



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committee on
WATER AND LAND

Monday, February 3, 2020
1:15 PM
State Capitol, Conference Room 229

In consideration of
SENATE BILL 2668
RELATING TO THE LAND CONSERVATION FUND

Senate Bill 2668 proposes (1) to increase the maximum dollar amount of the annual Conveyance Tax distribution to the Land Conservation Fund (Fund) from \$6.8 million to \$8.8 million and (2) to increase the percentage of the Fund that may be used, annually, for costs related to the operation, maintenance, and management of lands acquired by the Fund. **The Department of Land and Natural Resources (Department) supports this measure.**

(1) Raising the Revenue Cap

In 2005, the Legislature recognized that “an alarmingly small amount of money is invested each year to protect our natural capital base,” and authorized ten percent of annual conveyance tax revenue as a source of permanent funding for land conservation, based on a finding “that the preservation, protection, and enhancement of the State’s land, coastal areas, and natural resources are of central importance for current and future residents and for the state economy” (Act 156). During the first eight years of funding (FY06-FY13), the Fund received an uncapped, ten percent share of conveyance tax revenue that ranged from \$2.38 million (FY09) to \$5.92 million (FY06), and averaged \$4.48 million. For FY14-FY15, this revenue share climbed to \$7.72 million per year (average), while the Department’s spending ceiling remained unchanged at \$5.1 million per year.

In 2015, the Legislature capped this revenue source at \$6.8 million per year. Over the next four years (FY16-FY19), ten percent of conveyance tax revenue exceeded this new cap by \$7.7 million, total, money that could have been applied to land acquisition projects. For FY19, the Legislature granted the Department’s perennial request to raise the spending ceiling for the Fund, providing a one-time increase from \$5.1 million to \$6.9 million. For the FY20-FY21 biennium, the annual

spending ceiling was lowered back down to the historic appropriation level. At this level, about \$3.2 million remains available for the annual land acquisition grant program, after covering debt service for the State's land acquisition at Turtle Bay and expenditures for program administration.

In the face of escalating real estate prices and persistent development pressure, the Department's primary dedicated funding mechanism for land conservation continues to lose pace with market values and public demand, resulting in missed opportunities for many worthy and time-sensitive land acquisitions. For example, the Department received applications for over \$15 million in FY20+FY21 grant funding, with over 64% of total land acquisition costs to be provided by other sponsors. In reviewing these applications, the Legacy Land Conservation Commission voiced its disappointment that more funds were not available to support the bulk of the proposals.

Council on Revenues growth rate projections suggest that ten percent of conveyance tax revenues will exceed \$8.8 million in each year of the FY 2021 to FY 2026 budget planning period, indicating that raising the Land Conservation Fund revenue cap as proposed would result in a \$12 million total impact to the general fund during that period. This impact represents a two percent reduction in total estimated conveyance tax distributions to the general fund and a 0.024 percent reduction in total estimated general fund tax revenue over the entire six-year budget planning period.

The Department notes that an increase in the annual spending ceiling would be required to authorize the Department to expend additional conveyance tax revenue for grants from the Legacy Land Conservation Program. In order to promote greater legislative involvement in the distribution of funds and more timely determination of program resource needs, the Department recently changed the timeline for the Land Conservation Fund grant application process. For the FY21 budget cycle, we already received a funding recommendation from the Legacy Land Conservation Commission, and used it as a basis for the Department's supplemental budget request. Thus our FY21 budget request is based on specific, point-in-time knowledge of planned acquisitions rather than on anticipated demand (as derived by assessing historic revenue, appropriations, and requested grant amounts).

(2) Raising the Management Grants Cap

The Department notes that awarding and administering grants of operation, maintenance, and management funds for lands acquired by way of the Land Conservation Fund must be conducted under State procurement law and would require additional staff resources to develop and implement procedures for grant application, review, award, contracting, and field inspection. Given the expanding workload of the Legacy Land Conservation Program, which now monitors the management of 36 conserved properties—with up to 18 more that may be added by the end of FY21—the Department would need one additional position in order to responsibly implement an expansion of the management grant component of the Legacy Land Conservation Program, while continuing to preserve and enhance the vitality of grants for land acquisition.

