvement Association. In these various roles I have seen firsthand the shortcomings of the State's land management as implemented through Chapter 171 HRS. The inability to renegotiate lease extensions and to direct funds towards regional infrastructural reinvestment in either the Waiakea resort area or the Kanoiehua industrial area has resulted in an extended malaise in the economic vitality of these two very important parts of town.

Like many others in Hilo, I ask the Legislature to step forward in the 2017 session to address these issues along the lines laid out in the two bills before you today. I understand that what is being asked of you is complex and presents a range of challenges for the DLNR Land Division and may have a small impact on State revenues in the short run. I believe however that the path being laid out by our community and supported by our legislative delegation and others is the correct path and it will pay out in the long run with a more vibrant economic condition in East Hawaii.

I urge you to support both bills before you today and look forward to an ongoing partnership between the Legislature and the East Hawaii Community to build a more vibrant and sustainable economy for the businesses, families and young people that call Hilo home.

Thank you for the chance to testify.

LATE



Hawaii's Thousand Friends

300 Kuulei Rd. Unit A #281 * Kailua, HI 96734 * Phone/Fax (808) 262-0682 E-Mail: htff3000@gmail.com

COMMITTEE ON TOURISM

Rep. Richard H. K. Onishi, Chair

Rep. James Kunane Tokioka, Vice Chair

COMMITTEE ON WATER & LAND

Rep. Ryan I. Yamane, Chair

Rep. Sam Satoru Kong, Vice Chair

HB 1469

RELATING TO PUBLIC LANDS

February 14, 2017

Chairs Onishi and Yamane
Vice Chairs Tokioka and Kong
Committee Members

Hawaii's Thousand Friends (HTF) opposes HB 1469 that creates a new chapter in HRS 171 to establish procedures for designating public land redevelopment districts.

A new public land system as proposed in this bill is not needed since BLNR currently:

- Identifies lands suitable and economically feasible for commercial, industrial, hotel, apartment, motel and resort development and use. (HRS 171-10)
- Has the authority to establish additional restrictions, requirements, or conditions relating to the use of particular land being disposed of. (HRS 171-6)
- Has the authority to reduce or waive the lease rental on any lease of public land used for resort, commercial, industrial, or other business where the land being leased requires substantial improvements. (HRS 71-6)

Taking 50% of DLNR revenue and income from public lands in a designated district, as proposed in HB 1469 and putting that money into a redevelopment district revolving fund is robbing Peter-to-pay Paul.

HTF recommends that HB 1469 be held in committee because it is not necessary, has limited public involvement and will allow redevelopment plans to supersede existing land use, planning, development and construction laws on public land.

LATE



SIERRA CLUB OF HAWAI'I
MĀLAMA I KA HONUA. *Cherish the Earth.*

JOINT HOUSE COMMITTEE ON TOURISM, AND WATER AND LAND

Tuesday, February 14, 2017 9:30AM Room Auditorium

In OPPOSES HB1469 Relating to Public Lands

Aloha Chairmen Onishi and Yamane and members of the Tourism, Water and Land Committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i strongly opposes HB1469, which creates a new redevelopment district exempt from all basic land use laws.

Since 1968, the Sierra Club of Hawai'i has been working to protect the unique natural and cultural resources of our islands. We have extensive experience in defending the veracity of Hawai'i's land use laws. The Sierra Club was part of the massive community outcry that repealed the ill-fated Public Lands Development Corporation. We oppose HB1469 for many of the same reasons the PLDC was rejected.

HB1469 seeks to authorize the establishment of redevelopment districts for specific public lands deemed dilapidated and in need of rejuvenation. While recognizing the valid need to address blight on public lands, we nonetheless find this bill to be a bad deal for the public because it would erase all basic protections public land in the proposed redevelopment district, including all land use laws, and time limits on leases, without providing any added protections.

Section of 171-F(f) of the proposed bill would authorize district redevelopment plans that "...shall supersede all other inconsistent ordinances and rules relating to the use, planning, development, and construction on public land...".

In addition, the bill would specifically add "hotel, resort" to the list of authorized leases on public land, and eliminate the current 65 to 75 year time limits on leases of public land, which effectively gives away public land forever.

