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STATE OF HAWAII
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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Wednesday, March 3, 2021
2:00 PM

State Capitol, Via Videoconference, Conference Room 325

In consideration of
HOUSE BILL 1029
RELATING TO LIVING PARK PLANNING COUNCILS

House Bill 1029 proposes to repeal Act 15, Special Session Laws of Hawai'i 2009, that authorized the establishment of living park planning councils. **The Department of Land and Natural Resources (Department) supports this Administration measure and offers the following comments.**

As response to the current COVID economic crisis, the State has implemented the Fiscal Biennium 2021-2023 Program Review to identify ways to: (1) Reduce expenditures; (2) Identify programs, functions, and/or activities for possible elimination that, although well-intentioned, are of marginal benefit, low performing, or of lesser priority; and (3) Identify cost-saving opportunities in core and primary programs and services through tightening program eligibility, reducing program benefits, improving efficiency, or cost shifting.

Act 15, Special Session Laws of Hawai'i 2009, authorized the establishment of living park planning councils to develop a state living park master plan to ensure the living park achieves its purpose and goals. This Act directly applied to Ahupua'a 'O Kahana State Park which has the embedded residential leasehold community within the park itself. This park is unique for a variety of reasons, one being that it is a single ahupua'a under the ownership of the State of Hawai'i and has an extensive history of occupation, ownership and agricultural practices starting with our Hawaiian host culture.

However, after ten years and over eighty meetings, due to the complexity of a residential community with differing opinions and incomes and an inability to achieve consensus on either the current or future status – this community-based planning council could not develop the

framework for a master plan for this park. Hence, the Department engaged the services of a private planning contractor to initiate the master planning process. However, it was determined that there were many issues to be addressed prior to the development of a community master plan. In 2019, the contractor finalized its report that identified three main issues that needed to be resolved prior to moving forward on a master plan:

- (1) Determination if a cultural living park is still a realistic and valid concept;
- (2) Assessment of the provisions and options relating to residential leases; and
- (3) Identifying appropriate alternative management entities for oversight and management of the residential portions of the park or the park in general.

The living park planning council structure has not proven to be a productive structure for Ahupua‘a ‘O Kahana State Park. The Department believes park management and communication will be more effective and efficient at the current time with repeal of Act 15, Special Session Laws of Hawai‘i 2009.

Thank you for the opportunity to comment on this measure.