Thank you for the opportunity to comment on this measure.

**The Trust For Public Land's Testimony Regarding SB 2668
Relating To the Land Conservation Fund**
Senate Committee on Water & Land, Conf. Room 229
Monday, February 3, 2020, 1:15 p.m.



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Aloha e Chair Kahele, Vice Chair Keith-Agaran, and Committee Members:

SB 2668 increases the maximum amount that can be used for management of lands acquired through the Legacy Land Conservation Program ("Legacy Program") from five percent to twenty-five percent, and increases the statutory cap for the program from \$6.8 million to \$8.8 million. We appreciate the Senate's efforts to support this valuable program. While TPL supports increasing the statutory cap, we hope that DLNR's budget for management of important forest, watershed, and recreation lands would not be decreased as a trade-off for this increase. We also note that this bill does **not** address the \$5.1 million spending ceiling set by the Legislature in its supplemental budget bill (LNR101).

The Trust for Public Land was part of a coalition legislators and community and environmental groups that worked together to enact the Legacy Program in 2005, which sets aside funding from the real estate conveyance tax to conserve land and special places throughout Hawai'i Nei. 2020 marks the program's 15th anniversary. The Legacy Program has conserved significant cultural sites, watersheds that produce our drinking, important habitat for native species, agricultural land that increases our food security, and beaches and coastal areas enjoyed by all. Each year, there are many more worthy projects than there is available funding.

The Governor's executive supplemental budget requests that the spending ceiling for the Legacy Program be increased from \$5.1 million to \$10.2 million in honor of the 15th Anniversary. Over \$20 million of unspent money has built up in the Legacy Program fund because:

- (1) The spending ceiling set by the Legislature in its budget bill of \$5.1 million is lower than the amount deposited in the fund (\$6.8 million or 10% of the real estate conveyance tax, whichever is lower) – DLNR is only authorized to spend \$5.1 million, which is less than what is going into the fund; and
- (2) Monies for projects that do not close are returned to the fund.

This has caused a large unallocated pool of money of over \$20 million to build up in the fund that the DLNR and Legacy Program cannot spend or use for land conservation, as the Legislature and supporters of the program originally intended.

We urge you to talk with your colleagues on the Senate Ways & Means Committee and the House Finance Committee and support increasing the FY21 spending ceiling for this worthy program from \$5.1 to \$10.2 million (LNR101). Over 50 community, Hawaiian, and business organizations support this effort (see attached supporter list) – from the Land Use Research Foundation and the James Campbell Co. to the Sierra Club.

Mahalo -

Hawaiian Islands State Director
Edmund C. Olson Trust Fellow



Join Us in Celebrating the Legacy Program's 15th Anniversary!

The following community organizations, businesses, and landowners have joined together in support of the Governor's request to increase the Legacy Program's spending ceiling from \$5.1M to \$10.2M for FY21 (LNR101, Land Conservation Fund in budget bills) in honor of the 15th anniversary of the Legacy Program and its legacy of Aloha 'Āina:

'Ahahui Mālama I Ka Lōkahi
Ala Kahakai Trail Association
Alexander & Baldwin
Aloha 'Āina Health Center
Aloha Kuamo'o 'Āina
Blue Planet Foundation
Castle & Cooke Hawai'i
Cave Conservancy of Hawai'i
Dole Food Company
Friends of Amy B. H. Greenwell Ethnobotanical Garden
Gill 'Ewa Lands LLC
Hawaiian Islands Land Trust
Hawai'i Agriculture Research Center
Hawai'i Alliance For Community Based Economic
Development
Hawai'i Audubon Society
Hawai'i Bicycling League
Hawai'i Wildlife Fund
Hi'ipaka LLC
Hika'alani
Historic Hawai'i Foundation
Hō'ala 'Āina Kūpono
Ho'omalua Ka'ū
Hui Kawainui-Kailua Ka Wai Ola
James Campbell Company LLC
KAHEA
Kailua Historical Society
Ka Makani O Kohala 'Ohana
Kamehameha Schools
Ka 'Ohana O Honu'apo
Kauluakalana
Ke Ao Hali'i
Kīpahulu 'Ohana, Inc
Kohala Lihikai
Kōkua Kalihi Valley Comprehensive Family Services
Kona Historical Society
Kua'āina Ulu 'Auamo (KUA)
Kuahiwi Ranch
KUPU
Land Use Research Foundation
Livable Hawaii Kai Hui
Maika'i Kamakani O Kohala
Mālama Learning Center
MA'O Organic Farm
Maui Nui Makai Network
Maunalua Fishpond Heritage Center
Moku O Keawe Land Conservancy
Moloka'i Land Trust
Nā Mamo O Mū'olea
National Tropical Botanical Garden
The Nature Conservancy Hawai'i
North Shore Community Land Trust
The Outdoor Circle
Pacific American Foundation
Paepae o He'eia
Pono Pacific
Pūlama Lana'i
Sierra Club of Hawai'i
Stanford Carr Development
Sunset Ranch
The Surfrider Foundation, Hawai'i Chapters
The Trust for Public Land Hawai'i
Ulupalakua Ranch
The Ulupono Initiative
Wailupe 'Ohana Council
Waipā Foundation
YMCA of Honolulu

IMPACT OF INCREASING THE LEGACY LAND SPENDING CEILING



**CONSERVE OVER
15,000 ACRES**
of cultural, natural, &
agricultural landscapes

**PROTECT OVER 2.4 MILES OF
PRISTINE COASTLINE**



PRESERVE 2 VITAL WATERSHEDS
on Maui & Moloka'i

MĀLAMA CULTURAL SITES

'Ili'ili'ōpae the largest heiau on Moloka'i, a
fishing village, & an ancient defensive
cave on Hawai'i Island



CONSERVE ECOSYSTEMS
Ka'alu'alu Bay, Kapenako spring,
anchialine ponds, coastal habitat, &
native forest

SUPPORT LOCAL AGRICULTURE

Over 1,900 acres of ag land, stream
restoration for kalo cultivation, & 4
grazing/ ranching leases



The State of Hawai‘i

Legacy Land Conservation Program: 15 Years of Aloha ‘Āina

Celebrate By Raising The Legacy Program Spending Ceiling

In celebration of the 15th anniversary of the State Legacy Land Conservation Program (“the Legacy Program”), a coalition of community organizations, landowners, and businesses listed in the insert support doubling the spending ceiling for FY21 from \$5.1M to \$10.2M in the Legislature’s annual budget bill.

Lands with important cultural, natural, and agricultural resources are sometimes, despite land use laws, threatened with development, destruction, or made inaccessible to the public. The Legacy Program is a win-win approach to these conflicts.

The Legacy Program is a completely voluntary program where private landowners voluntarily consent to the purchase of or conservation of their lands. The Legacy Program provides grants to public agencies and non-profit community organizations to purchase and voluntarily conserve land to protect unique and threatened natural and cultural resources: e.g., historic

sites, coastlines, native forest, watersheds, scenic open space, agricultural and ranch land, and recreational, fishing, and hunting areas.

In 2005, the Legislature enacted the program with nearly unanimous bipartisan support by its members and by an enthusiastic cross section of community, conservation, and affordable housing groups.

The Legislature prophetically recognized that an “alarmingly small amount of money is invested each year to protect our natural capital base” and that the “preservation, protection, and enhancement of the State’s land, coastal areas, and natural resources are of central importance for current and future residents and for the state economy.”

The Legacy Program has since protected 36 special places and over 21,000 acres throughout Hawai‘i nei and leveraged two-thirds of funding from county, federal, or private sources.



Ka Iwi Coast, O‘ahu: 182 acres of scenic coastline protected in 2017 with funds from the Legacy Program and the City and County of Honolulu Clean Water & Natural Lands Program after 40 years of grassroots advocacy.