This bill could result in hotels and resorts permanently occupying public lands throughout the Hawaiian Islands without any guarantees that the new developments are consistent with our land use laws or good planning principles, and no guarantees that the public would earn any additional revenue for those the land was originally designed to benefit, the people of Hawai'i.

For these reasons, we consider this bill is a bad deal for the people of Hawai'i, and strongly urge you to reject this measure. Thank you very much for this opportunity to provide testimony on this important issue.

Mahalo,

Marti Townsend
Director

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Oppose	No

Comments:

McCully Works

40 Kamehameha Ave.

Hilo, Hi. 96720

HB 1469: Testimony in SUPPORT

House Committee, Tourism

Chair, Richard Onishi

Vice Chair, James Tokioka

House Committee, Water and Land

Chair Ryan, Yamane

Vice-Chair, Sam Kong

Aloha Chairs Onishi and Yamane,

Mahalo plenty! This innovative and progressive bill can do so much for economic development throughout the state. It provides a means for any community that has significant state lands affecting their economic future to get involved and work towards the best possible outcome. I'm a business owner in Hilo since 1976. With more than 30 businesses and 200 plus employees operating in the warehouses and buildings we operate I can see the obvious benefits that this bill can provide.

I note that this bill allows for the local community to be the decision makers on the proposed policy committee and that will be critical to it's future success throughout the state.

I might also observe that the public lands in the KIAA in the latter stages of their leases have fallen into economic obsolescence. These "wasting assets" are to the detriment of the business owners, their customers, the general welfare of our community, and finally the state of Hawaii at large. Public lands that are not used on an optimal basis are an obvious waste of our resources and statutory language that can correct these deficiencies is sorely needed. This bill could be well utilized to correct these long standing issues.

Please support HB1469 and I look forward to testifying on its behalf

Mahalo,
James McCully

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Ralston	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Prentiss	Individual	Oppose	No

Comments: Strongly opposed. We don't need another layer of government to manage these lands. Most are in the Agricultural or Conservation District for good reasons. Those in the Urban District or added to the Urban District should be developed consistent with existing county general plans. Development going in uncoordinated directions will be destructive. State supported infrastructure and specific proposals from developers can already be considered under existing law. Charles A. Prentiss, Ph.D., Retired former Executive Secretary of the Honolulu Planning Commission

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Smith	Individual	Oppose	No

Comments: strongly oppose

TESTIMONY IN OPPOSITION TO HB 1469

Testifier: Robin Kaye

Hearing : 2/14/17 (TOU/WAL)

HB 1469 establishes procedures for designating public land redevelopment districts, planning committees, district redevelopment plans, and designated redevelopment district revolving funds. Establishes powers and duties of planning committees. Modifies public land lease restrictions. Appropriates funds.

HB1469 restricts the Hawaii public's participation in our islands' future by limiting public hearings in rule-making, redevelopment to one hearing.

HB1469 provides far-reaching authorizations to a select group of individuals, changes the laws' protections for public lands, diminishes the role of the public in land use determinations, and deletes time limits for public land leases; overall it is so clearly an attempt to bring back the failed grabs of the resoundingly defeated PLDC.

I oppose this bill and urge its permanent deferral.

Mahalo for your consideration,

Robin Kaye

Robin Kaye
Lana'i Resident

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

Comments: STRONGLY OPPOSE!!! The 2nd coming of the PLDC? We know how that worked out last time.

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

Comments: I strongly oppose this bill! Once again some members of the legislature are attempting to turn over critical decisions about Hawaii lands to unelected, politically appointed bodies with no further accountability to anyone! (A single public hearing after a plan is complete does not constitute adequate public input or review.) Under the terms of this bill, unelected planning committees could sell off public lands or approve 99year leases, thereby alienating them from the public use. This is unacceptable and an abrogation of legislative responsibilities. Please do not pass this bill!

Submitted By	Organization	Testifier Position	Present at Hearing
Tulsi Greenlee	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Sharron Cushman	Individual	Comments Only	No

Comments: I strongly oppose HB 1469.

Submitted By	Organization	Testifier Position	Present at Hearing
Douglass Adams	Individual	Support	No

Comments: Dear Chair Onishi and Chair Yamane, HB 1469 is needed to ensure that other measures to upgrade the economy of Hilo and East Hawaii are given the fullest opportunity to work. I urge the committees and the House to move this bill forward and pass it during this legislative session. respectfully, Douglass S. Adams Hilo

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

Comments: Our Kauai state hospitals could benefit from this. They are struggling hard to stay open and there does not appear to be a source of funding to correct the challenge. I recognize this is a much opposed bill. maybe fix it to be isolating Kauai's hospital properties, especially Mahelona.

Submitted By	Organization	Testifier Position	Present at Hearing
Kyle Kajihiro	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Caleb Yamanaka	Individual	Support	No

Comments: I am writing to testify in support of bill HB 1469 and HB 1310. These bills will help our blighted commercial Hilo corridor and allow for the redevelopment of an area integral to the health and vitality of Hilo and its tourism. I am born and raised in Hilo and will live her all my life, this is something that is so desperately needed. Thank you for your consideration.

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

Comments: This bill is very suspicious. There are no checks and balances from the native Hawaiian community nor those critical of over-development. All the members are those seeking profits from development. This is not the Hawaii I want.

Submitted By	Organization	Testifier Position	Present at Hearing
Geoffrey Lasr	Individual	Oppose	No

Comments: This sounds a lot like The PLDC go around rules so that big money can do what they want when ever they want on public lands Words maybe different but intent is same SHAME ON YOU OPPOSED SINCERLY GEOFFREY LAST

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Lacques	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela M Williams	Individual	Oppose	No

Comments: Strongly oppose

Submitted By	Organization	Testifier Position	Present at Hearing
Ronelle Kubo	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
CHARLOTTE KEKELA	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Layne Funai	Individual	Support	No

Comments: As a Hilo resident, this bill would help tourism and small business. I support this bill completely.

Aloha,

I am in support of HB 1469. This bill has great potential to spur Hilo's economy for our future generations through proper planning and redevelopment.

Mahalo,
Justin Pequeño

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Ann Pahukoa	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
COL (Ret.) Deb Lewis	Individual	Comments Only	No

Comments: HB 1469 Establishes procedures for designating public land redevelopment districts, planning committees, district redevelopment plans, and designated redevelopment district revolving funds. Establishes powers and duties of planning committees. Modifies public land lease restrictions. Appropriates funds. I hereby submit personal testimony for HB1469 - My name is COL (Ret.) Deb Lewis and have managed \$Billions in infrastructure projects for our Nation and am also a graduate of Harvard Business School. Hilo is my home and I care deeply about our community. Because of my service and growing up in a military family, I have traveled the world. I can say that no place has more beauty, sense of community and potential than Hilo. I ride my bike daily and frequently along the Waiakea Peninsula. It was clear to me early on that this area of Hilo does not have clear roles, responsibilities and incentives to do what is best for our community. I would estimate \$100,000,000s in economic activity lost because of our inability to make this a vibrant community and welcoming place for visitors. Instead, I found myself worried about my safety, from the type of people that congregate near decaying buildings and because of the physical safety from crumbling infrastructure. Living on a shoreline requires vigilant and caring maintenance. The parks do exhibit this caring and high quality recreation. The buildings barely get by and would not likely pass all types of building codes elsewhere. This peninsula is a clear gem for our community that has been allowed to be covered up and decay. I recommend the legislature pass both bills HB 1310 and HB1469 to give the people of Hawaii Island the ability to create a welcoming and beautiful space that reflects positively on all residents of Hawaii. Let's make it safe and beautiful. It helps our community, will take care of our treasured natural resources, and will bring in much needed economic development to our state. We already possess the location and surrounding beauty. Let's take care of it as proper stewards of our environment or it will get worse.