How The Legacy Program Works

For 15 years, the State’s Legacy Program has protected treasured lands across Hawai‘i in a fiscally responsible, transparent, and community-supported manner.

Applicants to the Legacy Program go through a rigorous vetting process administered by the Legacy Land Conservation Commission (“the Commission”) made up of nine volunteer Governor-appointed commissioners with subject matter expertise (e.g., Hawaiian culture, native plants and animals, agriculture) and geographical representation from all the islands. The Commission analyzes detailed applications, conducts site visits, consults with the House Speaker and Senate President, ranks projects, and makes funding recommendations to the State Board of Land and Natural Resources.

Once an applicant is awarded funding, Legacy Program staff then work with the State Attorney General’s department and the Land Division to ensure that the State’s investment of funding is protected and documented via appraisals, deed restrictions, conservation easement restrictions, title review, and contractual grant agreement requirements.

A Legacy of Aloha ‘Āina

These 44 special places have benefited from the Legacy Program:

HAWAI‘I ISLAND

- ◆ Amy B.H. Greenwell Ethnobotanical Garden, Kona
- ◆ Hilo Forest Reserve
- ◆ Kahuku Coastal Property, Ka‘ū
- ◆ Kaiholena, North Kohala
- ◆ Kaiholena South, North Kohala
- ◆ Kalukalu Ranch, Kealakekua
- ◆ Kapanaia, Kohala*
- ◆ Kauhola Point, North Kohala
- ◆ Kawā I & 2, Ka‘ū
- ◆ Kīpuka Kanohina, Ka‘ū
- ◆ Kuamo‘o Battlefield & Burial Grounds, Kona
- ◆ Lapakahi State Historical Park, North Kohala
- ◆ Pāo‘o, North Kohala
- ◆ Uchida Farm, Kealakekua
- ◆ Waikapuna, Ka‘ū

MAUI

- ◆ Kahanu, Hāna
- ◆ Mokae to Maka‘alae Lands, Hāna, Maui*
- ◆ Nu‘u, Southeast Maui

MOLOKA‘I

- ◆ Kainalu Ranch, East Moloka‘i
- ◆ Kawaikapu, East Moloka‘i
- ◆ Pua‘ahala Watershed, Kamalō

KAUA‘I

- ◆ Black Pot Beach Expansion, Hanalei
- ◆ Halulu Fishpond Access, Waipā*
- ◆ Kaluanono, Waipā*

O‘AHU

- ◆ Hakipu‘u Lo‘i Kalo*
- ◆ Hāwea Heiau & Keawāwa Wetlands, East Honolulu
- ◆ Helemano Wilderness Recreation Area, Central O‘ahu
- ◆ Honouliuli Forest Reserve, West O‘ahu
- ◆ Ho‘oulu Ola, Kalihi*
- ◆ Kalauao Valley, ‘Ewa
- ◆ Kānewai Spring, East Honolulu
- ◆ Kunia – Hawai‘i Agricultural Research Center
- ◆ MA‘O Organic Farm – Palikea Expansion, Wai‘anae
- ◆ MA‘O Organic Farm – Takahashi Farm Expansion, Wai‘anae
- ◆ Maunawila Heiau, Hau‘ula
- ◆ Pia Valley, East Honolulu*
- ◆ Pu‘ukua, Waimea Valley
- ◆ Pu‘u o Ehu – Hāmākua Marsh
- ◆ Ulupō Heiau Buffer, Kailua*
- ◆ Sunset Ranch, North Shore
- ◆ Turtle Bay Makai – Kahuku Kawela Forever, North Shore
- ◆ Turtle Bay Mauka Agricultural Lands, North Shore
- ◆ Waimea Native Forest, North Shore

*Pending projects that have not yet closed or been completed.

21,000+

acres protected across five islands

36

properties conserved in perpetuity, and another 8 properties awaiting completion

42

participating community partners, including counties, state agencies, and nonprofit organizations

\$1=\$3

every state dollar is matched by \$2 of other federal, county, or private funding

15

years in operation, the Legacy Program has protected some of Hawai'i's most treasured places

What Is The Legacy Program's Spending Ceiling?