Submitted By	Organization	Testifier Position	Present at Hearing
James Tyrin	Individual	Comments Only	No

Comments: To Whom It May Concern, I am writing this brief submission in support of HB1469. I am a life-long resident of Hilo and a member of the business community here. I support this bill whole heartedly. The Banyan Drive area of Hilo desperately needs revitalization and I see the entire community getting behind this well thought out plan. I've seen the plan and it is a good one. The State as a whole is an international brand that is constantly evolving over time. With eco-tourism at an all-time high, the east side of the Big Island is an attraction for so many visitors each year because of the natural beauty of its rainforests, waterfalls, and volcanoes. The one thing lacking is the infrastructure. Let's all do our part to make sure we are providing a world class experience for visitors and make them want to come back again and again. Thank you for your support and representation, James Tyrin

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

Comments: STRONGLY OPPOSE!!!!!!! IMO - this bill is just too broad & leaves too much 'wiggle room". If it were JUST for hospitals, or JUST for schools, etc. I'd probably be cool with it. We've fought 40 years for what very little environmental protections we have - many in the lege are trying to dismantle them piece by piece... year after year. It would have been soooo much better if lawmakers would first come to the communities and say, "here's the problem, how can we fix this to make it acceptable to you" - it would save us all sooo much wasted time - instead of having to fight for everything & just have you shoving 'these takings' down our throats. I oppose this bill because it's too much over-reach of public lands & we have very little say in where it's applied.

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Withington	Individual	Oppose	No

Comments: Here we go again. It's PLDC all over again. Did you not learn in 2013 that the public does not want you legislators to develop our public lands for commercial purposes? You, as our representatives, must uphold our Public Trust Doctrine and keep public lands for public use only. Not to condemn it forever into the mass of commercialism. Drop this bill now. Toni Withington, Hawi, Hawaii

Submitted By	Organization	Testifier Position	Present at Hearing
Greggor Ilagan	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Katharine T. Cannon-Eger	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Theodora Akau Gaspar	Individual	Comments Only	No

Comments: I oppose HB 1469

Submitted By	Organization	Testifier Position	Present at Hearing
Raul Nohea Goodness	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Fuchigami	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
george applegate	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Eunice Gonzales Lapena	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Nalani Kaninau	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Davis	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Peggy McArdle	Individual	Oppose	No

Comments: Aloha. I urge your strong opposition to HB 1469. This measure is a special interest give away for development on public lands. Hawaii doesn't need another PLDC. Mahalo.

Submitted By	Organization	Testifier Position	Present at Hearing
Mele Stokesberry	Individual	Oppose	No

Comments: It's incredible that after the people have already spoken and defeated a PLDC once, that such a law, to enable "district redevelopment plans that will supersede any or all land use, planning, development and construction laws on public lands" would be brought up again. Absolutely no!

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Oppose	No

Comments: aloha, This bill is antithetical to inclusive government and sensible, community-based land use planning. i ask that you strongly oppose this measure which would undermine the work of generations of residents and community groups whose collective goal is to protect our natural resources for the betterment of our society's chances for a decent quality of life and inclusive democracy. sincerely, janice palma-glennie kailua-kona

Submitted By	Organization	Testifier Position	Present at Hearing
Ali Ameden	Individual	Oppose	No

Comments: We need to protect public land from the greed that is destroying Hawaii.

Submitted By	Organization	Testifier Position	Present at Hearing
Carlene Greenlee	Individual	Comments Only	No

Comments: I oppose this bill and using public land for private development

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Takamine	Individual	Support	No

Comments:

To whom it may concern,

HB1469 is another public land hijack and an assault on public land rights and I strongly oppose this measure. We already killed the PLDC, did the legislature forget the public outcry? Did you think we had forgotten and certain lawmakers could get away with passing a cousin bill? We will never hand over Hawaii to developers and private interests like HB1469 does. Please give it up already, please stop creating and reviving messed up ways to sell us out for private profits off public lands. Please stop trying to pass laws which allow development on public lands with appointed decision makers. This is extremely inappropriate and I am bothered we have to express this to the legislature, AGAIN. I am really disappointed in the introducers of this bill and the Chairs who decided to hear it. You are supposed to represent the public and not the development industry, so please act like it.