The State of Hawai'i dedicates a portion of revenue from the real estate conveyance tax (a tax paid by the seller whenever land is sold) to the Legacy Land Conservation Fund ("the Legacy Fund"). Ten percent or \$6.8 million, whichever is less, of the real estate conveyance tax goes into the Legacy Fund.

The Legislature has generally imposed a \$5.1M "spending ceiling" that is lower than the \$6.8M that goes into the Legacy Fund annually.

After administration/staffing costs and the \$1.5M debt service for the Turtle Bay Makai conservation project, only about \$3.2M has been available for competitive grants for land conservation projects statewide each year since 2016.

Meanwhile, over \$20M has built up unspent in the Legacy Fund, as the amount flowing into the fund (\$6.8M) exceeds the annual spending ceiling (\$5.1M) or projects are discontinued.



Over 2,300-acres known as Waikapuna located in Ka'ū, Hawai'i Island was recently acquired by the Ala Kahakai Trail Association, funded by the County of Hawai'i's Open Space Program and the State's Legacy Program, conserving over 2.3 miles of the Ala Kahakai National Historic Trail, an ancient fishing village, and hundreds of cultural sites. The Ka'ū community has been working for decades to protect their beloved 80-mile coast to honor their kūpuna and perpetuate their rural lifestyle.

What Is The Impact Of Increasing The Spending Ceiling for FY21?

Each year, the number of applicants to the Legacy Program has increased with non-profits and public agencies competing for funding. For FY21, the Legacy Commission recommended 11 projects for full funding. But under the spending ceiling, only two projects can be fully funded.

While community demand for protecting land has intensified, land and prices and development pressures have increased, the spending ceiling has remained the same, resulting in missed opportunities for many worthy and time-sensitive land acquisitions.

In his FY21 Executive Budget, the Governor is requesting a one-year increase of the Legacy Program spending ceiling from \$5.1M to \$10.2M. A total of \$8.1M would be available for competitive land acquisition grants allowing four more special places to be conserved in Hawai'i.

This would **not** increase the conveyance tax. The spending ceiling increase would draw upon existing unspent funds (now over \$20M) and would **not** affect other parts of the State budget.

The proposed spending ceiling increase could contribute to the purchase and protection of the top six ranked projects in FY21, conserving extremely valuable and sensitive cultural and natural landscapes, watersheds, native habitat, agricultural lands, and coastlines facing acute and imminent threats of development in Maka'alae (Hāna, Maui), Kiolaka'a (Ka'ū, Hawai'i), Manāka'a (Ka'ū Hawai'i), Mokae (Hāna, Maui), Mapulehu (East Moloka'i), and Na Wai 'Eha (Maui).

Commission's Recommended Ranking of FY21 Legacy Program Projects

1) Maka'alae, Hāna, Maui	\$1.587M
2) Kiolaka'a, Ka'ū, Hawai'i	\$1.475M
Total available for grants under current \$5.1M spending ceiling	\$3.2M
<i>(includes partial funding of \$138K for Manāka'a)</i>	
3) Manāka'a Fishing Village, Ka'ū, Hawai'i	\$875K
4) Mokae, Hāna, Maui	\$1.8633M
5) Mapulehu, East Moloka'i	\$300K
6) Nā Wai 'Ehā	\$2M
The projects (above) that will go unfunded if spending ceiling is not raised from \$5.1M to \$10.2M	\$8.1M
7) Haloa 'Āina, Kealakekua, Hawai'i	\$500K
8) Halulu Fishpond, Waipā, Kaua'i	\$600K
9) Waikalua Loko, Kāne'ōhe Bay, O'ahu	\$700K
10) Keone'ō'io, South Maui	\$1.1915M
11) Nānu'alele, Hāna, Maui	\$66K

Due to overall funding constraints, these important projects recommended for funding by the Commission will not receive funds in FY21.



Nearly an acre added to the Hanalei Black Pot Beach Park in 2010, with funds from the Legacy Program and Kaua'i Open Space Fund.



Mokae, Hāna, Maui - 32.7 acres of shoreline that could be saved if the spending ceiling is increased for FY21.

SB-2668

Submitted on: 1/31/2020 4:35:53 PM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Hawaii AOR	Testifying for Hawaii Association of REALTORS	Oppose	Yes

Comments:

HISTORIC HAWAII FOUNDATION

TO: Senator Kaiali'i Kahele, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Water and Land

FROM: Kiersten Faulkner, Executive Director
Historic Hawai'i Foundation

Committee: Monday, February 3, 2020
1:15 p.m.
Conference Room 229

RE: SB2668, Relating to the Land Conservation Fund

On behalf of Historic Hawaii Foundation, I am writing in **support for SB2668**. The bill would increase the spending ceiling for FY21 for the State Legacy Land Conservation Program for resource land acquisition.

The Legacy Land program observes its 15th anniversary this year. It has proven to be a successful program to preserve important cultural, natural and agricultural lands. The program is voluntary, where private landowners consent to the purchase or conservation of their lands. The program provides grants to public agencies and non-profit community organizations to protect unique and threatened resources. Since enacted in 2005, the program has protected 29 special places and over 11,000 acres through the islands. It is an important source of funding that can leverage other financing from both governmental and private sources.

The program is funded by a portion of the real estate conveyance tax. In recent years, the Legislature has imposed a spending ceiling that is lower than the amount of funding that goes into the program. This leaves unspent funds to build up and go unused, leaving less available for land conservation projects despite having moneys that could provide additional community benefits.

Increasing the spending ceiling will not increase the conveyance tax and will not affect other parts of the budget. The program is entirely voluntary, requiring both landowner and community support. A number of important historical sites and endangered cultural properties have been conserved through the program, including Kanewai Spring, Uchida Living History Coffee Farm, Kuamo'o Battlefield, Lapakahi State Historical Park, and Ulupō Heiau buffer.

Historic Hawai'i Foundation is therefore in strong support for SB2668.

Thank you for the opportunity to comment.

SB-2668

Submitted on: 2/2/2020 9:29:05 AM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Becky Lind	Testifying for Hana Arts	Support	No

Comments:

SB-2668

Submitted on: 2/3/2020 7:25:00 AM

Testimony for WTL on 2/3/2020 1:15:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Birgitte Park Kaikala	Testifying for Ke Ao Halii	Support	No

Comments:

Aloha,

I support the increase to the percentage of the land conservation fund.

Mahalo loa!

SB-2668

Submitted on: 2/2/2020 12:27:00 PM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Carey	Individual	Support	No

Comments:

SB-2668

Submitted on: 2/2/2020 10:42:37 AM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Omer	Individual	Support	No

Comments:

SB-2668

Submitted on: 2/2/2020 9:28:20 AM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Skyler Greene	Individual	Support	No

Comments:

SB-2668

Submitted on: 2/1/2020 2:18:24 PM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bernard Meyer	Individual	Support	No

Comments:

This is a request in support of SB 2908.

Legacy Land Conservation Fund needs to have appropriate financing each year in order to secure our special lands for conservation. Delays caused by withholding available funds will enable private purchase and development, and the loss forever of these important places to the people of Hawaii. This year LLC has selected several exceptional projects that need urgent purchase. To accomplish this the ceiling needs to be raised so that available money can be used as intended in Act 77. Time is essential if these lands are to be protected.

In 1973, the Legislature laid the foundation for a land conservation program and fund through passage of Act 77, formalizing the importance of protecting and preserving the natural beauty and historic significance of Hawai'i's lands through State-funded acquisition and management.

Writing in the "Audit of the Department of Land and Natural Resources' Land Conservation Fund, A Report to the Governor and the Legislature of the State of Hawai'i Report No. 19-01, January 2019, State Auditor Leslie H. Kondo commented on

1 the growing balance of unused LLC funding

2 the reduced funding availability caused by the encumbrance of an annual \$1.5 million x 20 years Turtle Bay bond servicing (imposed since 2016), leaving only 3.6 million available to spend each fiscal year.

3 the need to correct the legislated spending cap.

Statutory provisions are limiting moneys available to the Legacy Land Conservation Program. UP TO \$6.8 MILLION per fiscal year is deposited into the Land Conservation Fund for grants to acquire land or conservation easements and for administrative expenses. However, the Land Conservation Fund's expenditures are capped at \$5.1 million per fiscal year as appropriated by the Legislature. This budgetary constraint limits the amount of funds available to the Legacy Land Conservation Program. For example, since FY2016, the fund has been making an annual \$1.5 million debt service payment for reimbursable general obligation bonds issued to acquire a conservation easement, for Turtle Bay, leaving only \$3.6 million available to spend each fiscal year. As a result of the \$5.1 million expenditure cap, in just the past five fiscal years, the Land Conservation Fund's cash balance has nearly doubled, from \$14.1 million in FY2013 to \$27.8 million in FY2017, of which approximately \$16.6 million sits idle, not earmarked for projects or program expenses.

SB-2668

Submitted on: 2/1/2020 10:52:32 AM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Rayner	Individual	Support	No

Comments:

Please support this bill! There are acres of important legacy lands in Hawaii with groups prepared to protect them, but instead the lands are slipping into private development because there are not enough funds to place them under protection. The Land Conservation Fund can do this for us. Once these lands are allowed to be developed privately, we will never get them back and the opportunity to protect is lost forever.

LATE

SB-2668

Submitted on: 2/2/2020 9:31:44 PM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
dolores soler-bergau	Individual	Support	No

Comments:

SB-2668

Submitted on: 2/3/2020 9:59:15 AM

Testimony for WTL on 2/3/2020 1:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Manon Pretre	Individual	Support	No

Comments:

Yes, we need more funds to purchase precious conservation lands of the Hana coast, like the Mokae II proposal, mahalo.

LATE

SB-2668

Submitted on: 2/3/2020 10:50:23 AM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Casman	Testifying for Ke Ao Halii	Support	No

Comments:

LATE

SB-2668

Submitted on: 2/3/2020 10:00:00 AM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Crawford	Testifying for Ka Ao Hali'i (nonprofit organization)	Support	No

Comments:

On behalf of Ke Ao Hali'i, we support SB2668.

Ke Ao Hali'i is a community nonprofit organization based in Hana, Maui, established in 2018 with the purpose to protect and preserve the natural and cultural resources of the HÄ• na moku and the customary and traditional practices of Native Hawaiians of the region; to hold title to and own interests in real property or to hold easements; to preserve and manage the area's natural, cultural, scenic, historic and marine resources for the benefit, education and enjoyment of our community and future generations.

We have been involved with land acquisition proposal through the Legacy Land Conservation Program for the last two years, and have found it to be a very good process with knowledgeable and dedicated commissions and capable and helpful staff members.

We support the increase on the cap of the dollar amount of funds that can be paid into the land conservation fund each year, and we support the increase on level of funding that can be used to support the operation, maintenance, and management of lands acquired by way of this fund.

Once lands are acquired, they need to be maintained and managed. The LLCP staff and commission are in the best position to make an informed judgement about the needs and budgets for these types of expenditures. It makes sense to give the agency more latitude in deciding how much to allocate toward these purposes to ensure that the lands once acquired are well-managed.

Ke Ao Hali'i strongly supports this bill, and urges the support of the Committee.

Mahalo for your consideration,

Scott Crawford

Chair

LATE

SB-2668

Submitted on: 2/3/2020 1:28:22 PM

Testimony for WTL on 2/3/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Kristiansen	Individual	Support	No

Comments:

I support this bill in particular because we stand a better chance of having the funds to purchase Mokae II grant proposal, presenly ranked #4. The Hana Coast is threatened by development and we residents of East Maui believe it is an incredible opportunity to save it for generations to come.