Also, it's Valentine's Day and you're breaking my heart by even hearing this bill. Can we just get one session where the legislature doesn't try to harm the public trust and steal public lands for private development? That would be great. Would really appreciate it and I will be paying very close attention. We have enough problems but we only have one Hawaii so please have a heart and oppose HB1469 in order to protect our beautiful islands for the next seven generations.

Sincerely,

Ana Nawahine

Kamuela, HI 96743

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

Comments: No one who had aloha would be thinking like this...this bill is not only dangerous it is destructive, greedy and big corporate money all over it...enough they have already done too much damage in our islands

Submitted By	Organization	Testifier Position	Present at Hearing
Briana Hurley	Individual	Oppose	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Sharade Carba	Individual	Oppose	No

Comments: oppose HB1469

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

Comments: Lets save something for the future generations. So many homeless Hawaiians!Not right!

LATE

February 14, 2017

TO: (WAL) Chair - Ryan I. Yamane, Vice Chair - Sam Satoru Kong; Members: Cullen, Evans, Ichiyama, Lee, Nicole E. Lowen, Say; Fukumoto.

(TOU) Chair – Richard H.K Onishi, Vice Chair – James Kunane Tokioka; Members: Cachola, Choy, Ito, Ohno, Woodson; Ward.

SUBJECT: **OPPOSITION TO HB1469:** Public Lands; Redevelopment; Redevelopment Districts; Boundaries; Planning Committees; Powers and Duties; District Redevelopment Plans; Designated Redevelopment District Revolving Funds; Establishment; Lease Restrictions; Appropriations.

DESCRIPTION: Establishes procedures for designating public land redevelopment districts, planning committees, district redevelopment plans, and designated redevelopment district revolving funds. Establishes powers and duties of planning committees. Modifies public land lease restrictions. Appropriates funds.

HEARING

DATE: February 14, 2017
TIME: 9:30 a.m.
PLACE: Auditorium State Capitol 415 Beretania Street

I, Duke Kaliko Kamaka (K)* born in the presumed Hawaiian Kingdom 1973 – Hawaiian Subject, Direct Descendant prior to 1778.

** Descendant of my awesome great-grandfather Jacob Palakiko Kamaka Kama (K) b:1870, Puako, [genealogy Mo’o Kūauhau ‘o Lunalilo -The House Of Kalaimamahu -].*

Descendant of my lovely great-grandmother Kalua Pimoe Makahi (W) b:1878 [genealogy Mo’o Kūauhau ‘o Kekumulu (aka Kekumu) of 1822 – grandson of Kapokini (K) b:1756 + Ke aka (W) b:1750].

** Descendant of my awesome grandfather Frank Oniula Kamaka (K) b:1903, Kalaoa, son of Jacob Palakiko Kamaka Kama (K) and Kalua Pimoe Makahi (W) b:1878.*

Descendant of my lovely grandmother Mary Kapua Kamaka (W) b:1911, Keauhou, daughter of George Kauhahao (K) and Lucy Kalauekeakekulaikalani Kaaona (W).

** Descendant of my awesome father Rodney Kaukuna Kamaka (K) b:1938, Kealakekua, son of Frank Oniula Kamaka (K) and Mary Kapua Kamaka (W).*

Descendant of my lovely mother Naomi (aka Nomy Unea) Kamaka (W) b:1939, Hilo, daughter of Henry Kekuna (K)b:1912, and Rose (Kaahaolele) Kaaholeilo Unea (W)b:1912.

I, Duke Kaliko Kamaka, am **opposed to HB1469, Public Lands; Redevelopment; Redevelopment Districts; Boundaries; Planning Committees; Powers and Duties; District Redevelopment Plans; Designated Redevelopment District Revolving Funds; Establishment; Lease Restrictions; Appropriations.**

I don't agree with inventing a new chapter HRS 171-A PUBLIC LANDS REDEVELOPMENT. I know before we move forward I think all land heirs should be sought out for true descendants under the Mahele which my relatives holds an Allodial title to lands, just as Mr. Zuckerberg unfurled on Kau'i. For these reasons, I respectfully request that that HB1469 be held by this Committee.

Duke Kamaka

Duke Kaliko Kamaka

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kathrin Yamanaka	Individual	Support	No

Comments:

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
marjorie erway	Individual	Oppose	No

Comments: This kind of legislation should be left to the Counties! Keep the State's claws out of it! Mahalo for your consideration.

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Wai'ala Ahn	Individual	Oppose	No

Comments: Aloha I'm in opposition of this bill and for the protection of our sacred water and beloved Kahaluu water table. Legislation to preserve and protect water is of the utmost importance, not bills that endanger this vital life source for all. Mahalo.

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Maupin	Individual	Oppose	No

Comments:

LATE

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

Comments:

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Marion McHenry	Individual	Oppose	No

Comments: I strongly oppose this bill!

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren Ampolos	Individual	Oppose	No

Comments:

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Brady Townsend	Individual	Oppose	No

Comments: Shame on you for wanting to shut the people out of the process. You need to focus on making the islands sustainable. Enough of your overdevelopment short sighted thinking that will leave these islands forever dependent on the mainland. If you are working for corporations and not the voters we will be replacing you. Start working for the people, not developers.

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
CSpellman	Individual	Oppose	No

Comments: Absolutely Not!!!

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Mitsuko Hayakawa	Individual	Oppose	No

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Rexann Dubiel	Individual	Oppose	No

Comments: Another land grab! No, No, No! I do not support HB 1469.

LATE

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

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Pono Kealoha	Individual	Oppose	No

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
MaryAnn Omerod	Individual	Oppose	No

LATE

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

LATE

Honorable Representatives:

My name is Michael Shewmaker, My wife, Keiko and I own one of the most successful businesses in Downtown Hilo as well as two leasehold properties in the Hilo Industrial Area. Our nearly forty years of doing business in Hilo have given us a deep love and concern for our community.

We would most appreciate your support for HB1469 establishing procedures for redevelopment districts. Establishment of a district in Hilo will allow those in our community to determine the destiny of our community. We have been held in limbo for too many years because nearly all of our commercial, industrial and resort zoned lands are leasehold properties held by the State of Hawaii and Hawaiian Homes.

As strange as it may seem Hilo suffers every day from the Tsunami of 1960. That dreadful wave cut through the heart of the city and stripped us of our vital, fee simple commercial and industrial lands. In order to insure survival of the city these lands were replaced by State owned leasehold parcels in the Waiakea area. This permanently removed the ability of the small business owner to build equity in their property; one of primary ways the small guy has always depended on to get ahead. Now there are just a few years remaining on these leases, the buildings are in disrepair and no viable way to refurbish the community is available to us. Without leasehold reform Hilo and more specifically the Hilo Industrial Area and the Banyan Drive area will remain stagnant.

Thank you for your consideration.

Sincerely,

Michael Shewmaker

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Whispering Wind	Individual	Oppose	No

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Oppose	No

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Oppose	Yes

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kris Bordessa	Individual	Oppose	No

Comments: Oppose circumvention of local rule and local planning

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Alana Dandrea	Individual	Oppose	No

Comments: To whom it may concern, I am writing my testimony today in opposition of HB1469. I am born and raised from Haiku, Maui. 28 year old white female and I cannot even believe this bill is being considered. How disrespectful is it that you guys think you can continue to hand over these stolen Hawaiian lands to private for profit companies. Don't you know there is a huge homeless issue here in Hawaii? Don't you know there are thousands of Hawaiians who have been waiting for years to receive some type of Hawaiian lands? For you to even consider continuing to sell this land to private mainland developers and corporations makes my mind and heart hurt. The struggle here in Hawaii is because of people like you, passing laws that don't help anyone but yourself and your profit. Please protect our scared Hawaiian lands and keep them in Hawaiian hands. I am asking that you please oppose HB1469 and do not consider anything similar to this bill until Hawaiians and homeless are helped properly and affordable housing is built for all full time local residents. Mahalo Nui for the opportunity. Alana Mealoha Dandrea 28 Laupapa place Haiku, Hi 96708 8082699347

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Jeri Di Pietro	Individual	Oppose	No

Comments: