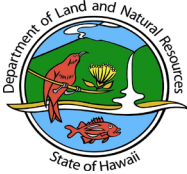


DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

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

**Monday, March 15, 2021
1:00 PM**

State Capitol, Via Videoconference, Conference Room 229

**In consideration of
HOUSE BILL 499, HOUSE DRAFT 2
RELATING TO LEASE EXTENSIONS ON PUBLIC LAND**

House Bill 499, House Draft 2 proposes to authorize the Board of Land and Natural Resources (Board) to extend leases of public lands for commercial, industrial, resort, or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements. House Draft 2 of the measure proposes to prohibit the assignment of leases to sublessees and makes non-substantive amendments for the purposes of clarity, consistency, and style. **The Department of Land and Natural Resources (Department) supports the measure and proposes a friendly amendment.**

Houses Bill 499, House Draft 2 proposes to authorize the Board, on a statewide basis, to extend commercial, industrial, resort, mixed-use, or government leases that have not been sold or assigned within 10 years prior to receipt of an application for a lease extension under the measure, when the lessee commits to substantial improvement to the existing improvements, provided that lease extensions cannot exceed 40 years, and additionally, the lessee cannot transfer or sell the lease during the first 10 years of the extension period, except by devise, bequest, or intestate succession. The bill is intended to support long-term tenants wishing to continue their businesses past the 65-year maximum lease term allowed under current law.

One of the arguments the Department has heard against restrictions on assignment is that lessees need to be able to mortgage their leasehold interests in the land. House Bill 499, House Draft 2 expressly exempts collateral assignment of a lease or other security granted to a leasehold mortgagee in connection with leasehold financing by the lessee from restrictions on assignment. House Bill 499, House Draft 2 would also not prohibit "true" subleases, which the Department views as those in which the lessee/sublessor retains either a portion of the lease premises for its own use or reserves a portion of the lease term after the sublease ends for its own use. In contrast, a transaction styled as a sublease but which in effect is an assignment of all of the lessee's interest in the lease would not be allowed under the bill within the first 10 years of the

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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

extension period. The Department additionally notes that assignments and subleasing are governed by two separate subsections of Section 171-36, Hawaii Revised Statutes (HRS): Section 171-36(a)(5), HRS, for assignments, and Section 171-36(a)(6), HRS, for subleasing. The Department believes House Bill 499, House Draft 2 is not intended to affect subleasing under Section 171-36(a)(6), HRS.

House Draft 2 of the measure includes a prohibition against an assignment of lease to a sublessee. Although an assignment to a sublessee would not be permitted within the first 10 years of an extension approved under House Draft 1 of the measure, House Draft 2 seems to prohibit an assignment to a sublessee at any point during the extended lease term. In the Department's experience, lessees do occasionally assign leases to their sublessees with prior approval of the Board. The Department would not object if sublessees were allowed to acquire the lease after the first 10 years of the extended lease term, and therefore recommends the deletion of SECTION 2, §171-___(e) on page 5, lines 4-5 of the bill.

As noted above, House Bill 499, House Draft 2 acknowledges the commitment of long-term lessees to locating their business on state lease lands and to ensure that such lessees could continue to operate those businesses for the duration of the extension period authorized under the measure. The Department believes that retaining long-term lessees in good standing is in the best interests of the State and therefore supports the bill with the amendment suggested above.

Thank you for the opportunity to comment on this measure.

HB499 HD2
RELATING TO LEASE EXTENSIONS ON PUBLIC LAND
Ke Kōmike ‘Aha Kenekoa o ka Wai a me ka ‘Āina
Senate Committee on Water and Land

Malaki 15, 2021

1:00 p.m.

Lumi 229

The Office of Hawaiian Affairs (OHA) **OPPOSES** HB499 HD2, which would authorize century-long leases that bind the hands of the Board of Land and Natural Resources (BLNR) from fulfilling its fiduciary obligations of due diligence and undivided loyalty, in maximizing the beneficial disposition of lands leased for commercial, industrial, resort, mixed-use, and governmental purposes **throughout the entire state**. OHA notes that it also opposes nearly identical bills this year, and likewise opposed nearly identical bills last year and in 2019 for these same reasons, as described further below. **Should the Committee choose to move this measure forward, OHA does offer amendments below that would mitigate our concerns and opposition.**

- 1. Act 149’s “pilot project” has not been completed or evaluated; allowing forty-year lease extensions for any and all commercial, industrial, resort, mixed-use, and government leases of public lands across the state may be premature.**

As a preliminary matter, OHA notes that the legislation this measure is purportedly based on, Act 149, was enacted in 2018 as a “pilot project” to determine whether public land lease extensions in the dilapidated “Hilo community economic district” can “facilitate efficient and effective improvement, and economic opportunity,” and whether such an approach “can be replicated in other areas of the State.”

However, rather than wait for the pilot program to conclude, this measure would summarily expand much broader lease extension authorities for **any and all commercial, industrial, resort, mixed-use, and government leases of public lands throughout the entire state**. Such an expansion appears premature given Act 149’s acknowledged need to first assess whether any redevelopment benefits from its lease extension provisions “can be replicated in other areas of the State.” Indeed, there are several considerations that may need to be assessed from Act 149’s pilot project, including but not limited to:

- Whether redevelopment occurs in a timely manner as a result of its lease extension authorities;
- Whether the cost-benefits to the State and the public, including opportunity costs, foreclosed revenue increases from real estate market changes, and foregone

- equity in existing and new improvements that would otherwise revert to the State justify the long-term placement of public lands under private control;
- Whether 40-year extensions of lease terms and fixed rental periods are necessary to obtain redevelopment financing;
 - Whether specific conditions, contingencies, safeguards, or other considerations should be considered in the development of extension terms and conditions; and
 - Whether any replication of its lease extension authority should be limited to certain leases or circumstances.

Accordingly, OHA strongly recommends that the Committee allow for an appropriate assessment of the potential unintended consequences, cost-benefits, and other lessons from Act 149, before expanding much broader lease extension authorities to all other commercial, industrial, resort, mixed-use, and government public land leases throughout the islands.

2. This measure may authorize leases that violate the State’s fiduciary obligations under the public trust and public land trust, and lead to the alienation of public and “ceded” lands.

Under Article 11, section 1 of the Hawai‘i State Constitution and Chapter 171, Hawai‘i Revised Statutes (HRS), the State through the 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 ensuring its trust corpus is productive and that its benefits are maximized for Native Hawaiian and public beneficiaries. **By authorizing the extension of commercial, industrial, resort, mixed-use, and government public land leases – many of which may already have been held by their respective lessees for the better part of a century – for up to 40 years, this bill may invite century-long leases that substantially inhibit the BLNR from fulfilling its fiduciary obligations, and otherwise ensuring the best and most appropriate uses of lands subject to the public trust and public land trust.**

For example, this measure could allow public land leases first issued for 55 years, and subsequently extended another 10 years, to be again extended for an additional 40 years, with fixed rental periods for the same amount of time. **This could result in the use of public lands by private entities for 105 years, without any rent reopening for over a generation,** so long as the BLNR agrees to lessees’ proposals to make “substantial improvements to the existing improvements or constructing new substantial improvements.” **Notably, the lack of an aggregate lease length cap as well as any prohibition on additional lease extensions could allow lease terms and fixed rent periods to be repeatedly extended, for an indefinite length of time, further drawing into question the ability of future generations to ensure the appropriate disposition of public lands – something that even Act 149 does not allow.** The fact that commercial, industrial, resort, and mixed-use lands may have the highest revenue potential of

the State's land inventories only further exacerbates the concerns underlying this measure's lease extension provisions.

In addition to tying the State's and future generations' hands in ensuring the appropriate use of and realization of revenues from public trust and Public Land Trust lands, the excessively long-term leases that would be authorized under this measure may lead to a sense of entitlement among lessees that can result (and has resulted) in the alienation of public lands, including "ceded" lands to which Native Hawaiians have never relinquished their claims. **OHA objects to the sale or alienation of "ceded" lands except in limited circumstances and therefore has significant concerns over any proposal that may facilitate the diminution of the "ceded" lands corpus.**

Accordingly, OHA urges the Committee to decline to adopt the **unlimited** and relatively unconditioned **40-year lease term and fixed rent period extensions** that would be authorized for public lands, including public land trust and "ceded" lands, leased for commercial, industrial, resort, mixed-use and government purposes.

3. Under this measure, lease extensions would be authorized for a much broader range of justifications than even Act 149 contemplates.

Finally, OHA notes that the Act 149 pilot program explicitly and specifically requires any extension of lease terms or fixed rent periods to be only "to the extent necessary to qualify the lease for mortgage lending or guaranty purposes," and "based on the economic life of the substantial improvements as determined by the [BLNR] or an independent appraiser." In contrast, this measure would in fact broadly allow for lease extensions "in order [for the lessee] to make substantial improvements," "based upon the substantial improvements to be made." While such language would provide substantially more flexibility than Act 149 in granting lease term length and fixed rent period extensions, it would also allow for extensions in situations where the State's interest in the redevelopment of leased parcels are not commensurate with the benefits such extensions would grant to a private entity. **Under this measure, a lessee may apply for and receive extensions that exceed the time necessary to secure redevelopment financing, and that exceed their improvements' useful life.** Accordingly, this measure does not just expand the geographic scope of Act 149's extension authority and remove Act 149's limitations on total aggregate lease lengths, but would further authorize extensions to be based on a broader range of justifications that, due to political pressure or other reasons, may undermine the State's and public's interests in the development and disposition of its lands for generations at a time.

4. Critical amendments are necessary to minimally uphold the State's fiduciary obligations and the interests of Native Hawaiians and the public in the disposition of public lands under this measure.

In light of the above concerns, should the Committee nevertheless choose to move this measure forward, OHA strongly urges the inclusion of amendments to uphold the BLNR's fiduciary obligations under the public trust and public land trust, and to provide concrete

safeguards to protect the interests of the State, Native Hawaiians, and the general public in our islands' limited land base. Such amendments should minimally include:

- An effective date that coincides with the end date of the “pilot project” established under Act 149 (June 30, 2026), and a sunset date to limit the provisions of the bill to the length of time currently contemplated:
 - By amending page 6, line 16, to read as follows:
 - “SECTION 4. This Act, upon its approval, shall take effect on July 1, 2026; provided that this Act shall be repealed on June 30, 2031.”
- A limitation on the maximum aggregate fixed rent period and lease term for a lease to be **no more than 20 years** beyond the original fixed rent period and/or lease term, which should be sufficient for financing purposes and which would reduce the potential for foreclosing future substantial revenue generating opportunities:
 - By amending page 4, lines 10-12, to read as follows:

“(d) Any extension of a lease pursuant to this section shall be based upon the economic life of the substantial improvements to be made as determined by the board or an independent appraiser and shall not extend the fixed rental period of the original lease by more than twenty years. No lease”
- Conditions similar to those in Act 149, including but not limited to, explicitly limiting any lease extensions to the length of time necessary for mortgage lending or financing of specified improvements, prohibiting lease extensions that exceed a percentage of the useful life of any improvements to be made, and requiring all proceeds from any financing or loan obtained as a result of an extension to be used specifically for proposed improvements:
 - By amending page 3, line 5, to read as follows:

“ leasehold financing by a lessee. Extension or modification of any provisions of the lease shall be made to the extent necessary to qualify the lease for mortgage lending or guaranty purposes with any federal mortgage lending agency; to qualify the lessee for any state or private lending institution loan, private loan guaranteed by the state, or any loan in which the state and any private lender

participates; or to amortize the cost of substantial improvements. Any extension of the fixed rental period or term of the lease shall be based on the economic life of the substantial improvements as determined by the board or an independent appraiser; provided that the approval of any extension shall be subject to the following:

- (1) The demised premises have been used substantially for the purpose for which they were originally leased;
- (2) The length of any extension granted for the fixed rental period of the lease shall not extend the fixed rental period of the original lease by more than twenty years;
- (3) The length of any extension granted for the term of the lease shall not extend the original lease by more than twenty years;
- (4) If a reopening occurs, the rental for any ensuing period shall be the fair market rental as determined under section 171-17(d) at the time of reopening;
- (5) Any federal or private lending institution shall be qualified to do business in the state;
- (6) Proceeds of any mortgage or loan shall be used solely for the operations or substantial improvements on the demised premises;
- (7) Where substantial improvements are financed by the lessee, the lessee shall submit receipts of expenditures within a time period specified by the board, otherwise the lease extension shall be canceled; and
- (8) The rules of the board, setting forth any additional terms and conditions, which shall ensure and promote the purposes of the demised lands."

- Explicit extension provisions providing for improvements to either revert to the State at the end of the lease term, or be removed by the lessee at the lessee's expense, at the election of the State;
 - By amending page 5, line 3, to read as follows:

"approval by the board. Any extended lease shall include conditions explicitly stating that

improvements on the land shall revert to the State or be removed by the lessee at the end of the lease term, at the election of the State."

- To ensure that the general public has a meaningful opportunity to review and comment on the long-term encumbrance of public lands, ensure that lease extension applications and proposals are publicly noticed for no less than one month prior to the submission of plans and specifications to the BLNR;

- By amending page 2, line 12, to read as follows:

"section 171-36, and subject to subsection (h), for leases that have not been assigned or"

- By adding a new subsection (h) on page 6, after line 14, to read as follows:

"(h) The department shall provide no less than thirty days notice of a lease extension application prior to the presentation of the extension applicant's plans and specifications to the board as described in subsection (b), by posting on the lieutenant governor's website, in a newspaper of statewide circulation, and in a county newspaper of the county in which the leased lands are located. The notice shall also be mailed or electronically delivered to all persons who have made a timely written request of the department for notice of lease extension applications. The public notice shall include information on the lease extension application, including the identity of the lessee and the location and description of the leased property, and shall include information regarding how a copy of the current lease and any plans and specifications to be presented to the board can be obtained or inspected. The public notice shall also describe where and how public comment may be submitted on the lease extension application, including expressions of interest in a public auction for the lease at the end of the current lease term or if the lease were to be terminated prior to the end of the lease term. All public comment received one week prior to the board presentation shall be collected and submitted to the board concurrently with its consideration of the applicant's plans and specifications."

Therefore, OHA urges the Committee to **HOLD** HB499 HD2, or minimally include amendments as listed above. Mahalo nui for the opportunity to testify on this measure.

Prince Kuhio Plaza

March 15, 2021

Hearing Date: March 15, 2021

Time: 1:00PM

Place: Via Videoconference

Sen. Lorraine Inouye, Chair
Sen. Gilbert S.C. Keith-Agaran, Vice Chair
State Capitol
Committee on Water and Land
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Testimony in Support of House Bill No. 499 HD2 Relating to Lease Extensions on Public Land

Aloha Chair Inouye, Vice Chair Keith-Agaran, and Committee Members:

Thank you for the opportunity to provide written testimony on House Bill No. 499 HD2. The intent of the Bill is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, or governmental leases, other than those to which the University of Hawaii is a party, for lessees who commit to making substantial improvements on existing facilities. I am the General Manager of Prince Kuhio Plaza (“PKP” or “Shopping Center”), the largest indoor shopping center on the island of Hawaii.

By way of background, PKP was previously owned by GGP, Inc. (“GGP”). In August 2018, GGP was acquired by Brookfield Properties, an affiliate of Brookfield Asset Management. Brookfield Properties’ retail group has an extensive portfolio of regional shopping center properties encompassing over 170 locations across 43 U.S. states, including GGP’s former portfolio. We assure premier quality and optimal outcomes for our tenants, business partners and the communities in which we do business.

Brookfield Properties has carried forward GGP’s legacy of being an integral part of the economic fabric of Hawaii for more than 30 years (since 1987), through good and bad times – owning, operating and reinvesting in our Hawaii real estate assets as part of a long-term commitment that provides economic stability, growth, and jobs through all economic cycles. We own and operate three major shopping centers in Hawaii – PKP in Hilo, Whalers Village in Lahaina, and Ala Moana Center in Honolulu.

Home to more than 60 stores, restaurants and entertainment options, PKP is the primary shopping, dining and gathering place for Kama’aina and visitors on the island of Hawaii. Prior to the Covid-19 pandemic, PKP hosted over 50 community events a year and provides premium event space for local Kupuna groups passing on their knowledge of music and dance, artisan craft fairs, and the celebration of other local traditions, including but not limited to: monthly performances by Hilo and Pahoia Kupuna groups, school performances, performances by the Armed Forces band, performances by local artists such as Ben Kaili,

PRINCE KUHIO PLAZA

111 E. Puainako Street Hilo, Hawaii 96720

T +1 808 959 3555 F +1 808 959 3655 BrookfieldPropertiesRetail.com

Bruddah Walter, and Komakakino, Chinese New Year celebration events, the Arthritis Foundation's Walk for the Cure event, and Mother's Day craft fairs. PKP is a favorite host location for the Merrie Monarch Craft Fair, one of the biggest events in Hilo, because the Mall is indoors, air conditioned, centrally located, and has the capacity to cater to thousands of customers each day. The Merrie Monarch Craft Fair involves approximately 45+ unique, local vendors and crafters from all the islands, including Manaola, Hawaii's Finest, Missing Polynesia and Nahe Wahine. We are committed to hosting enriching experiences for people of all ages and creating a warm and welcoming environment that celebrates the community and its rich history. We look forward to continuing to host these revered community events once the pandemic has subsided.

In recent years, Brookfield Properties also invested substantial resources in redeveloping PKP to maintain its status as a premier shopping center and community gathering place. We invested nearly \$18 million of capital into property improvements including the 2016 renovation and new construction to replace the former Hilo Hattie's and Sports Authority spaces to make way for new retailers such as Verizon Wireless, Spectrum, Daiichi Ramen and Genki Sushi, TJ Maxx and Petco. We are also in conversations with prospective tenants that will further job creation and investment in Hilo. We are constantly reinvesting in our properties to enhance the customer experience and to ensure that our properties evolve to meet the needs of our tenants and the community.

Over the past year, Brookfield Properties has implemented (and continues to implement) health and sanitation enhancements and protocols at each of our properties, including PKP, to provide a healthy and safe environment for our employees and tenants to work and the larger community to visit. And, despite the pandemic, we invested at PKP over \$2 million in tenant allowances for construction while also providing significant rent relief to help our tenants stay in business throughout the pandemic.

The future of PKP and the commitment we've made to our tenants, business partners and the community is of the utmost importance to Brookfield Properties. While we intend to pursue further renovations of PKP, these renovation plans could be jeopardized if the term of our existing ground lease is not extended. We cannot justify significant capital investments to PKP without the assurance that our leasehold interest will continue for the long-term. In addition, our existing financing matures in July of 2023 and it will be extremely difficult for us to refinance our interest in PKP without an extension of our ground lease.

The Shopping Center's future depends on our ability to secure an extension of our ground lease so that we can not only refinance PKP, but also develop more definitive plans to invest in capital improvements that will ensure the long-term viability and success of PKP. As we look forward to the next 30 years, our hope is to remain a vital member of the Hilo community.

For the foregoing reasons, we strongly support House Bill No. 499 HD2. Thank you for your consideration.

Sincerely,

PRINCE KUHIO PLAZA

111 E. Puainako Street Hilo, Hawaii 96720

T +1 808 959 3555 F +1 808 959 3655 BrookfieldPropertiesRetail.com

Daniel Kea
General Manager

KA LĀHUI HAWAI‘I

KŌMIKE KALAI‘ĀINA

BEFORE THE SENATE LAND AND WATER COMMITTEE

MARCH 15, 2021

HOUSE BILL 499 HD2
Relating to Lease Extensions on Public Lands

Aloha Chair Inouye, Vice Chair Keith-Agaran, and Members of the Committee,

Ka Lāhui Hawai‘i Kōmike Kalai‘āina submits the following written testimony in **STRONG OPPOSITION** to House Bill 499 which authorizes the the Board of Land and Natural Resources to extend certain leases of public lands for commercial, mixed use, industrial, resort, or government use. The result of this measure would be developers may end up with century long leases because the extensions are uncapped.

The majority of the lands held by the State of Hawai‘i are “ceded lands” or Hawaiian Kingdom crown and government lands. Professor Williamson Chang stated in a lecture given on October 1, 2014 entitled “Hawaii’s ‘Ceded Lands’ and the Ongoing Quest for Justice in Hawai‘i” that the Joint Resolution was incapable of acquiring these Hawaiian Kingdom public lands. Despite this analysis, the former Crown and government lands of the Kingdom of Hawai‘i were illegally transferred to the US and as a condition of Statehood was transferred to the State of Hawai‘i to be held as a public trust for 5 purposes including the betterment of the conditions of native Hawaiians as defined in the Hawaiian Homes Commission Act, 1920. The Admissions Act further states that any other object besides the 5 purposes shall constitute a breach of trust for which suit may be brought by the United States.

Ka Lahui Hawai‘i Kōmike Kalai‘āina has concerns over the use of these lands outside of the 5 purposes set out in the Hawai‘i State constitution and actions that could be interpreted as land grabbing especially when the claims of the Kanaka Maoli people to 1.8 millions acres of these lands and our sovereignty over them have yet to be settled. The Apology Bill aka US Public Law 103-150, passed by Congress and signed by President Clinton in 1993, recognized that “the indigenous Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States” and that “the Republic of Hawai‘i also ceded 1,800,000 acres of crown, government and public lands of the Kingdom of Hawai‘i, without the consent of or compensation to the Native Hawaiian people of Hawai‘i or their sovereign government”.

Allowing non-elected members of an a government board to extend leases beyond the maximum 65 years would set up lessees as pseudo owners of public landowners and set a bad precedence. Furthermore, this measure does not provide for any process where public input can be provided on past, current, and future land stewardship. Were these lessees to go through a public process others would have an opportunity to bid on the property, public input would be allowed, and in some cases environmental assessments taken into account on how well they have cared for the public lands they were entrusted with.

Me ka 'oiai'o,

M. Healani Sonoda-Pale
Public Affairs Officer, Ka Lāhui Hawai‘i Kōmike Kalai‘āina

Lanny Sinkin
Attorney at Law (Federal Practice)
P. O. Box 944
Hilo, Hawai'i 96721-0944
lanny.sinkin@gmail.com
March 12, 2021

Testimony in Opposition to HB 499

Hearing Date: March 15, 2021

Time: 1:00 p.m.

Place: Via Videoconference

Lorraine R. Inouye, Chair
Committee on Land and Water
Hawaii State Capitol, Room 210

Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Land and Water
Hawaii State Capitol, Room 221

Re: Testimony in Opposition to House Bill 499
Relating to Lease Extensions on Public Land

Aloha Chair Inouye and Vice Chair Keith-Agaran, and Committee Members:

While I reject the proposition that the Kingdom was legitimately annexed to the United States, the fact remains that the State of Hawaii is still pursuing disposition of the lands belonging to the Kingdom, particularly the Crown and Government lands. The State is acting within the context of the Admissions Act, which created a trust that includes the Crown and Government lands and placed the State of Hawaii as the Trustee of that trust.

I urge you to oppose HB 499 as a violation of the trust responsibilities placed on the State of Hawaii by the Admissions Act. HB 499 allows for leases of up to 100 years for lands that fall within that trust. The Trust is not free to sell off these lands, so a "work around" that obstacle is for the State to lease the lands for an extraordinary length of time. That length of time is tantamount to selling the land to the lessee.

It appears that this bill is part of a larger agenda designed to extinguish the land claims arising from the false annexation of the Kingdom and the creation of the Trust. That disposition of the Kingdom lands is not in the interest of the beneficiaries of the Trust, among whom the law explicitly recognizes Native Hawaiians. To the contrary, such lengthy leases dispossess the beneficiaries of any control over the uses of the lands in question so far into the future as to make any "ownership" by the Trust moot..

Such lengthy leases are not in the interest of the beneficiaries and constitute a violation of the fiduciary obligations of the State as Trustee.

Such a violation is only the latest in a long line of actions by the State detrimental to the interests of the beneficiaries.

The State's failure to ensure that the United States Army avoided polluting the State lands that the Pohakuloa Training Area leases and/or cleaned up after its polluting exercises is another example.

The Trust decision to allow the University of Hawai'i to be given the management of Mauna Kea lands and the subsequent failures by the University to fulfill its management responsibilities is yet another measure of the Trustee's neglect. That failure has been substantial enough to cause the Speaker of the House to call for the removal of the University from its management role on Mauna Kea.

In a normal trust situation, such decisions and actions would be grounds for seeking the removal of the Trustee and the replacement with a Trustee dedicated to protecting and enhancing the Trust. In the absence of such an option at this time, the least that the State can do is not to make matters worse for the beneficiaries by enacting HB 499.

I appreciate your willingness to engage in the democratic process of governance and urge you to be an example of how that process can truly be fulfilled.

/s/ Lanny Sinkin

HB-499-HD-2

Submitted on: 3/12/2021 12:48:48 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Ward	Individual	Oppose	No

Comments:

Aloha, Chair and Senate members,

I am strongly opposed to HB499.

The entire premise of this bill is that lessees should be afforded extended leases over a period of 65 to 100 years with no public input. The problem with the premise is that the land is held in trust for the benefit of native Hawaiians, NOT the private lessee. The value of the land for the beneficiaries may be VERY different 65 or 100 years from now than it might be today.

100 years ago...

WWI and the 1918 pandemic just ended

No minimum wage

Alcohol prohibited, only silent movies

DHHL not yet established.

Prince Kuhio was Hawaii's delegate to Congress

Hawaii's Queen Lili'uokalani had passed only two years earlier

Hawaii's first cars were sold just 10 years earlier.

Kahoolawe was first leased for ranching in 1918

Orville wright had recently flown a 12 second airplane flight.

First inter island mail flight in 1920, but commercial flights started in 1929

No flights from continental US until 1936

Women win right to vote in 1920

There were only five hotels in Hawaii

First inter island steamship had not yet sailed

Matson did not begin shipping for another ten years

Ala Wai Canal had not been dredged

First telephone service would not begin for another ten years

65 years ago...

Republicans controlled the legislature. The first Democrats were elected in Hawaii in 1954

Democratic Party wins 55 of the 76 election contests (72.4%) to capture control of five of six legislative branches of government in the Territory.

The first IBM mainframe built, but none in Hawaii until 1956

First section of seven-mile H-1 freeway opened

First Filipino legislator

60 years ago...

Henry Kaiser leases 6,000 acres from Bishop Estate in southeast O'ahu and plans his Hawai'i Kai subdivision.

Pali highway, replacing the narrow, twisting road that had carried travelers across the Ko'olau Mountains since ancient times had not yet opened

Ala Moana had not yet opened

No observatories had been built on Mauna Kea (until 1967)

45 years ago...

A broad coalition of Hawaii organizations, along with Mayor Matayoshi, asked DLNR to cap the number of observatories on Mauna Kea at SIX.

We do not know what will transpire in 100, 65, or 45 years. We do know that life will not be the same, or even similar, to conditions we know now. Our use of land changes as conditions change.

HB499 would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

I ask you not to pass this bill!

Thank you!

Deborah Ward

P. O. Box 918 Kurtistown HI 96760

HB-499-HD-2

Submitted on: 3/13/2021 5:58:08 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clifford K Ogata	Testifying for ValueRock Realty Partners, Inc.	Support	No

Comments:

To Honorable Senator Lorraine R. Inouye:

We are in full support of HB499 that provides for DHHL Ground Leases to be extended for 40 years. However, in view of current adverse concerns in regards to extension of 40 years, we strongly support a 20 year extension as a compromise. Mahalo for this opportunity to provide written testimony.

Clifford K. Ogata

HB-499-HD-2

Submitted on: 3/14/2021 11:40:06 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stanford Carr	Testifying for Stanford Carr Development, LLC	Support	No

Comments:

March 14, 2021

The Honorable Lorraine R. Inouye,Chair

The Honorable Gilbert S.C. Keith-Agaran,Vice Chair

and Members of the Senate Committee on Water and Land

RE: Testimony in Support of HB499, HD2 Relating To Lease Extensions On Public Land

March 15, 2021, 1:00PM; CR 229 & Videoconference

Dear Chair Inouye, Vice Chair Keith-Agaran and Committee Members,

My name is Stanford S. Carr and I am the President of Stanford Carr Development, LLC. We are a local development firm that has worked to provide the community with affordable housing opportunities. I am submitting testimony on HB499, HD2 which authorizes the Board of Land and Natural Resources to extend certain leases of public lands for commercial, industrial, resort , mixed-use or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements.

I support HB499, HD2 because I agree with proponents of the measure that the State benefits when it retains long-term lessees who are willing to make substantial reinvestments in properties on public lands that address the needs of the community and have a positive impact on the economy.

In addition to supporting the current provisions of this bill, I would like to respectfully propose that this committee consider amending this measure. The important amendment that I am requesting would clarify that the Department of Hawaiian Home Lands (DHHL) has the authority to offer ground leases with respect to project developer agreements for longer terms than is currently being allowed under DHHL's current policy.

By way of background, my firm, in partnership with Hawaiian Dredging Construction Company, was selected by DHHL to implement the redevelopment of its 820 Isenberg Street property in Māhalaʻiliʻili (the site of the former Stadium Bowl-O-Drome bowling alley). As proposed, the rental project will include a 210 foot, 23 story high rise that will consist of 270 rental units. The building will also include management offices, laundry and mailrooms, and community facilities with ample parking. Plans also include the construction of seven townhouse units as well as retail space.

This is an important project because it will provide badly needed affordable rental housing for the Native Hawaiian community. For example, rents could be as low as \$633 for studios. As Hawaiian Homes Commission Chair William Ailā, Jr. stated, “We know many of our applicants are paying Honolulu’s high market rents, making it difficult to prepare for their future homestead opportunity. DHHL’s hope is that this affordable rental option not only provides the circumstance for our families to financially ready themselves but also the convenience of being closer to jobs and schools”. Moreover, the project will also provide affordable housing opportunities for our kupuna.

In order to finance this project, the developer is going to have to utilize an FHA HUD bond amortization financing program that requires at minimum a seventy-five year ground lease. However, DHHL’s interpretation of the Hawaiian Homes Commission Act is that it does not have the authority to extend a ground lease for a term that exceeds sixty-five years. Unless DHHL approves a longer lease term, the financial feasibility of our proposed project will be jeopardized.

Accordingly, I would greatly appreciate the opportunity to work with this committee to incorporate into this bill appropriate amendments to the Hawaiian Homes Commission Act that would authorize DHHL to allow ground leases with terms of at least seventy-five years for the types of affordable mixed-use residential projects that is being planned at the Māhalaʻiliʻili site.

For all of these reasons, I request that this committee pass HB499, HD2 with the amendments that I have proposed. Thank you for the opportunity to submit this testimony.

Stanford S.Carr

Testimony of
Pacific Resource Partnership

House Committee on Water And Land
The Honorable Lorraine R. Inouye, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair

HB499, HD2 Relating To Lease Extensions On Public Land

Monday, March 15, 2021
1:00 P.M.
Conference Room 229

Aloha Chair Inouye, Vice Chair Keith-Agaran, and Members of the Committee:

Pacific Resource Partnership (PRP) writes in strong support of HB499 HD2, which authorizes the Board of Land and Natural Resources (BLNR) to extend certain leases of public lands for commercial, industrial, resort, mixed-use or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements.

HB499 HD2 supports long-term tenants who are committed to making substantial improvements to existing facilities. This bill incentivizes small businesses and developers to reinvest in properties on public lands to ensure that properties evolve to meet the demands of businesses, residents, and the community at large. Moreover, these types of reinvestments will stimulate the economy by creating construction jobs for Hawaii's workforce.

Given the above, PRP respectfully requests your favorable decision on this measure. Thank you for this opportunity to submit written testimony.



HB-499-HD-2

Submitted on: 3/14/2021 12:54:24 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stanford S Carr	Testifying for Stanford Carr Development, LLC	Support	No

Comments:

March 14, 2021

The Honorable Lorraine R. Inouye,Chair

The Honorable Gilbert S.C. Keith-Agaran,Vice Chair

and Members of the Senate Committee on Water and Land

RE: Testimony in Support of HB499, HD2 Relating To Lease Extensions On Public Land

March 15, 2021, 1:00PM; CR 229 & Videoconference

Dear Chair Inouye, Vice Chair Keith-Agaran and Committee Members,

My name is Stanford S. Carr and I am the President of Stanford Carr Development, LLC. We are a local development firm that has worked to provide the community with affordable housing opportunities. I am submitting testimony on HB499, HD2 which authorizes the Board of Land and Natural Resources to extend certain leases of public lands for commercial, industrial, resort , mixed-use or government use upon approval of a proposed development agreement to make substantial improvements to the existing improvements.

I support HB499, HD2 because I agree with proponents of the measure that the State benefits when it retains long-term lessees who are willing to make substantial reinvestments in properties on public lands that address the needs of the community and have a positive impact on the economy.

In addition to supporting the current provisions of this bill, I would like to respectfully propose that this committee consider amending this measure. The important amendment that I am requesting would clarify that the Department of Hawaiian Home Lands (DHHL) has the authority to offer ground leases with respect to project developer agreements for longer terms than is currently being allowed under DHHL's current policy.

By way of background, my firm was selected by DHHL to implement the redevelopment of its 820 Isenberg Street property in Māhala 'ili'ili (the site of the former Stadium Bowl-O-Drome bowling alley). As proposed, the rental project will include a 210 foot, 23 story high rise that will consist of 270 rental units. The building will also include management offices, laundry and mailrooms, and community facilities with ample parking. Plans also include the construction of seven townhouse units as well as retail space.

This is an important project because it will provide badly needed affordable rental housing for the Native Hawaiian community. For example, rents could be as low as \$633 for studios. Moreover, the project will provide affordable rental units to a broad spectrum of low to moderate income DHHL beneficiaries with household incomes ranging from 30% of the area median income to 100% of the area median income. As Hawaiian Homes Commission Chair William Ailā, Jr. stated, "We know many of our applicants are paying Honolulu's high market rents, making it difficult to prepare for their future homestead opportunity. DHHL's hope is that this affordable rental option not only provides the circumstance for our families to financially ready themselves but also the convenience of being closer to jobs and schools". Moreover, the project will also provide affordable housing opportunities for our kupuna.

In order to finance this project, the developer would like to have the option of utilizing an FHA HUD bond amortization financing program that requires at minimum a seventy-five year ground lease. This is the most ideal and feasible financing program for a 40 year fixed rate mortgage that is FHA insured under a HUD program. However, DHHL's interpretation of the Hawaiian Homes Commission Act is that it does not have the

authority to extend a ground lease for a term that exceeds sixty-five years. Unless DHHL approves a longer lease term, the developer would be precluded from using a financing tool that would enhance the financial feasibility of the project.

Accordingly, I would greatly appreciate the opportunity to work with this committee to incorporate into this bill appropriate amendments to the Hawaiian Homes Commission Act that would authorize DHHL to allow ground leases with terms of at least seventy-five years for the types of affordable mixed-use residential projects that is being planned at the Māhaleʻiliʻili site.

For all of these reasons, I request that this committee pass HB499, HD2 with the amendments that I have proposed. Thank you for the opportunity to submit this testimony.

Stanford S.Carr

HB-499-HD-2

Submitted on: 3/12/2021 6:04:45 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kealoha Pisciotta	Testifying for Mauna Kea Anaina Hou and Kai Palaoa	Oppose	No

Comments:

Aloha, my name is Kealoha Pisciotta, I submit the following testimony in OPPOSITION on behalf of myself, Kumu Paul K. Neves and the organizations Mauna Kea Anaina Hou and Kai Palaoa.

It is wholly improper, immoral and challengeable for lawmakers to attempt to diminish the body corpus of our land trust and to do so against the interest of the beneficiaries who are Native Hawaiians and the general public. Public lands or ceded lands are Crown and Government lands therefore the State Of Hawai'i is but a Trustee mandated by law to oversee these lands and to care for them in a manner consistent with the provisions of the Admissions Act. Native Hawaiians are right holders not stakeholders and as such we do not give our consent for the state to abuse our land or our rights! We oppose this measure and any companion bills as well.

In Aloha We Remain, Kealoha Pisciotta



March 11, 2021

[SENATE COMMITTEE ON WATER & LAND](#)

Senator Lorraine R. Inouye, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Testimony Opposing HB 499 HD1

Aloha, Chair Inouye, Vice Chair Keith-Agaran, and members of the Committee,

The Hawaiian Affairs Caucus of the Democratic Party of Hawaii continues to **strongly oppose HB 499 HD1**, Relating to Lease Extensions on Public Land, that would authorize the Board of Land and Natural Resources to extend leases of public lands for commercial, industrial, resort, or government use upon approval of a proposed development agreement to make substantial improvements to existing improvements. Such a measure may violate the State's fiduciary obligation to Native Hawaiians under the public trust and public land trust, which could lead to permanent and semi-permanent alienation of public and "ceded" lands.

We have heard it said that there is no need to provide any more land or funding to the Office of Hawaiian Affairs (OHA) and the Department of Hawaiian Home Lands (DHHL) who both already have lots of land, but are not doing anything with it. Therefore, the question has been, why should more funds or land be allocated for the benefit of the Native Hawaiian community? The reason is because it is a legal obligation. Even if OHA and DHHL cannot move quickly, the legal obligation to preserve ceded lands and resulting revenue does not go away. The legal obligation is still there. And the huge needs of the Hawaiian community are still there.

If OHA and/or DHHL have challenges in moving quickly and efficiently with their land and funding due to DHHL's status as a State agency and OHA's status as a quasi-State agency, both bound by government bureaucracy, land and funds for the benefit of Native Hawaiians can be allocated to other organizations in the Hawaiian community who are in a position to quickly mobilize for the benefit of Native Hawaiians.

We continue to believe that the State has a moral and fiduciary duty to honor, respect, and follow through on its legal obligation to protect and preserve public lands and transfer 20% of the revenue for the benefit of Native Hawaiians.

Mahalo nui loa for the opportunity to testify.

Me ka mahalo nui,

JUANITA MAHIENAENA BROWN KAWAMOTO, Chair

Hawaiian Affairs Caucus of the Democratic Party of Hawai'i

STOP HB 499, HD 2!
STOP TAKING PUBLIC LANDS FOR PRIVATE PROFIT!

Testimony of Kūpuna for the Mo'opuna

HB 499 - CENTURY-LONG LEASE EXTENSIONS ON PUBLIC LAND.
STRONG OPPOSITION



STOP LEGAL THIEVERY!

*The lands granted to the State of Hawai'i by Section 5 (b) of the Admission Act and pursuant to Article XVI, Section 7, of the Hawai'i State Constitution, ... **shall be held by the State as a public trust for native Hawaiians and the general public.***

SENATE COMMITTEE ON WATER & LAND
Chair Inouye & Vice Chair Keith-Agaran
Monday, March 15, 2021 @ 1pm

To Whom It May Concern:

You are urged to watch "PUBLIC LAND TRUST: JUSTICE DELAYED IS JUSTICE DENIED."

<https://www.kamakakoi.com/plt>



Ua mau ke ea o ka 'āina i ka pono!



Native Hawaiian LEGAL CORPORATION

1164 Bishop Street, Suite 1205 • Honolulu, Hawai'i 96813
Phone (808) 521-2302 • Fax (808) 537-4268 • www.nativehawaiianlegalcorp.org



HB499 HD2

RELATING TO LEASE EXTENSIONS ON PUBLIC LANDS

SENATE COMMITTEE ON WATER AND LAND

March 15, 2021

1:00 p.m.

Room 229

Aloha e Chair Inouye, Vice-Chair Keith-Agaran, and members of the Committee,

The Native Hawaiian Legal Corporation (NHLC) **OPPOSES HB499 HD2**, which would authorize long-term leases that, for all intents and purposes, would effectively alienate public and “ceded” lands from a trust established to, among other express purposes, serve Native Hawaiian beneficiaries; not divest them of historical land claims, drain their land trust inventory, and diminish the revenue otherwise available to better their conditions—all of which passage of **HB499 HD2** would facilitate. These reasons alone counsel against supporting this measure.

The State has long been complicit in efforts to transfer certain parcels of “ceded” lands to third parties for the purpose of facilitating private, commercial development, and all too often to the detriment of Native Hawaiians. The trust vested in the Department of Land and Natural Resources (DLNR) to manage and administer the “ceded” lands subject to the trust obligations articulated in section 5(f) of the Admission Act—among them, “for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended”—is no less fulsome in 2021 than it was in 1959. The fact that approximately 30,000 native Hawaiians have been languishing on the Department of Hawaiian Home Lands (DHHL) waitlist for decades evidence unmet trust obligations deserving of more meaningful consideration with respect to the State’s disposition of “ceded” lands. Which lands (if any) should be alienated and assurance that the revenue such transfers generate maximizes the twenty percent fair market value realized by the Office of Hawaiian Affairs (OHA), are decisions that if discharged with reasonable skill and care should, at minimum, be informed by the public notice requirements and explicit safeguards detailed in OHA’s Opposition Testimony to HB499 HD2, dated March 15, 2021.

So long as native Hawaiian claims to ownership of the “ceded” lands remain outstanding and unresolved, and so long as there remains manifold evidence of the State’s failure to meet its trust obligations to Native Hawaiians, prudence demands that the State’s management and administration of the “ceded” lands trust inventory manifest, at all times, its fiduciary duties of due diligence and undivided loyalty to its beneficiaries. **HB499 HD2**, in its current iteration, fails to accomplish that and underestimates the will and determination of the Native Hawaiian community to preserve, develop, and transmit to future generations their ancestral territory. Indeed, it is well-

settled that native Hawaiian beneficiaries of the ceded land trust have a right to bring suit under the Hawai'i Constitution when the terms of the "ceded" lands trust are violated, including failure by the State to adhere to the high fiduciary duties owed by a trustee to its beneficiaries. As trustee of the "ceded" lands trust, the State has charged itself with moral obligations of the highest responsibility and trust. As such, its conduct will be judged by the most exacting fiduciary standards, as is appropriate for a kuleana of this magnitude and consequence for generations of Native Hawaiians.

In closing, it is worth revisiting and re-remembering the importance of land to Native Hawaiians and to their continued cultural and spiritual identity and practices:

The [n]ative Hawaiian [p]eople continue to be a unique and distinct people with their own language, social system, ancestral and national lands, customs, practices and institutions. "The health and well-being of the [n]ative [H]awaiian people is intrinsically tied to their deep feelings and attachment to the land." Aina, or land, is of crucial importance to the [n]ative Hawaiian [p]eople -- to their culture, their religion, their economic self-sufficiency and their sense of personal and community well-being. Aina is a living and vital part of the [n]ative Hawaiian cosmology, and is irreplaceable. The natural elements -- land, air, water, ocean -- are interconnected and interdependent. To [n]ative Hawaiians, land is not a commodity; it is the foundation of their cultural and spiritual identity as Hawaiians. The aina is part of their ohana, and they care for it as they do for other members of their families. For them, the land and the natural environment is alive, respected, treasured, praised, and even worshiped.

Office of Hawaiian Affairs v. Hous. & Cmty. Dev. Corp., 117 Haw. 174, 214, 177 P.3d 884, 924 (2008) (footnotes and internal citations omitted) (emphases in original).

For all the above-stated reasons, **NHLC OPPOSES House Bill No. 499, HD2.** Mahalo for the opportunity to testify.

Summer L. H. Sylva



Executive Director

Native Hawaiian Legal Corporation

HB-499-HD-2

Submitted on: 3/12/2021 10:14:33 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Regina Gregory	Individual	Oppose	No

Comments:

I agree with statements in opposition submitted by OHA and Kyle Kajihiro.

HB-499-HD-2

Submitted on: 3/12/2021 12:17:55 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ursula Chong	Individual	Oppose	No

Comments:

Aloha, My name is Ursula Chong, resident of Waimea, Hawaii Island born and raised in Hawaii.

I am a native Hawaiian, mother of 6 children currently farming kalo and vegetables in Waipi'o Valley and Waimea.

I strongly oppose HB499.

Lease extensions forr Public lands will not serve the immediate needs of Native Hawaiians or the General public (food, water, housing, medical), does not have a sustainable, well thought out plans that designed to sustain basic needs for healthy ecosystems of land, water, and people, and finally HB499 has no intention to provide protection for our island resources, protection of our sacred and safe spaces where we (native Hawaiians and general public) activate our cultural practices. This bill needs input from Native Hawaiians and public testimony to balance powerful dialogue needed to align with needs of all entities that will be affected; land, water, ocean, forest, and people.

Mahalo,

Ursula U'ilani Chong

HB-499-HD-2

Submitted on: 3/12/2021 12:18:12 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

Please oppose HB499

HB-499-HD-2

Submitted on: 3/12/2021 12:33:44 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Noelani Ahia	Individual	Oppose	No

Comments:

I strongly oppose HB 499.

HB-499-HD-2

Submitted on: 3/12/2021 1:51:59 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
maxine kahaulelio	Individual	Oppose	No

Comments:

enough is enough, if any of you who Love our Land of Aloha, Hawaii Nei and believe that our Land is not ours to sell, destroy and desecrate, believe that our Heavenly Father Created the Heavens and Earth as a Makana (gift) for you and me and our keiki's to live in and to die in. Please, vote NO, NO, & NO, your rewards will be given to you by the Creator, believe me. Take a good look around what is happeneing thru-out this World today, God is very sad to see what Man and Woman is doing to His creation. We all must give this "World" back to God. Find some compassion in your Hearts to say NO, it's the wrong thing to do to let greed be a part of your Lives. E KeAkua
PU Mahalo Piha

HB-499-HD-2

Submitted on: 3/12/2021 2:39:40 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Greene	Individual	Oppose	No

Comments:

I am Adamately OPPOSED To HB499.

This is Entirely AGAINST NATIVE HAWAIIANS.

STOP THIS ILLEGAL STEALING THAT CONTINUES TO WAGE TOTAL DISRESPECT FIR WE THE NATIVE PEOPLES AND LAND OWNERS.

FOR 1,000 YEARS WE WERE HERE FIRST.

STOP THE STEAL

WE ARE A DYING RACE BECAUSE AMERICANS STOLE & KILLED US FROM THE DAY THAT THEY ARRIVED AND N E V E R WERE INVITED TO TAKE OVER OUR KANAKA

HAWAIIAN KINGDOM !!!

HONESTLY I AM YELLING THIS~ WE ARE FINISHED

PATRICIA LOUISE LEIMOMI GREENE

HB-499-HD-2

Submitted on: 3/12/2021 2:56:50 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaleihua Kapua™ala	Individual	Oppose	No

Comments:

Aloha,

My name is Kaleihua Kapua'ala and I oppose HB499 HD2.

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

Mahalo nui

HB-499-HD-2

Submitted on: 3/12/2021 3:02:50 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elmer Domingo	Individual	Oppose	No

Comments:

There is no purpose to renew a lease that has not been settled with the Hawaiian people.

HB-499-HD-2

Submitted on: 3/12/2021 3:12:56 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kryssilin Padello	Individual	Oppose	No

Comments:

This Bill would provide the Board of Land and Natural Resources the power to extend leases of "Public" lands for commercial, mixed, industrial, resort or Government use with little or no Public input or oversight.

The majority of the lands held in Public Land Trust are "CEDED LANDS" or Kingdom of Hawaii Crown/Government lands that are to be used for the betterment of the conditions of "NATIVE HAWAIIAN" people.

Allowing the extension of leases beyond 65 years with no CAP will result in 100-year leases. Corporate and Individual Land developers will become Pseudo Land owners of Hawaiian Public Lands.

This bill would allow current lessees to bypass a Public bidding process where input for Past, Current and future land stewardship can be reviewed, environmental assessments and oversight with complete transparency.

HB-499-HD-2

Submitted on: 3/12/2021 3:49:21 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara (Bobbi) Cuttance	Individual	Oppose	No

Comments:

I submit my testimony, strongly against this bill.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian "public" lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

DO NOT pass this very bad legislation!

Barbara Cuttance

14-266 Papaya Farms Road

Pahoa

Hawaii

96778

HB-499-HD-2

Submitted on: 3/12/2021 4:42:15 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
maelani Lee	Individual	Oppose	No

Comments:

I oppose this bill because this bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight. The community should have the opportunity to state how they would like their public land to be utilized.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians” only, not for non-hawaiian companies or corporations to develop or change the zoning of the land. Also, there are heirs to land, who file with the Bureau of Conveyances with proof of their genealogy to preserve, protect, and conserve their land, its species and resources. These heirs should have say on what should or should not be done on or near their land.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands which should not be allowed.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed, which should not be allowed because Hawaiians still own the land and it is private, not public if a hawaiian has filed as an heir.

I am an heir to Mauna Kea, Makaha Ahupua'a, Makua, Keawa'ula, Lana'i, Honouliuli, under my great grandmothers and great grandfather. They were awarded land at the time of the Great Mahele and I have filed as the current heir. I oppose this bill, because I believe, as an heir, I have undivided interest to all the land I filed for and no other person or entity shall make a profit on or make changed to my Land without notifying me.

mahalo,

Queen Maelani Lee

HB-499-HD-2

Submitted on: 3/12/2021 6:13:56 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer K Timmons	Individual	Oppose	No

Comments:

HB499 is an abomination! I can't believe it's even being considered! Absolutely NOT! NO HB499! NO WAY!

HB-499-HD-2

Submitted on: 3/12/2021 6:35:09 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sally Thrasher	Individual	Oppose	No

Comments:

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

The State Legislature

The Senate

Senate Committee on Water and Land

Monday, March 15, 2021

1:00PM

State Capital, Via Videoconference

In Consideration of House Bill 499, HD2

Relating to Lease Extensions on Public Land

Dear Chairperson, Vice Chairperson and Committee Members,

My name is Bernadette Pada, I am a resident of Waimanalo and a Bachelor of Social Work student currently attending University of Hawai'i at Manoa, School of Social Work. I testify in **OPPOSITION of HB499, HD2**, which would authorize century-long leases that bind the hands of the Board of Land and Natural Resources (BLNR) from fulfilling its fiduciary obligations of due diligence and undivided loyalty, in maximizing the beneficial disposition of lands leased for commercial, industrial, resort, mixed-use, and governmental purposes throughout the entire state. This is clearly a special interest bill that isn't intended for the public's paramount interest – which you as our legislators are supposed to protect! This bill would allow the exclusive use of public lands without any term limit – for countless generations. Resulting in the loss of public land for the use of Kanaka Maoli. Majority of the lands held by the State of Hawai'i are “ceded lands” or Hawaiian Kingdom crown and government lands that was wrongfully ceased from the Hawaiian people. This bill would allow the claim over these lands indefinitely to these companies. Please think about the public rather than private entities and how this would negatively affect Kanaka Maoli. I **strongly oppose** HB499, HD2.

Thank you for the opportunity to testify against this bill.

Mahalo,

Bernadette Pada
BSW Candidate
School of Social Work
University of Hawaii at Manoa
bpada@hawaii.edu

HB-499-HD-2

Submitted on: 3/12/2021 7:04:07 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ty Kaipo Torco	Individual	Oppose	No

Comments:

OPPOSE

Business (Deals) as usual has to STOP. Very little oversight and accountability. The truth is slowly coming forward on how the "State" is operating and issuing leases. People are getting more educated and involved. Do what is best for the people of Hawaii (Kingdom of Hawaii) and not for the elite, corporations, military or "privileged".

This bill would provide the Board of Land and Natural Resources the power to extend leases of "public" lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are "ceded lands" or Hawaiian Kingdom crown and government lands to be use for the betterment of the conditions of "native Hawaiians."

Allowing the extension of leases beyond the 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian "public" lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current and future land stewardship can be reviewed, higher rent negotiated and if need be environmental assessments allowed.

OPPOSE

HB-499-HD-2

Submitted on: 3/12/2021 7:20:07 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kanoeuluwehianuhea Case	Individual	Oppose	No

Comments:

Our families in Hawaii are struggling to get approvals for a 30 year mortgage to work towards owni their own land and home...for years family work towards this sacrificing all they have to pay off mortgages becoming in debt all the while we have been allowing corporations and corporate entities to secure 100 year leases which pass approval in less time than families who spend years building credit and maintaining income to become eligible for banks to lend them monies, hard working families. A 100 year lease is no longer feasible here in Hawaii. It is unfair to those who live here and Kupuna have lost land titles here who are now fighting to get it back. A more sustainable approach needs to be implemented in Hawaii regarding our Aina and land use. A 100 year lease does not fit into the vision we are striving for. I oppose this bill on behalf of myself and my ohana of moku o Keawe and all ohana who live in our Hawaii Islands. Mahalo!
Kanoeuluwehianuhea Case

HB-499-HD-2

Submitted on: 3/12/2021 7:41:57 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Luanna Peterson	Individual	Oppose	No

Comments:

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

HB-499-HD-2

Submitted on: 3/12/2021 7:54:33 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

Aloha mai,

My name is Brian "loane" Jahn and I live in Wahiawa, Kukaniloko, O'ahu, with my keiki and my pops. I am writing to express my strong opposition to HB499. These lands do not belong to foreigners and this should not be allowed. Mahalo for taking the time to read this testimony.

Me ke aloha,

loane

HB-499-HD-2

Submitted on: 3/12/2021 7:54:44 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica dos Santos	Individual	Oppose	No

Comments:

Aloha Legislators,

My name is Jessica dos Santos and I reside in Kahuku. I am a veteran History teacher in the public school system. Being that I teach Modern Hawaiian History and was born and raised here, I understand the importance of 'aina to the Hawaiian people. My students also voice their concerns when they learn the true History of Hawai'i and they wonder why the state has not done right by the Hawaiian people, especially when it comes to the lands that are rightfully theirs to steward.

Although I am not kanaka maoli, it is imperative that I support keeping Hawaiian lands in Hawaiian hands. I am strongly against HB499 because I believe that it is wrong for developers to extend their leases beyond 65 years with no cap and without proper stewardship or environmental impact assessments. I strongly believe that the lands should be returned to the public trust as promised. I implore you to do the right thing and oppose this bill.

Respectfully,

Jessica dos Santos

HB-499-HD-2

Submitted on: 3/12/2021 8:55:27 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Celia Bardwell-Jones	Individual	Oppose	No

Comments:

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

HB-499-HD-2

Submitted on: 3/12/2021 9:33:40 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Thomas	Individual	Oppose	No

Comments:

Strongly oppose 100 year leases

HB-499-HD-2

Submitted on: 3/12/2021 9:49:12 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dana Keawe	Individual	Oppose	No

Comments:

I oppose hb499 hd2

HB-499-HD-2

Submitted on: 3/12/2021 11:24:25 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marissa Baptista	Individual	Oppose	No

Comments:

I live in Moanalua and oppose HB499.

HB-499-HD-2

Submitted on: 3/13/2021 12:45:39 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

Public Lands, include Ceded/Hawaiian Kingdom Crown Lands, which should be held for the benefit of the Hawaiian people and should not be leased in perpetuity to foreign governments, corporations or institutions. Also, the restriction of public comments regarding these BLNR lease decisions are an affront to our democratic processes and more aligned with a totalitarian and fascist form of government!?

Stop this greedy and overt HAWAIIAN LAND grab!

HB-499-HD-2

Submitted on: 3/13/2021 3:12:58 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Pellegrin	Individual	Oppose	No

Comments:

The practice of awarding 100 year leases is not only dubious legally speaking, but it avoids addressing the legal status of Public Lands/Ceded Lands. The Office of Hawaiian Affairs (OHA) has had to spend out of its meager 15 million dollar a year annual budget to figure out that not only were the State Departments which derive money from Public lands not reporting any dollar value until 2012, once they did start to report they were underreporting by two thirds! By the Hawaii 1978 Constitutional Convention, OHA is supposed to be receiving and allocating 20% of the proceeds of Public lands, but it has been less than 4% for decades. The practice of awarding 100 year leases is an artifact of the legal regime of White Supremacy we have had in Hawaii from the Territorial period. Department of Land and Natural Resources (DLNR) has been in on this scam since it's inception, first headed by a prominent member of the Cooke Plantation owning family, George Cooke. George Cooke came up with 50% blood quantum requirement in order to limit the land awarded to Native Hawaiians/Kanaka O'iwi. Continuing the practice of awarding 100 year leases while the legal status of ownership/stewardship is an artifact of White Supremacist practices from the Territorial period and the early Statehood era. It is confusing Patriotism and White Supremacy.

HB-499-HD-2

Submitted on: 3/13/2021 6:00:57 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vanessa Lum	Individual	Oppose	No

Comments:

Aloha to all,

I oppose bill HB499. I believe that there is too much buildings being put up as it is, and not enough land being left for the Native Hawaiian people. We have enough buildings that could be renovated for whatever may help the business side for Hawai'i. We especially don't need or want these buildings on Native Hawaiian lands. It belongs to our people. It is always meant for the Native Hawaiian people. It's already a struggle to buy a house in Hawai'i and the Hawaiian Homes lists go on and on, waiting for one day to hope you get your name pulled. It shouldn't be this way. This is Hawaiian land, keep it in Hawaiian hands, and use these lands to build more homes for the Native Hawaiians. As Hawaiians, we take care of what takes Care of us. Let us take care of our 'Äēina.

Mahalo

HB-499-HD-2

Submitted on: 3/13/2021 6:55:27 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Meleana Adams	Individual	Oppose	No

Comments:

Aloha mai,

My name is Meleana Adams and my 'ohana is Kalanikapua'inuikaleiwahea. I am a mother who is planning for my keiki's future, making sure they know and love our Hawaiian culture. I am a mother and I OPPOSE HB499.. I am a HISTORY teacher/mentor and I OPPOSE HB499, allowing the government and fake state to allow anymore desecration to our lands. I OPPOSE HB499 and allowing the government and fake state to continue desecrations with little or no public input of oversight. Something big that could affect EVERYONE should not be only decided by the government who continues to break the U.S. Constitution themselves. Freedom to gather and protest peacefully? Broken.

Just in case you forgot what your history teacher taught you...

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — **That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness".**

History is only going to repeat itself until the government owns up and starts making decisions to change history.

My name is Meleana Adams Kalanikapua'inuikaleiwahea and I OPPOSE HB499!

HB-499-HD-2

Submitted on: 3/13/2021 8:54:43 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jaylan Sypert	Individual	Oppose	No

Comments:

KEEP HAWAIIAN LANDS HAWAIIAN LANDS!!!

HB-499-HD-2

Submitted on: 3/13/2021 10:51:01 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keke Manera	Individual	Oppose	No

Comments:

I oppose this bill, and here is why:

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

Mahalo

K.Manera

HB-499-HD-2

Submitted on: 3/13/2021 2:27:27 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
louise drayer	Individual	Oppose	No

Comments:

these lands are not for the state to administer without kÄ• naka maoli permission

HB-499-HD-2

Submitted on: 3/13/2021 3:22:05 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gordon B. Lindsey	Individual	Oppose	No

Comments:

I strongly oppose HB499 HD2 for varrious reasons.

HB-499-HD-2

Submitted on: 3/13/2021 4:04:43 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
candice kirby	Individual	Oppose	No

Comments:

Hello,

My name is Candice Kirby. I reside in Kailua Kona and have been a resident of the Big Island for over 6 years. I am strongly opposed to the bill extending leases on public lands. These leases do nothing to benefit the local community. Most leases such as the military lease are given at such a low rate it's insulting to the residents who struggle to survive and cannot afford housing. These lands should be used to benefit the residents and primarily those of Hawaiian decent Instead of corporations and military who give nothing to our communities.

Mahalo,

Candice Kirby

HB-499-HD-2

Submitted on: 3/13/2021 4:18:41 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kahikina Young	Individual	Oppose	No

Comments:

I strongly oppose HB 499

Our (geologically) young volcanic islands do not need more turmoil from development.

Please vote to keep the integrity of our islands. Hawaii is unique because of we do not value the culture of commodity. Vote to keep it that way. The nature of our islands keep the aloha spirit alive; development only brings a bitter end, leaving aloha without integrity. Please vote to keep development at bay. Enough is enough.

Mahalo.

HB-499-HD-2

Submitted on: 3/13/2021 4:23:23 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stevenette Lee	Individual	Oppose	No

Comments:

Aloha

Chair Lorraine Inouye,
Vice Chair Gilbert Keith-Agaran
Senator Benette Misalicha
Senator Gil Riviere
Senator Kurt Fevella,

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

Sincerely Committed to opposing this bill,

Stevenette Lee

HB-499-HD-2

Submitted on: 3/13/2021 4:40:29 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Oppose	No

Comments:

Oppose

I have stated, as have so many others, continued opposition to this bill. Yet, certain legislators continue to bring it forth. Numerous experts have recited repeatedly the reasons why this bill and its other incarnations are opposed. Reading through it, once again, I am asking what specific lands/areas and leases are being addressed with this bill. To leave that question unanswered confirms that there are underlying reasons for the way this bill was written and for the 'why' that certain house chairs/legislators are pushing for these long term leases. We have seen the issues with so many leases for which DLNR/BLNR is responsible. Enough is enough. I remain in opposition to this bill.

HB-499-HD-2

Submitted on: 3/13/2021 5:05:42 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dee Green	Individual	Oppose	No

Comments:

I strongly oppose this bill.

Not all lease extensions support the public benefit rationale for long term.

This bill would provide the BLNR the power to extend leases of “public” lands for use with little or no public input or oversight which is a very bad idea.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands and the State has obligations by law that must be met.

Thank you

HB-499-HD-2

Submitted on: 3/13/2021 6:09:49 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Emily Bunnapradist	Individual	Oppose	No

Comments:

Respect Native Hawaiian land! Colonial White Americans have already taken enough of their independence and autonomy; by increasing the leases of "public" land, this will only exacerbate their dependence on the U.S. economy.

HB-499-HD-2

Submitted on: 3/13/2021 6:27:32 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

Aloha my name is Wailani Stoner, I am a from NÄ• hiku, Maui and currently reside in Puna, Hawai'i. I am a native mother born and raised in the kingdom of Hawai'i. I believe the BLNR has no right to lease land to foreign companies when we have many kÄ• naka maoli without homes to live and land to grow food. Especially because most public land is ceded lands and is supposed to be there for the betterment of us kÄ• naka. To do so without public input is hewa. We have been shown time and time again that land sold to foreigners almost always end in environmental and community threat. With all that's happened this past year, shouldn't we be looking out for our people? Putting our people and land first so that Hawai'i thrives in the face of a worldwide threat. If current leases were to bypass the public bidding process, there would be no accountability if anything was to happen in that time of the lease and the people that it would impact the most would not even be able to prevent any possible problems. I oppose HB499 and I hope you take in consideration the well-being of actual people of Hawai'i (especially native Hawaiians) and choose people over profit.

HB-499-HD-2

Submitted on: 3/13/2021 7:44:06 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Oppose	No

Comments:

Aloha Chair Inouye, Vice Chair Keith-Agaran, and members of the Committee,

I oppose HB499 HD2, which would allow the Dept. of Land and Natural Resources to extend leases on public lands throughout the state without any cap. The DLNR should not be allowed to extend leases for the benefit of private developers, especially without public transparency, proper stewardship, or assessment of environmental impacts. Please defer HB499.

HB-499-HD-2

Submitted on: 3/13/2021 8:00:31 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bethan Pualani Baptista	Individual	Oppose	No

Comments:

Dear Legislators,

I, Bethan P Baptista, ask that long term leases no longer be made on all Public Lands. These leases have been detrimental to beneficiaries of those lands. Please note that all management of those lands should come back into the Legislatures care until a fair and equitable form of administration of those lands have been established by the beneficiaries of those designated lands. I know that you are aware of the mismanagement by various entities that need to be addressed before deciding about leases. Let's take the time to address all the problems in regards to the leases issued to Corporations from the Managers of these lands. I strongly oppose the entities giving out these long term leases and the non accountability of all involved. There is no benefits to all the beneficiaries. Please take the time to review all aspects of the present system. Please vote against Bill HB 499 and any other bills, etc associated to it.

Mahalo,

Bethan P Baptista

HB-499-HD-2

Submitted on: 3/13/2021 10:36:03 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Harley Broyles	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

HB-499-HD-2

Submitted on: 3/13/2021 10:46:17 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Samantha Nakamoto	Individual	Oppose	No

Comments:

I oppose extending the lease extensions of Hawaiian lands and instead support the use of these Hawaiian lands for Native Hawaiian programs, assistance and housing. As a native Hawaiian, I believe our lands should be protected, and dedicated to sustainability not profit.

HB-499-HD-2

Submitted on: 3/14/2021 1:10:53 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Young	Individual	Oppose	No

Comments:

Thank you for the opportunity to offer testimony regarding HB499 HD2. This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

I oppose HB499.

HB-499-HD-2

Submitted on: 3/14/2021 5:59:06 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kamalani Keliikuli	Individual	Oppose	No

Comments:

I strongly oppose this bill

HB-499-HD-2

Submitted on: 3/14/2021 6:58:19 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Oppose	No

Comments:

Oppose. I am concerned with this bill which would authorize century-long leases that bind the hands of the Board of Land and Natural Resources from fulfilling its fiduciary obligations of due diligence and undivided loyalty, in maximizing the beneficial disposition of lands leased for commercial, industrial, resort, mixed-used and governmenttal purposes. Authorizing such leases may violate the State's fiduciary obligations under the public trust and public land trust, and lead to the alienation of public and "ceded" lands, specifcilly the provisions of Article 11, section 1 of the Hawaii State Constitution, Chapter 171, Hawaii Revised Statutes, and Section 5(f) of the Admission Act. The latter 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.

HB-499-HD-2

Submitted on: 3/14/2021 7:23:24 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marina Kraft	Individual	Oppose	No

Comments:

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian “public” lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

HB-499-HD-2

Submitted on: 3/14/2021 8:17:37 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nana-Honua Manuela	Individual	Oppose	No

Comments:

Please fulfill your fiduciary Trust responsibility to Native Hawaiians & the General Public. Long term leases Of Public Lands must benefit the beneficiaries. The cloudy title Of stolen Crown & Government lands Of the Hawaiian Kingdom needs to be adressed. A'ole long term leases Of Public Lands.

HB-499-HD-2

Submitted on: 3/14/2021 8:42:48 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lei Kihoi	Individual	Oppose	No

Comments:

I am a resident of Mokupuni 'o Keawe, the Big Island of Hawaii. I am strongly opposed to this Bill, as it would impact lands that have been continually desecrated as a result of long term leases. A good example are the lands of Pohakuloa--which has been misused, abused with no regard to the sacredness and the wildlife in the area. Aloha Lei Kihoi, Esq.

HB-499-HD-2

Submitted on: 3/14/2021 9:03:06 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Oppose	No

Comments:

Hello Chair Inouye, Vice Chair Keith-Agaran, and members of the Committee,

I oppose HB499 HD2, which would allow the Dept. of Land and Natural Resources to extend leases on public lands throughout the state without any cap. From stream diversions on Maui and Kauai, to Mauna Kea and Pohakuloa on Hawaii island, we already have ongoing issues with DLNR's management of public lands and issuance of long-term leases. The DLNR should not be allowed to extend leases for the benefit of private developers, especially without public transparency, proper stewardship, or assessment of environmental impacts.

Please defer HB499.

me ke aloha 'Ä• ina,
Nanea Lo

HB-499-HD-2

Submitted on: 3/14/2021 9:09:13 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew R Crosby	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

HB-499-HD-2

Submitted on: 3/14/2021 10:30:34 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vincent G. Raboteau	Individual	Oppose	No

Comments:

Aloha,

I strongly oppose HB499 HD2. Allowing 40-year extensions would have the effect of creating century-long leasehold interests for the benefit of industrial, resort, commercial, and government entities that have already benefitted tremendously. Measures such as this not only create unfair advantages for huge corporate interests, they also serve as loopholes for much needed regulation and oversight over the continued use of the lands subject to the leases. Further, this Bill would significantly inhibit the Board of Land and Natural Resources from fulfilling their fiduciary obligations to ensure the most appropriate uses of lands subject to the public trust and public land trust.

Thank you for considering my testimony.

Mahalo,

Vince Raboteau

Senator Lorraine R. Inouye
Senate Committee on Water and Land

Nicole Kahielani Peltzer
99-146 Holo Pl.
Aiea, HI 96701

Monday, March 15th, 2021, 1:00 PM
Re: HB 499 RELATING TO LEASE EXTENSIONS ON PUBLIC LAND

My name is Nicole Kahielani Peltzer and I am currently pursuing my MPH in Health Policy & Management at UH Manoa and am from Aiea. As a student passionate about preventing public health inequities and addressing the impacts of social determinants and racism on health outcomes in our state, I am writing in **STRONG OPPOSITION** of passing HB499 which would allow lease extensions of Hawaiian public lands. I believe this proposed bill will have a strong, negative impact on Native Hawaiian health disparities in our state. Apology Resolution, Pub. L. No. 103-150 in 1993 states that Native Hawaiians never gave up their independence over their lands. We as a state have a commitment to acknowledge the illegal overthrow of the Kingdom of Hawaii, provide reparations to the historical and continued trauma endured by Native Hawaiians, and immediately address health disparities by returning land access and management to Native Hawaiians.

Q: How does lack of land access impact indigeneous health disparities?

- It is well documented that Native Hawaiians experience significant social, mental health, chronic and infectious disease, life expectancy, and mortality disparities in our state (Mokuau et al, 2016).
- **39%** of the state's people experiencing homelessness are Native Hawaiian (U.S. Department of Housing and Urban Development, 2017).
- Native Hawaiians are connected to this state both as their homeland and as their older sibling and the land is central to identity and survival (Kana'iaupuni & Malone, 2006).
- Connection to 'āina (land) is critical to the well-being (spiritual, physical, and emotional) of Native Hawaiians (The Trust for Public land, 2018).
- Connection to the land is a documented social determinant of health for indigenous people (Lines et al, 2019).
- Evidence suggests that indigenous land management improves health, by improving access to traditional food sources, strengthening identity, and increasing cultural physical activities (Schultz et al., 2018).
- A return to indigenous knowledge and land management may also improve resilience to climate change (Greenwood & Lindsay, 2019).

The passage of this legislation would “extend certain leases of public lands for commercial, industrial, resort, mixed-use, or government use upon approval of a proposed development” and continue repressing the Native Hawaiian people by denying them access and control over their

own land. Enough is enough. Return land back to Native Hawaiians. The historical trauma and social determinants of health causing many health disparities in our state demand our immediate attention.

As one of your constituents, I urge you to oppose HB499.

Thank you for your consideration.

Mahalo nui loa,
Nicole Kahielani Peltzer

HB-499-HD-2

Submitted on: 3/14/2021 10:56:42 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Emma Ishihara	Individual	Oppose	No

Comments:

Chair, Vice Chair, and esteemed members of the committee,

My name is Emma Ishihara and I am submitting this testimony in strong opposition to HB 499, H2

I am opposed to house bill 499 because I believe it is wrong to allow private developers to extend their current leases beyond 65 years with no cap and without proper stewardship or environmental impact assessments.

I believe the lands should be returned to our community as promised.

Thank you for this chance to submit testimony in strong opposition of HB499.

Emma.

HB-499-HD-2

Submitted on: 3/14/2021 11:53:11 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nikos Leverenz	Individual	Oppose	No

Comments:

Chair Inouye, Vice-Chair Keith-Agaran & Committee Members:

This bill will empower the state government to extend leases on public land, including ceded trust lands, for the benefit of discrete interests for an unduly long period of time if "improvements" are made to the land.

This kind of preferential treatment for private and public entities comes at the expense of the public interest and also represents a further dispossession of this archipelago's indigenous population.

Indeed, it's grimly ironic that this state is now looking to implement the kind of lengthy leasehold arrangements it nullified in East Honolulu four decades ago through the legislative process----a taking that was ultimately sanctioned by the U.S. Supreme Court in Hawaii Housing Authority v. Midkiff.

This bill should be deferred.

HB-499-HD-2

Submitted on: 3/14/2021 11:55:03 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Solomon P. Kaho'ohalahala	Individual	Oppose	No

Comments:

Mahalo for this opportunity to provide my testimony in strong opposition to HB499 HD2. These lands need to be reassessed and reevaluated for their benefit In the betterment of Native Hawaiians. Please hold this bill.

Melody Kapilialoha MacKenzie
579 Kāne‘apu Place, Kailua, Hawai‘i 96734

H.B. 499, H.D.2
RELATING TO LEASE EXTENSIONS ON PUBLIC LAND
Senate Committee on Water and Land
Hearing: Monday, March 15, at 1:00 pm

Aloha, and thank you for the opportunity to submit written testimony in **strong opposition** to H.B. 499, H.D. 2. I am an attorney, advocate for the Native Hawaiian community and its trust resources, and a Professor Emerita at the William S. Richardson School of Law. I have helped to litigate and written extensively on the legal issues involving the Public Land Trust, and the constitutional and statutory mandates relating to the trust lands and funds. I submit this testimony in my personal capacity.

Most of the public lands held by the State are the Government and Crown Lands of the Hawaiian Kingdom, and embody the spiritual and physical connection of the Native Hawaiian people to the ‘āina or land. The State’s fiduciary duty in relation to these lands, held by the State with significant portions designated as the “Public Land Trust,” is deeply rooted in Hawai‘i law. As the Hawai‘i Supreme Court has stated, State officials are obligated “to use reasonable skill and care in managing the public lands trust” and the State’s conduct should be judged “by the most exacting fiduciary standards.” *Office of Hawaiian Affairs v. Housing Community and Development Corporation of Hawai‘i*, 117 Hawai‘i 174, 195, 177 P.3d 884, 905 (2008). Thus, the State’s well-established commitment to reconciliation with the Native Hawaiian community includes the preservation of the “ceded” or trust lands to the greatest extent possible, until the unrelinquished claims of the Native Hawaiian community to the trust lands are resolved.

This bill would authorize lease extensions for up to 40-years on public lands, resulting in century-long leases. This would hamper the Board of Land and Natural Resources (BLNR) from fulfilling its fiduciary obligations of due diligence and undivided loyalty, and in maximizing the beneficial disposition of lands leased for commercial, industrial, resort, mixed-use, and governmental purposes throughout the entire state.

The State, through the BLNR, holds in trust most of our public lands, including the natural and cultural resources they contain, for the benefit of present and future generations. Most of these lands are subject to the Public Land Trust established through section 5(f) of the Admission Act and by Article 12, section 4, of the Hawai‘i State Constitution. Article 12, section 4, requires that the State hold the lands in trust for Native Hawaiians and the general public. Moreover, under Article 12, section 6, a portion of revenues derived from Public Land Trust is designated for the Office of Hawaiian Affairs, to improve 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 ensuring the trust corpus is productive and that its benefits are maximized for its beneficiaries — Native Hawaiians and the general public. By authorizing the extension of up to 40 years of commercial, industrial, resort, mixed-use, and government public land

MacKenzie Testimony
H.B. 499, HD 2
March 15, 2021

leases – many of which may already have been held by lessees for the more than half a century – this bill invites century-long leases that could substantially inhibit the BLNR from fulfilling its fiduciary obligations, and otherwise ensuring the best and most appropriate uses of the Public Land Trust.

Moreover, the State, has recognized that these lands have a unique history and, in previously enacting laws requiring a two-thirds majority vote in both houses of the Legislature for the sale or gift of trust lands, has made a commitment to limit the sale or alienation of the lands to ensure that they are preserved for future reconciliation efforts with the Native Hawaiian community. See Act 176, 2009 Haw. Sess. Laws 705; Act 169, 2011 Haw. Sess. Laws 579 (codified at HRS §§ 171-50(c), 171-64.7). This proposal, by allowing for century-long leases of the trust lands, undermines that commitment.

Finally, I want to note that in 2018, Act 149 was passed establishing a “pilot project” to determine whether public land lease extensions in the Hilo community economic district would lead to “efficient and effective improvement, and economic opportunity,” and whether such an approach “can be replicated in other areas of the State.” This pilot program has not concluded so that a full assessment can be made on the positive and negative aspects of these kinds of lease extensions. It seems short-sighted to expand much broader lease extension authority without first determining the effectiveness of the pilot project in Hilo. Before expanding the lease extension authority to all other commercial, industrial, resort, mixed-use, and government public land leases throughout the islands, the Legislature should allow for an appropriate assessment of the cost-benefits, barriers, positive and negative unintended consequences, and other lessons from Act 149.

For the above reasons, I **strongly oppose** H.B. 499, H.D. 2. Mahalo for the opportunity to submit this testimony.

HB-499-HD-2

Submitted on: 3/14/2021 12:41:07 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

I oppose this bill.

March 14, 2021

Dear Honorable Members of the *Senate Committee on Water and land*,

My name is *Keith Fernandez* and I live in *Honolulu*. I am a *Native Hawaiian living in Honolulu*. I am testifying today in *opposition of HB499 HD2*.

I oppose HB499 HD2, which would authorize 40-year lease extensions that restrict the Board of Land and Natural Resources (BLNR) from fulfilling its fiduciary obligations of due diligence and undivided loyalty, in maximizing the beneficial disposition of lands leased for commercial, industrial, resort, mixed-use, and governmental purposes throughout the entire state. The state holds those lands in trust (as part of the Admissions Act) and as the trustee, is supposed to be acting in the best interest of its beneficiaries and Native Hawaiians expressly. If almost 30,000 Hawaiians weren't still on the DHHL wait list holding out for a small parcel of land of their own, then this might not be so controversial. I believe the state should focus more on their trust duties to Native Hawaiians rather than diminishing the corpus in this manner (and before resolving historical land claims) reveals the state's priorities.

Please consider *opposing* this bill. Thank you for your time and efforts.

Sincerely,

Keith Fernandez

250 Kawaihae St.,20E, Honolulu, HI 96825

HB-499-HD-2

Submitted on: 3/14/2021 12:59:02 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
travis thomas mokiao	Individual	Oppose	No

Comments:

Aloha, I am Kealii from Ewa, Oahu and while I am not a lawyer, I strongly oppose HB499. I do so as a kuleana land kia'i and a kuleana land heir/kuleana interest holder. One whom shares public land interest and understands my kuleana as a land konohiki. I oppose this bill for moral and ethical reasons. It is hewa to allow anyone, beside KONOHIKI AND KULEANA LANDOWNERS and HEIRS to the crown To determine how leasing of public lands should go. The majority of the lands held in the public lands trust are "ceded lands" or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of "native Hawaiians".

I believe BLNR should not have complete say and authorizations to extend any lease without consensus of the HAWAIIAN people. I am sure the state of Hawaii is aware of the status on all of the states land titles. Recent events have shown that the state of Hawaii shares interest and titles with almost all native Hawaiian descendants in state lands, public lands or crown lands. DHHL lands all have a shared interest. An interest that was created by THE GREAT MAHELE OF 1848 which is upheld by international laws.

The state of Hawaii and DHHL and BLNR has seized the rights of KONOHIKI AND KULEANA LANDOWNERS. By restricting access to KULEANA LANDS(through private sales of lands that belong to the heirs of the ORIGINAL kuleana awardee) and by hindering the ability for KONOHIKI to exercise one's rights to manage an ahupua'a and fishery eliminating said Rights to manage one's own land and natural resources, further exploiting from the selling of resources(done by companies or entities that lease said lands) that legally belong to the NATIVE HAWAIIANS/ HAWAII NATIONALS & U.S. NATIVE HAWAIIANS.

I believe this bill compromises the ability for U.S.NATIVE HAWAIIAN & HAWAII NATIONALS and NATIVE HAWAIIAN (who are KONOHIKI AND KULEANA LANDOWNERS) communities that are striving to become more self sustainable.

I also believe that this bill may be encroaching on numerous international laws between the state of Hawaii and the COUNTRY OF HAWAII(by not acknowledging the Rights of said kanaka) which has already been recognized to be under military occupation. With

that being said, the kingdom of Hawaii exists and KONOHIKI AND KULEANA LANDOWNERS hold clear title, KONOHIKI have all Rights to water that come from their land and a EQUAL say in public land leases. if this bill is passed I believe there may be INTERNATIONAL humanitarian LAWS that would be violated against KANAKA MAOLI/NATIVE HAWAIIAN & HAWAIIAN NATIONALS (KONOHIKI AND KULEANA LANDOWNERS by blood).

In 1898, the United States congress annexed Hawai'i based on a Joint Resolution of Annexation. This Questions about the legitimacy of the U.S. acquiring Hawaii through a joint resolution, rather than a treaty, Upon annexation, the republic of Hawaii transferred over 1.7 million acres of Hawaiian government and crown lands to the United States which is held by the state of Hawaii.

The 1993 Apology by President Clinton was the United States officially apologizing and acknowledging that the republic of Hawaii illegally transferred lands and that the "Indigenous Hawaiians never directly relinquished their claims over there NATIONAL LANDS to the UNITED STATES OF AMERICA."

With the facts stated above To allow HB 499 to proceed any further, is unruly and unjust for the NATIVE HAWAIIANS AND HAWAIIAN NATIONALS who are KONOHIKI AND KULEANA LANDOWNERS.

https://en.wikipedia.org/wiki/Ceded_lands

<https://www.govinfo.gov/content/pkg/STATUTE-107/pdf/STATUTE-107-Pg1510.pdf>

STATUTE-107-Pg1510.pdf

KANAKA MAOLI HAWAII NATIONALS AND U.S. NATIVE HAWAIIANS have protected rights and interest in all public and private lands, crown lands, state lands and government lands that the Great Mahele set into decree by HIS MAJESTY KING KAMEHAMEHA III KAUIKEOULI in 1848. The majority of the lands held in the public lands trust are "ceded lands" or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of "native Hawaiians". Yet HAWAIIAN

NATIONALS and native HAWAIIANS have no means to stop the illegal misconduct of land and its resources and are still not being consulted in the development on, and leasing done to lands and the sale of resources that belong to the COUNTRY OF HAWAII and its people.

For far too long, the Board of Land and Natural Resources has given out access to public lands to corporations for cents on the dollar and allowed them to drain many streams, valleys and communities dry that has caused detrimental harm to the native ecosystems and communities that rely heavily on these resources to sustain them.

These bills could enable further exploitation for our precious resources, potentially leading to secret deals for large wealthy Corporation and other private diverters to get away with unjust licenses that lack public transparency and have little protections for the aina they're pillaging. Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian "public" lands.

Constitution Declaration of rights: Art 4 states "all men shall have the right in an orderly and peaceably manner to assemble, TO CONSULT UPON COMMON GOODS, give instructions to their representatives and to petition the king of legislature for a redress of grievances." CONSTITUTION and LAWS 1852 by KING KAMEHAMEHA III, acknowledged in international law, so that is what I'm doing here today.

The aforementioned is why I strongly oppose HB499.

If this bill is passed, wouldn't you, the United State representative, be impeding on an oath in international law and be executing an act of war by restricting or tampering with the rights of NATIVE HAWAIIAN/HAWAIIAN NATIONALS & US NATIVE HAWAIIAN that are KONOHIKI AND KULEANA LANDOWNERS?

Mahalo

LATE

McCully Works

69 Railroad Ave. A-19

Hilo, Hi. 96720

808-933-7000

March 14, 2021

TESTIMONY IN SUPPORT OF HOUSE BILL HB-499 HD2
RELATING TO LEASE EXTENSIONS ON PUBLIC LANDS

Senate Committee on Water and Land

Chair: Sen. Lorraine Inouye

Vice Chair: Sen. Gilbert Keith-Agaran

Aloha Chair Inouye,

I support the passage of HB 499 which would allow Urban public land lessee's the opportunity to extend their leases in exchange for substantial improvements as defined in the bill.

I appreciate the support of the Chair of the Department of Land & Natural Resources and also note the constructive amendment that the Department proposed earlier.

The Committee should note that restrictions on assignment and sub-leasing need to be carefully considered. The committee should consult with market participants to ensure the full utilization of the intended reforms contained in this bill.

Mahalo,

James McCully

HB-499-HD-2

Submitted on: 3/14/2021 5:05:03 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kahealani Keahi	Testifying for Hui Makaʻāinana a Kalāwahine	Oppose	No

Comments:

Aloha mai kākou,

My name is Kāhealani Keahi, President of Hui Makaʻāinana a Kalāwahine, a Native Hawaiʻian community organization from the Hawaiʻian Homestead of Kalāwahine.

We oppose SB2 SD2 and HB902 HD1 because we believe that this bill may jeopardize Native Hawaiʻian claims to ceded lands.

Mahalo for your time and for allowing me to submit this testimony opposing SB2 SD2 and HB902 HD1.

Ke aloha,

Kāhealani Keahi



SIERRA CLUB OF HAWAI'I

LATE

SENATE COMMITTEE ON WATER AND LAND

March 15, 2021 1:00 PM

In **OPPOSITION** of **HB499 HD2**: Relating to Lease Extensions on Public Land

Aloha Chair Inouye, Vice Chair Keith-Agaran, and members of the committee,

On behalf of our 27,000 members and supporters, the Sierra Club of Hawai'i **opposes HB499 HD2**. The entire premise of this bill is that lessees should be afforded extended leases over a period of 65 to 100 years with no public input. The problem with the premise is that the land is held in trust for the benefit of Native Hawaiians and not for the benefit of the private lessee.

HB499 would provide the Board of Land and Natural Resources the power to extend leases of public lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight, for a century or more. The value of the land for the beneficiaries may be very different 65 or 100 years from now than it might be today. We do not know what will transpire in 100, 65, or 45 years. We do know that life will not be the same, or even similar, to conditions we know now.

Furthermore, the public deserves to have a say in the management of trust lands, and this bill would allow current lessees to bypass a public process without scrutiny. Transparency in the management offers decision makers an opportunity to consider input beyond that of the agency regarding land stewardship.

HB499 would offer private entities and developers the benefit of extended leases beyond 65 years with no cap, resulting in 100-105 year leases, giving them virtual ownership. The state does not own the public lands called "ceded lands", originally Hawaiian Kingdom crown and government lands. The land is held in trust to be used for the betterment of the conditions of Native Hawaiians. This bill would set the state up to violate this trust.

For these reasons, we ask you to defer this bill. Thank you very much for this opportunity to provide testimony in **opposition to HB499 HD2**.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 2:35:02 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Raelyn Reyno Yeomans	Individual	Oppose	No

Comments:

Strong opposition! Stop land use giveaways through lease extensions.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 2:37:43 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Brandt	Individual	Oppose	No

Comments:

Oppose.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 3:33:39 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brittney Hedlund	Individual	Oppose	No

Comments:

I oppose this bill because we have already witnessed firsthand the mismanagement of a long term lease such as UH's attempt at Mauna a Wākea. There is no longer space or room for these types of leases to happen especially when there is evidence that it is not prudent. 99 years is more than one person can hope to live. If we continue to allow "grandfather" practices it will destroy our ability to create sustainable practices.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 3:42:15 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Willis	Individual	Oppose	No

Comments:

DLNR should not be given unlimited leases of Kingdom of Hawaii crown lands

LATE

HB-499-HD-2

Submitted on: 3/14/2021 3:47:45 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kanoe Willis	Individual	Oppose	No

Comments:

DLNR does not have the betterment of the Hawaiian people in mind when managing thier land. And secondly, this land is Hawaiian Kingdom Crown lands that needs to go back to the Hawaiian Kingdom for use by their people.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 4:11:12 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sheila Okin	Individual	Oppose	No

Comments:

Please keep the decisions on land use with Hawaiians.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 5:47:41 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mavis Oliveira-Medeiros	Individual	Oppose	No

Comments:

Aloha,

I am testifying to send my strong opposition to HB499, HD2. I am in full agreement with OHA (Office of Hawaiian Affairs) testimony and Native Hawaiian Legal Corp., who have studied this bill and I trust their Attorney's opinions.

Mahalo,

Mavis Oliveira-Medeiros

Earle A. Kuikahi Medeiros, Sr.

Earle Kuikahi Medeiros, Jr.

Megan T Ualaniha'aha'a Medeiros

LATE

HB-499-HD-2

Submitted on: 3/14/2021 6:08:44 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tara Rojas	Individual	Oppose	No

Comments:

NO, I oppose this bill HB499 - again, the only hands land should be going to is into Hawaiian hands: return Hawaiians their land, their 'Ā• ina as they are the rightful owners and caretakers. People over profit and greed.

These are Hawaiian lands and NEED to be returned to the Hawaiian people. So simple. Return what is not yours. Return this stolen property. Be PONO and make things PONO.

Companion Bill SB257 was modified to specifically state the four Tax Map Keys, Prince KĀ«hio Plaza, for which the bill was originally created for and has since been modified. In this bill HB4999, this change is not reflected to state ONLY the four specific tax map key areas. Change this to reflect this to only be referring to Prince KĀ«hio Plaza. For this reason, among what i mentioned above, I OPPOSE HB499!

LATE

HB-499-HD-2

Submitted on: 3/14/2021 6:34:02 PM
Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mykie E. Menor Ozoa-Aglugub	Individual	Oppose	No

Comments:

I strongly oppose HB499 HD2 and respectfully urge the Senate Committee on Water and Land to kill this measure. Native Hawaiians have unrelinquished claims over ceded lands and we should protect and preserve these lands until these claims can be resolved.

Thank you for your time and consideration,

Mykie E. Menor Ozoa-Aglugub, J.D.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 6:51:49 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Monique DeSimone	Individual	Oppose	No

Comments:

My name is Monique DeSimone, and as a settler on the island of Oahu, I strongly oppose HB 499 which would grant DLNR the ability to extend leases. The fact that they have the ability to lease conservation land for mixed use is egregious, and their history of management of Mauna Kea has proved their abusive and negligent practices. Native lands belong in the hands of Native Hawaiians. Period. Handing DLNR the ability to enact potentially century long leases would be disrespectful to the people whose ancestors have been stewards to the land for centuries.

LATE

Aloha, my name is Hekilimakoakalani Manawaiopuna Sanchez,

I am an undergraduate student in Political Science at the University of Hawai'i at Manoa.

I oppose HB 499 because it proposes to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, mixed-use, or government leases on a statewide basis. This would allow the Board of Land and Natural Resources to sanction century-long leases of public and ceded lands with little or no public oversight. The ceded lands of the Hawaiian Kingdom are to be used for the betterment of Kanaka Maoli, not for the benefit of businesses that seek to perpetuate further exploitation of Hawai'i. This bill will allow lessees to bypass a public bidding process, this is unacceptable and corrupt. The notion that public land leases should be permitted to be extended beyond 65 years with no cap is a ridiculous one that will only prove detrimental to Kanaka Maoli and our communities. It is our kuleana as maka'āinana to guard our islands against morally bankrupt individuals and organizations who wish to preserve a tradition of exploitation and neocolonialism, for we are the eyes of the land.

For these reasons, I strongly oppose House Bill No. 499 HD2. Mahalo for the opportunity to comment on this measure.

Ua Mau ke Ea o ka 'Āina i ka Pono

The Sovereignty of the Land is Perpetuated in Righteousness

HB-499-HD-2

Submitted on: 3/14/2021 7:43:01 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Debra M Javar	Individual	Oppose	No

Comments:

Aloha. My name is Debra M Javar. I live in South Kona. I STRONGLY OPPOSE HB499. The majority of the lands held in the public lands trust are "ceded lands" or Hawaiian Kingdom crown and government lands which are to be used for the betterment of the conditions of us "native Hawaiians". This bill works AGAINST the betterment of us "native Hawaiians! Again, I STRONGLY OPPOSE HB 499!

Thank you.

HB-499-HD-2

Submitted on: 3/14/2021 7:44:20 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Chang	Individual	Oppose	No

Comments:

I oppose this bill for what I feel are self-evident historical reasons.

HB-499-HD-2

Submitted on: 3/14/2021 8:14:34 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kevin landers	Individual	Oppose	No

Comments:

Keep Hawaiian lands in Hawaiian hands. Land Back!

Speak

HB-499-HD-2

Submitted on: 3/14/2021 8:21:41 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Ramirez	Individual	Oppose	No

Comments:

A'ole! You already know this is hewa.

HB-499-HD-2

Submitted on: 3/14/2021 8:29:28 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kapulei Flores	Individual	Oppose	No

Comments:

Aloha,

As a Kanaka Maoli, Native Hawaiian, from Hawai'i I ask that you do what's right for the people. As a whole we should be prioritizing our people and community instead of big companies and developers. The majority of "public" lands are "ceded lands" also known as Hawaiian Kingdom crown and government lands that are supposed to be used for the benefit of the people. With the homeless population continuing to increase, now is the time to shift the priority towards our people and their genuine wellbeing. The more we focus on big companies, developers, and foreign buyers, the more neglected the people and communities of Hawai'i will be. It is the responsibility of the government to take care of the actual wellbeing of the people, their environment, and their resources. This bill also takes away the rights of the residents of Hawai'i by allowing current leases to bypass a public bidding process. Please use this opportunity to help the people of Hawai'i by opposing this bill.

Mahalo

HB-499-HD-2

Submitted on: 3/14/2021 8:32:37 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Michal Hamid	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough! Hawaiian ceded lands belong to Hawaiians.

HB-499-HD-2

Submitted on: 3/14/2021 8:51:33 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollack	Individual	Oppose	No

Comments:

DLNR should not be allowed to extend leases for the benefit of private developers, especially without public transparency, proper stewardship, or assessment of environmental impacts.

HB-499-HD-2

Submitted on: 3/14/2021 9:39:18 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ariana Au	Individual	Oppose	No

Comments:

This bill would allow the continued theft of Hawaiian lands. The land will continue to be corrupted if this bill is passed because there is little to no public input or oversight. To keep the lands to be used for the betterment of the conditions of native Hawaiians, this bill should not be passed.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 9:52:36 PM
Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

Do not permit 99 year leases. Stop exploiting and prostituting land that does not belong to you. Keep Hawaiian Lands in Hawaiian hands!!!!

LATE

HB-499-HD-2

Submitted on: 3/14/2021 9:58:56 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Quiana Wilks	Individual	Oppose	No

Comments:

This bill is wrongfully created to lease 'aina to foreigners for the next 99 years. It is unlawful to release these lands to companies and developers that will further contribute to the degradation and pollution of the Kingdom of Hawai'i. These lands belong to kÄ• naka and kÄ• naka only and should be released to such people, not to those who only wish to exploit and destroy this beautiful land.

LATE

HB-499-HD-2

Submitted on: 3/14/2021 11:00:18 PM
Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Emily Olson	Individual	Oppose	No

Comments:

Aloha Chair Inouye, Vice Chair Keith-Agaran, and members of the Committee,

I oppose HB499 HD2, which would allow the Dept. of Land and Natural Resources to extend leases on public lands throughout the state without any cap. From stream diversions on Maui and Kauai, to Mauna Kea and Pohakuloa on Hawaii island, we already have ongoing issues with DLNR’s management of public lands and issuance of long-term leases. The DLNR should not be allowed to extend leases for the benefit of private developers, especially without public transparency, proper stewardship, or assessment of environmental impacts. Please defer HB499.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 2:12:30 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

I OPPOSE HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 3:29:23 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lindsey Wong	Individual	Oppose	No

Comments:

The crown lands were placed under government because of its importance to the KAKOU, to the collective people of this island home. There are reasons our past royalty placed these lands under the government protection then. Now, that the government is not as connected to the Hawaiian way of life, it is hard for most to understand the reasonings of such land allotment placed nearly 170 years ago. Native Hawaiians should have a say in these 100 year leases.

I oppose this bill.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 3:53:19 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Galacgac	Individual	Oppose	No

Comments:

Chair Inouye, Vice-Chair Keith-Agaran, and Committee on Water and Land,

I strongly oppose HB 499, HD2. This bill allows the government to wrongfully allow any industrial, commercial, resort, or government lease of "ceded" lands -- which are limited to 65 years -- to be extended for an additional 40 years - foreclosing Native Hawaiian claims to these lands for over a century at a time, and all but guaranteeing their permanent alienation.

These public lands were seized by the government without willing consent or compensation to Native Hawaiian families during the historic overthrow of the Hawaiian Kingdom and should be returned. These public lands may restore and strengthen the health and wellbeing of the Native Hawaiian community when it is returned for the public good.

Please oppose HB 499, HD2.

Mahalo for your time,

Ashley Galacgac

LATE

HB-499-HD-2

Submitted on: 3/15/2021 3:58:50 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Galacgac	Individual	Oppose	No

Comments:

I strongly OPPOSE HB 902 HD1 because it would remove Chapter 171 protections from public "ceded" lands set aside by the governor to the Hawai'i Housing Finance and Development Corporation ("HHFDC") or leased to HHFDC by any state department or agency. These protections include, but are not limited to: public auction and appraisal requirements, lease length and extension limits, and prohibitions against lease transfers without prior approval from the Board of Land and Natural Resources. Without Chapter 171 protections, HHFDC would be able to obtain "ceded" lands at little to no cost, lease it to a developer for 99 years, and then indefinitely extend those leases. These long leases are tantamount to selling "ceded" land by foreclosing Native Hawaiians' unrelinquished claims for a century or longer.

These public lands were seized by the government without willing consent or compensation to Native Hawaiian families during the historic overthrow of the Hawaiian Kingdom and should be returned. These public lands may restore and strengthen the health and wellbeing of the Native Hawaiian community when it is returned.

Please oppose HB 902, HD1.

Mahalo for your time,

Ashley Galacgac

LATE

HB-499-HD-2

Submitted on: 3/15/2021 5:00:03 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Hannah Malia May Ling Rossetti	Individual	Oppose	No

Comments:

Aloha kākou,

My name is Hannah Malia May Ling Rossetti, and I am a Kanaka ʻŌiwi from Waiʻanae, Oʻahu. I am in opposition of HB 499 because the implementation of such a bill would continue to keep land meant for Native Hawaiian use away from Native Hawaiians, awarding leases to stakeholders who over time, only leave a mess of disrepair in their wake. Instead of awarding land to leasees who will not continue the hard work and improvements necessary throughout the entire lease, why not create opportunity for the local communities across our pae ʻĀina to enrich these areas and use facilities? Enacting this bill will only harm the Native Hawaiian community and the local community, distancing from places they and their families have cared for, longer than the current leasees have held their leases. Now is the time to do the right thing, and this bill is not the correct first step towards truly improving Hawaiʻi overall. We can all do better.

Mahalo nui for your time. Mālama pono.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 6:09:56 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Angelique Neumann	Individual	Oppose	No

Comments:

We are seeing the world over how mismanged land use and further bleeding of construction into conservation lands is aiding climate change, making our resources scarce and casuing inflation surge. As with most things, this will be felt even stronger in the microcosm that is the Hawaiian Islands. The effects will be more immediate, more dire and harder to reverse. Please consider how lucky you feel to be living in Hawaii and how protected lands are a huge part of the islands' appeal, both to residents and tourists, too. This bill is a slippery slope to degradation of Hawaii's most valuable resources and should be strongly opposed. Temporary greed should not trump our responsibility to our habitat.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 6:37:55 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathon Jacobson	Individual	Oppose	No

Comments:

These leases have been harmful to KÄ• naka Maoli for generations. They have allowed destruction of land and culture, as well as displacement of KÄ• naka. These leases need to end and the land needs to go back to KÄ• naka.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 7:13:49 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

I STRONGLY OPPOSE HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 7:51:11 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Micah Deckop	Individual	Oppose	No

Comments:

Moving to Hawaii turned me into a communist because of what I see here every day. Do better. Make your children proud

LATE

HB-499-HD-2

Submitted on: 3/15/2021 7:55:09 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Koa Young	Individual	Oppose	No

Comments:

I OPPOSE HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:01:02 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leanne K. Fox	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:02:07 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
melissa tomlinson	Individual	Oppose	No

Comments:

First, thank you for your time and consideration.

As I submitted in opposition for SB 499 (all versions) and SB 257 I am also submitting testimony in opposition for HB 499 as well. I strongly oppose renewing public land leasing for state, city, and privatized profiteering. These "public land" spaces are still illegally occupied territories of The Kingdom of Hawai'i. It is inappropriate and violent for U.S. government legislation to faculty determination of land use within the Hawai'ian islands. Furthermore, it is corrupt to take these spaces away from the public for any kind of monetary gain to the U.S. proclaimed "state" of Hawai'i. As an example of why bill HB 499 should absolutely be a hard no, is in recognition of Mauna Ä• Wakea and PÄ• hakuloa. The lease title to the Hawai'ian homelands and deemed conservation land (that must be protected) has continually allowed abusive practices such as desecration to sacred spaces of Hawai'ian culture by building massive telescopes in a place they do not belong, allowing such a sacred space to be a "tourist attraction", restricting the rights of Kanaka Maoli to practice their religious/spiritual beliefs, police brutality, and literal state sanctioned violence against native peoples through genocide. Allowing this bill to pass would allow the renewal of this violence against the native people of Hawai'i, it is time for practices such as these to cease. It is the time of recognition and of accountability. With everything happening in today's world it is ever clear to me, especially in Hawai'i, that the governing practices by the U.S. are responsible for the calamities we face as humans bound to its forces. The militarization of the islands of Hawai'i is a strong example of how destructive and unhealthy the U.S. governing practices have been, among countless others since 1893. Providing lease extensions is unacceptable, especially considering leasing should never have been granted to begin with. Do not approve SB 257, it is not in alignment with what is best for Hawai'i and with what is best for humanity.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed. This bill would provide the Board of Land and Natural Resources the power to extend leases of "public" lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight. The majority of the lands held in the public lands trust are "ceded lands" or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of "native Hawaiians". Allowing the extension of leases beyond 65 years with

no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian "public" lands.

Furthermore in continuation of why I oppose this bill and the lease extensions being renewed is in considering Puanani Brown's testimony of HB 499 in opposition where she states--"the extensions of the long-term and poorly stewarded commercial, industrial, resort, mixed-use, or government leases of Hawai'i's public lands also known as Crown Lands, illegally taken from the Hawaiian people at the time of the 1893 overthrow in an "act of war" (United States Public Law 103-150). If these lease holders have poorly managed the land, WHY should the Hawaiian people be forced to grant them an even longer term to further demonstrate their lack of care for these lands and for the Native Hawaiian people? We cannot afford to allow the further destruction, desecration, and abuse of our sacred sites. Let us be clear that many of these lands are also conservation districts meant to be protected for historical and ecological preservation, that corporate interests have gleefully abused. These lands hold the cultural heritage of the Native Hawaiian people, they are the burial sites of our ancestors and highest chiefs, they are tied intrinsically to the Hawaiian people through our creation story and religion, they are the source of water for traditional kalo farmers, and they encompass critically endangered ecosystems and lands that are home to endemic species found nowhere else on earth. This bill seeks to deprive people of their right to appeal an agency decision to the Court. It also asks agencies to nonsensically share orders between them. Together, these changes violate the people's right to due process. The people harmed are, primarily, Indigenous Hawaiians who have already survived genocide, the intentional erasure of our history and language, and who are now constantly fighting for our survival and against cultural genocide at the hands of this de facto state of Hawai'i via the overexploitation and development of our ancestral lands to suit the short term economic wants of the current tourism, military, and agrochemical plantation economy. While one third of the homeless population in Hawaii is Native Hawaiian, the state continues to put all your eggs in a few unsustainable baskets fueling the desecration of sacred lands and disrespect of Indigenous rights - taking advantage over and over again of all the beauty and aloha that makes Hawai'i so uniquely cherished. Furthermore, the United Nations has declared it a human rights violation to develop these lands without the free, prior, and informed consent of the Indigenous people of Hawai'i. Shame on you for even proposing this bill that would allow for the destruction of lands that hundreds of thousands of Native Hawaiians and allies around the world have put their bodies on the line to protect. This bill would foreclose on our rights to fully litigate claims before a Court to see if an agency acted properly or violated the law. It targets Native Hawaiians because it targets the issues and rights we hold most dear: our sacred sites, cultural resources, burials, fresh water sources, and our entire worldview. This bill is unconstitutional, egregiously racist and genocidal in both its nature and intent."

Do not approve this bill!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:06:30 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Terina Fa'agau	Individual	Oppose	No

Comments:

I strongly oppose this bill.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:13:36 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
MICAH KAIMANA PACATANG	Individual	Oppose	No

Comments:

I, MICAH KAIMANA PACATANG, hereby oppose HB499 HD2.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:15:46 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sawyer Moon	Individual	Oppose	No

Comments:

Aloha mai,

My name is Sawyer Moon and I am writing this to signal my opposition to HB 499. The decision to extend leases for up to 99 years for the groups described above is not helpful to the people of Hawai'i. These will not substantially improve the living situation of many of the people living here and instead will continue to displace both Hawai'i residents and Kanaka Maoli.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:45:52 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Melendez	Individual	Oppose	No

Comments:

These are stolen lands. The Hawaiian people never relinquished their sovereignty. I say no to the continuation of U.S. imperialism.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:46:11 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ren Pruitt	Individual	Oppose	No

Comments:

To:

[COMMITTEE ON WATER AND LAND](#)

Senator Lorraine R. Inouye, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Ren Pruitt
hpruitt@hawaii.edu

March 15th, 2021

Submission of testimony in OPPOSITION of HB 499

Aloha mai kākou,

My name is Ren Pruitt, I am a resident of Nuuanu area near Honolulu, and I am submitting testimony for house bill 499, RELATING TO LEASE EXTENSIONS ON PUBLIC LAND. I am testifying in against the lease extensions on public land. This bill would provide the Board of Land and Natural Resources the power to extend leases of "public" lands for commercial, mixed, resort, industrial, or government use with little or no public input or oversight.

The Majority of the lands held in the "public lands" are "ceded lands" or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of native Hawaiians -- Kanaka Maoli.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian "public" lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be, environmental assesments allowed.

This bill directly impacts the native Hawaiians whose lands we occupy and would do much to further the history of settler supremacy and violence against Kanaka Maoli.

I believe that the lands should be returned to the public good, specifically for the good of Kanaka Maoli, as promised. I urge the committee to reject HB 499. Thank you for this opportunity to testify

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:48:36 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dina Shek	Individual	Oppose	No

Comments:

Dear Committee Members,

I strongly OPPOSE HB 499 HD2. This bill deeply undercuts Native Hawaiians' legal and just claims over "ceded" lands. These lands must be preserved and protected for the benefit of—and with the leadership and decisionmaking of—Native Hawaiian people.

Thank you for your consideration,

Dina Shek

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:53:12 AM
Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Grace Lee	Individual	Oppose	No

Comments:

I oppose.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:07:32 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kalena Charlene Holani	Individual	Oppose	No

Comments:

Leasing out stolen land is illegal, immoral, unethical, unjust and DISRESPECTFUL to Hawaiians, the culture, Hawaii's Monarchy, history space and place. I oppose HB 499! And if you have any respect for the above you will too.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:17:16 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Malia Marquez	Individual	Oppose	No

Comments:

I OPPOSE HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. This bill is about greed and money. Sometimes you must look above the money and do what is fair and just for all. Please OPPOSE HB499 HD2 because it is the right thing to do. Mahalo for your time on this very important matter.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:17:46 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kylie Akiona	Individual	Oppose	No

Comments:

STRONGLY OPPOSE!!!! Keep Hawaiian Lands in Hawaiian Hands.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:25:33 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cedar Wilson	Individual	Oppose	No

Comments:

Aloha kākou,

My name is Cedar Wilson and I am writing today in strong opposition of HB499 HD2 in regards to lease extensions on public land. This bill would provide the Board of Land and Natural Resources the power to extend leases of "public" lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are "ceded lands" or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of "native Hawaiians".

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that would set up developers as pseudo land owners of Hawaiian "public" lands.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

Mahalo,

Cedar Wilson

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:26:16 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marissa Abadir	Individual	Oppose	No

Comments:

Strongly oppose.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:27:20 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Raechelle Villanueva	Individual	Oppose	No

Comments:

I am writing to oppose HB 499. I want to tend the 99 year leases on Hawai`ian land for commercial and hotel use. I am born and raised here in Hawai`i and have lived my whole life here. I love Hawai`i and no matter how difficult it has been to remain here to raise my family, I am committed to staying and helping as a public school educator. Sadly, so much has changed and I am so sad that the change has not been for good. Especially on the island of `Oahu, I have seen so many beautiful ocean front land damaged by high rises. Luxury condos block the once beautiful Ala Moana ocean views. My children will never know what it is like to enjoy a sunset from afar with the ocean without high rises blocking the view in urban Honolulu.

In addition, I often wonder who can afford these luxury multimillion dollar condos that litter our urban Honolulu ocean properties. I, for one, on my meager public teacher salary, am not one of them to be able to or ever be able to afford these properties. My real estate attorney who I am working with to save my family home, tells of how property is being bought up by continental U.S. investors who love to buy property in Hawai`i due to the low taxes they have to pay. As a result, the housing market is booming and driving the median home price to \$900,000 which is pricing us locals out of buying property in our own home land.

Finally, the biggest disgrace is to the Native Hawai`ian people. Some of these public lands are meant to be for the Native Hawai`ians. So much has been taken from them already. Many Hawai`ian remain on the waiting list to receive their Hawai`ian Homestead land. Even more so, many Hawai`ians die before they even see land promised to them. Yet, our lawmakers are proposing this law to extend the 99 year lease??? Auwe!

That is why I strongly oppose this bill. Enough has been taken away from the Hawai`ian people and the locals who live here. We are being priced out of our own homes. What will that leave us? Hawai`i is a unique place unlike anywhere else. We have opportunities to diversify our economy in other ways. We are in the middle of Asia and the Pacific. We have the potential to be global leaders in sustainability and technology that enhances indigenous practices. Let us not be the leaders in mistreating its people. Thank you for taking the time to read my testimony.

Mahalo,

Raechelle Villanueva

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:31:35 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kalai Joy	Individual	Oppose	No

Comments:

I am testifying in opposition of HB499 HD2, HB902 HD1, and SB2 SD2. These bills would allow stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani, to be leased for a century which would effectively prevent Hawaiian claims to these lands.

We need to protect these "ceded" lands.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:36:27 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaiea Medeiros	Individual	Oppose	No

Comments:

A'ole to the steal of Native Hawaiian lands. Leases given out for accepted activities should not be 99years long. There are to many precedents that show this is an unsustainable and inefficient business practice.

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

LATE

March 15, 2021

TO: Honorable Chair Lorraine R. Inouye, Vice-Chair Gilbert S.C. Keith-Agaran,
and members of the Senate Committee on Water and Land

FROM: Tamara Paltin
Maui County Councilmember

DATE: March 15, 2021

SUBJECT: **OPPOSING HB 499, RELATING TO LEASE EXTENSIONS ON PUBLIC LAND**

Thank you for the opportunity to testify in this important measure. The purpose of this measure is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, and mixed-use, or government leases that have not been sold or assigned within the last ten years.

I OPPOSE this measure for the following reasons:

1. Native Hawaiians are owed revenue from these lands. If the state is leasing the land to a lessee that isn't generating revenue off the land, Native Hawaiians are being short-changed from the best uses of lands that were stolen from them.
2. Historically, these long-term lessees start arguing that the land ultimately belongs to them, and public trust lands end up in private ownership. Lands stolen from Hawaiians and held in trust for Hawaiians were given away after these long, multi-generational leases.

Respectfully Submitted,

Tamara M. Paltin

TAMARA PALTIN
Councilmember

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:42:13 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sheena Lopes	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:46:03 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Curen Ohama	Individual	Oppose	No

Comments:

I strongly appose this Bill,

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:47:19 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jamaica Osorio	Individual	Oppose	No

Comments:

Aloha kākou,

O wau nā o Dr. Jamaica Heoliemeleikalani Osorio and I am a professor of Native Hawaiian and Indigenous Politics at the University of Hawai'i at Mānoa. I write to you in full opposition to HB499.

This bill represents another attempt by the state to further disenfranchise Native Hawaiians from our ancestral lands and attempts to continue the facade of American title over our Native lands and government.

This bill would provide the Board of Land and Natural Resources the power to extend leases of "public" lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight. The majority of the lands held in the public lands trust are "ceded lands" or Hawaiian Kingdom crown and government lands which were illegally transferred to the US and as a condition of Statehood was transferred to the State of Hawai'i to be held in a public trust for 5 purposes. One purpose being the betterment of the conditions of "native Hawaiians" as defined in the Hawaiian Homes Commission Act, 1920. If these lands are used for any other object other than the 5 purposes it could be considered a breach of trust for which suit can be brought by the United States.

Allowing the extension of leases beyond 65 years with no cap (e.g. some lessees could end up with a 105 year lease) would set up lessees as pseudo land owners of Hawaiian "public" lands that may eventually lead down a slippery slope of lease to fee conversions. This could have a devastating impact on specific sacred sites such as Mauna a Wākea, Pāhākuoia, Makua Valley, etc.

Importantly the title over these lands is still heavily contested. Therefore, this bill proposes to circumvent both international law and Hawai'i's own constitution that have designated these lands for the betterment of Native Hawaiians. The state is still defunct in meeting the supreme court mandate of paying 20% of ceded land revenues. These existing issues must be resolved before Any further leasing (or sale) of Hawaiian Kingdom crown and government lands.

Certain majorly contested leases are set to expire in the coming years. Specifically, the lease to PÅ• hakuloa Training Area and Makua Valley The native Hawaiian community does not consent to the extension of these leases and many of us see this bill as an opportunity for the state to do just that without any community oversight and input. This represents yet another mechanism to steal and repurpose our 'Ä• ina.

The Native Hawaiian community does not consent to this ongoing theft and occupation of our 'Ä• ina. We implore the state to uphold its constitutional mandate to hold these lands in trust. Any act/ legislation that would threaten that should be swiftly defeated.

Me ka 'oia'i'o,

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:49:22 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelley Farquhar	Individual	Oppose	No

Comments:

Violates international laws articles 1-89 OPPOSE HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough Genocide of people lands and native resources

LATE

Welina mai,

O au 'o Kēhau Jahn, noho au i ke kalana Kūkaniloko. I am a native Hawaiian mother, with native Hawaiian children. I'm writing on behalf of them and all future generations of Hawaiian keiki, in **FULL OPPOSITION** to **HB499**. Hawaiian lands should never be leased or sold in perpetuity to Haole investors and/or governments. There is no gentrification by Haole that benefit the Hawaiian. Lawa already.

brazenly,
na Kēhau Jahn

HB-499-HD-2

Submitted on: 3/15/2021 9:52:35 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
J. Kuhio Lewis	Individual	Oppose	No

Comments:

LATE

1. DATE 3/15/2021

2. ADDRESS TO CHAIR & COMMITTEE

Senator Lorraine R. Inouye, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

3. BILL OR RESOLUTION NO., DRAFT NO (if any)

RE: HB 499

4. DAY AND DATE OF HEARING

Monday March 15, 2021 1:00PM

5. INTRODUCTION:

1) James E. Jones, Jr.

2) HB 499

3) This bill should be amended to change the lack of public input or oversight.

4) "Ceded Lands" should not be for lease for commercial use unless Native Hawaiians have an active voice in the process

5) Leases over 65 should not be an option

6) Bypassing public bidding for current lessees is an unfair business practice.

James E. Jones, Jr. I am speaking on behalf of myself as a long time resident of the state. I am testifying in opposition of the bill.

6. CONTENT: EXPLAIN REASONS FOR YOUR POSITION. MAY INCLUDE FACTS OR EXPERIENCES

HB 499 seeks to continue to exclude Native Hawaiians from having a say in how their lands are utilized. Allowing more commercial real estate ventures in the manner that this bill seeds too much power to developers without consideration for what is best for the island and its native citizens. Historically speaking, this is an extension of the actions that were taken when this state was annexed from Hawaiians in the first place. It's as if we have not learned from the past.

Public oversight and input should be mandatory for any commercial real estate venture on "Cede Lands". Only local/Native Hawaiians have a true understanding as to the sacred value of those lands are. I do not believe a commercial, residential, nor, a resort real estate developer understands what those lands mean to the families of Hawaii.

Leases over 65 years all but make a developer an owner of "Public" lands. This would be very unfair to those who are from here and do not have access to funds that can them the same opportunities. This would also decrease fair competition. Everyone should have the opportunity to invest/purchase these contracts within a reasonable amount of time. Giving a developer that

much power for such a long period of time is greedy and monopolistic. No one should own “public” lands

Giving current lessees the right to bypass the public bidding stage is unfair and lacks transparency. Every bid should be made public to ensure that everyone has a fair chance. One of the biggest ailments that plagues this state is, a lack of trust. That in large part is due to a lack of transparency. People must be informed about what is going on in their communities and should be given a fair opportunity to be involved in all phases.

7. CLOSING

In closing, I strongly oppose the bill as it is written. I think it is short sighted. It allows for too many unfair business practices to take place due to a lack of transparency. It does not take into consideration the deep wounds that remain from the annexation of this state by the U.S. and appears to enact some of the same behaviors. Local/Native Hawaiians should have the opportunity to be involved in how “Ceded Lands” are used and/or developed. Native voices deserve to be always be heard throughout this process. Power given to developers that extend for six plus decades should not be an option. This decreases competition within the market and robs people of the opportunity to increase their station in business and in life. People of this land should be a part of any process to develop this land.

Thank you very much for considering my testimony.

8. NAME & CONTACT INFORMATION

James E. Jones, Jr.

jjonesjr4230@outlook.com

Senate District 15

House District 31

HB-499-HD-2

Submitted on: 3/15/2021 9:55:13 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Alice	Individual	Oppose	No

Comments:

I strongly oppose this measure for the reasons listed in testimony submitted by the Office of Hawaiian Affairs.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 9:56:34 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Malia Hulleman	Individual	Oppose	No

Comments:

Aloha kākou,

O wau nā o Malia Hulleman. I write to you in full opposition to HB499.

This bill represents another attempt by the state to further disenfranchise Native Hawaiians from our ancestral lands and attempts to continue the facade of American title over our Native lands and government.

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight. The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands which were illegally transferred to the US and as a condition of Statehood was transferred to the State of Hawai‘i to be held in a public trust for 5 purposes. One purpose being the betterment of the conditions of “native Hawaiians” as defined in the Hawaiian Homes Commission Act, 1920. If these lands are used for any other object other than the 5 purposes it could be considered a breach of trust for which suit can be brought by the United States.

Allowing the extension of leases beyond 65 years with no cap (e.g. some lessees could end up with a 105 year lease) would set up lessees as pseudo land owners of Hawaiian “public” lands that may eventually lead down a slippery slope of lease to fee conversions. This could have a devastating impact on specific sacred sites such as Mauna a Wākea, Pāhukuloa, Makua Valley, etc.

Importantly the title over these lands is still heavily contested. Therefore, this bill proposes to circumvent both international law and Hawai‘i’s own constitution that have designated these lands for the betterment of Native Hawaiians. The state is still defunct in meeting the supreme court mandate of paying 20% of ceded land revenues. These existing issues must be resolved before Any further leasing (or sale) of Hawaiian Kingdom crown and government lands.

Certain majorly contested leases are set to expire in the coming years. Specifically, the lease to Pāhukuloa Training Area and Makua Valley The native Hawaiian community does not consent to the extension of these leases and many of us see this bill as an

opportunity for the state to do just that without any community oversight and input. This represents yet another mechanism to steal and repurpose our 'Ä• ina.

The Native Hawaiian community does not consent to this ongoing theft and occupation of our 'Ä• ina. We implore the state to uphold its constitutional mandate to hold these lands in trust. Any act/ legislation that would threaten that should be swiftly defeated.

Me ka 'oia'io,

Malia Hulleman

LATE

HB-499-HD-2

Submitted on: 3/15/2021 10:06:25 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Osorio	Individual	Oppose	No

Comments:

This bill would provide the Board of Land and Natural Resources the power to extend leases of “public” lands for commercial, mixed, industrial, resort, or government use with little or no public input or oversight.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands to be used for the betterment of the conditions of “native Hawaiians”.

Allowing the extension of leases beyond 65 years with no cap will result in 100 year leases that confer practical if not legal prerogatives of ownership and skirt the State's responsibility to review the use and value of the lands placed under its care.

This bill would allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed. This bill simply produces an extension of an economic status quo that is at the root of Hawai'i's economic inequalities, as well as the continual denial of Native Hawaiian claims to these lands.

I oppose this bill.

Jonathan Kay Kamakawiwo'ole Osorio

LATE

HB-499-HD-2

Submitted on: 3/15/2021 10:06:40 AM
Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
JENNIFER CLAUDIO	Individual	Oppose	No

Comments:

I, Jennifer Claudio resident of Maui County, oppose bill HB499 HD2.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 10:18:05 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

I oppose.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 10:22:11 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tory Kono	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 10:22:32 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kialoa Mossman	Individual	Oppose	No

Comments:

Aloha mai kākou, my name is Kialoa Mossman, a resident of Oahu that was born and raised on Hawai'i Island in the district of Hilo and I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Lastly, these lease holders have no care for the land they possess and often create environmental hazards that cannot be rammified. One example of this is that despite scientist finding a water aquifer in the area, Pohakuloa continues to be used as a site for military practice and live ammunition. Enough is enough!

HB-499-HD-2

Submitted on: 3/15/2021 10:35:43 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Balgos	Individual	Oppose	No

Comments:

Testimony in Opposition to HB 499- Relating to lease extensions on public land

Chair Inouye, Vice Chair Keith-Agaran, and members of the committee,

Thank you for the opportunity to present testimony on HB 499- Relating to lease extensions on public land. My name is Alexandra Balgos and I strongly oppose this measure. I urge you to vote against this bill and put an end to wrongful entitlement to illegally occupied Hawaiian lands. There is no reason that hotels and other commercial businesses should have the ability to adopt 99-year leases while Native Hawaiians remain houseless on their ancestral lands. There is no amount of money, jobs, or economic growth that would justify land grabs under the guise of business ventures.

Mahalo for your dedication to land justice and the opportunity to testify on HB 499.

Alexandra Balgos

LATE

HB-499-HD-2

Submitted on: 3/15/2021 10:23:15 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca M Goldschmidt	Individual	Oppose	No

Comments:

Aloha Chair Inouye, Vice Chair Keith-Agaran, and members of the Committee,

I oppose HB499 HD2, which would allow the Dept. of Land and Natural Resources to extend leases on public lands throughout the state without any cap. From stream diversions on Maui and Kauai, to Mauna Kea and Pohakuloa on Hawaii island, we already have ongoing issues with DLNR's management of public lands and issuance of long-term leases. The DLNR should not be allowed to extend leases for the benefit of private developers, especially without public transparency, proper stewardship, or assessment of environmental impacts. Please defer HB499.

Mahalo, Rebecca M Goldschmidt

LATE

HB-499-HD-2

Submitted on: 3/15/2021 10:51:53 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaniloa Kamaunu	Individual	Oppose	No

Comments:

Aloha,

My name is Kaniloa Kamaunu of 222 Waihee Valley Road Wailuku Maui. As subject of the Hawaii Kingdom as my forefathers I am opposed to SB2SD2. I believe that State has not met their trust obligation as set forth in the Newlands Resolution which is it's annexation bill of certain properties that were inquired by the US from the defacto government the Republic of Hawaii (1893-1898). With the US Congress recognizing the Ku'e petition my ancestors were never naturalized or acquired and were still sovereign so am I (Public Law 103-150 Whereas 29). Then all properties acquired by the US and now administered by the State of Hawaii I still hold an interest. The 1839 Constitution (HE KUMU KANAWAI, A ME KE KANAWAI HOOPONOPONO WAIWAI, NO KO HAWAII NEI PAE AINA. NA KAMEHAMEHA III I KAU. Honolulu: 1839. KUMU KANAWAI, NO KO HAWAII NEI PAE AINA) afforded vested rights to my ancestors and continues with me. With that being stated I demand of this body to uphold its trust obligation to me as an interest holder. This body is obligated to meet with myself and others with such claims until such arrangements are made I demand a stop to any further action.

Mahalo,

Kaniloa Kamaunu

EM: bkofmor@gmail.com

LATE

HB-499-HD-2

Submitted on: 3/15/2021 11:09:38 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ivy Hsu	Individual	Oppose	No

Comments:

Aloha e Representative Saiki et al,

As a DOE teacher and resident of Kaka`ako, I am asking that you oppose House Bill #499. As refugee settlers of O`ahu, my family benefited from leasing ceded lands to farm and make a better life for ourselves. After farming the land at Kumuhau in Waimanalo, our lease expired and Kanaka were able to make their homes in a new homestead development. We drive by feeling grateful that we were able to benefit from the land, but that native Hawaiian can now call it their home. This bill will help ensure that ceded lands that have already benefited others can still be returned to the indiginous inheritors of that land in a timely fashion. Mahalo for considering my testimony.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 11:51:18 AM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bronze Fonoimoana	Individual	Oppose	No

Comments:

I am against HB499 HD2!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 12:17:08 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Connelly	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 12:46:21 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benjamin Sadoski	Individual	Oppose	No

Comments:

I oppose HB 499.

LATE

HB-499-HD-2

Submitted on: 3/15/2021 1:01:18 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

I once again OPPOSE this bill!!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 1:03:16 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lokomaika'i Brown	Individual	Oppose	No

Comments:

I Lokomaika'i Brown oppose HB499 HD2. These lease extensions is disgusting, your creating this bill to legitify the theft of crown lands. That is not PONO, if the fake state of hawaii passes this expect an uprising. We the children of this land won't allow the mismanagement, desecration, and destruction of our home. Please kill HB499 HD2 mahalo

HB-499-HD-2

Submitted on: 3/15/2021 1:04:10 PM

Testimony for WTL on 3/15/2021 1:00:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Kathryn Benjamin	Individual	Oppose	No

Comments:

Good Morning,

My name is Kathryn Benjamin and I am a resident of Hilo, HI. I am writing today to voice my opposition to HB 499. Over the past decades, it has become increasingly clearer each day that BLNR does not have the community in mind when granting and extending land use leases. From the grave mismanagement of Mauna Kea to the continued desecration of Pohakuloa, so many of the lands that BLNR leases out are lands held in public trust. These “Ceded Lands” or Hawaiian Crown Lands are meant to be used for the betterment of the conditions of “Native Hawaiians.” So while many in the Kanaka Maoli community are adamantly speaking out that lease extensions on their lands should not be granted, including a landmark Supreme Court Case (Ching vs. Case 2019), it seems a great injustice to try and create bills which would undermine that communities continued attempts to hold lessees accountable for their destruction of public lands.

This bill, which would allow extensions of leases beyond 65 years with no cap will result in 100 year leases that would grant developers as “psuedo land owners,” of these Public Lands (“Ceded Lands” or Hawaiian Crown Lands).

Allowing this Bill, would knowingly allow current lessees to bypass a public bidding process where input for past, current, and future land stewardship can be reviewed, higher rent negotiated, and if need be environmental assessments allowed.

In a time where we all, regardless of race, nationality, or age, have abundant resources to learn about how how the state actively oppressed its people, most specifically it’s native people, there is simply no excuse to not become more educated and well-versed in how bills of this nature (and specifically THIS bill) are harmful to Kanaka Maoli, the

lands, the waters, and future generations. There is no reason to extend leases into future generations who are too young, or not even born yet, to weigh in on how these decisions will affect them and their ancestral lands. I stand strongly in opposition of HB 499.

Kathryn Benjamin

Hilo, HI

HB-499-HD-2

Submitted on: 3/15/2021 1:11:31 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Ellen-Rae Cachola	Individual	Oppose	No

Comments:

I **OPPOSE** HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 1:28:49 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

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

Comments:

I OPPOSE HB499 HD2 because it would foreclose Native Hawaiian claims to "ceded" lands by allowing any industrial, commercial, resort, or government lease of "ceded" lands -- which are currently limited to 65 years -- to be extended for an additional 40 years. These lands are stolen Hawaiian Kingdom crown and government lands, taken during the 1893 insurrection and overthrow of Queen Lili'uokalani without consent or compensation. Native Hawaiians have unrelinquished claims over "ceded" lands and we should protect and preserve these lands until such time that these claims can be resolved. Allowing these lands to be leased for a century at a time would effectively prevent Hawaiian claims from ever being resolved because the people who lease "ceded" lands will fight to keep extending their leases. Enough is enough!

LATE

HB-499-HD-2

Submitted on: 3/15/2021 1:33:21 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
luka naeole	Individual	Oppose	No

Comments:

My name is Luka Naeole and this is my written testimony in opposition of HB499. we demand that you end 99 year hotel and business leases on Hawaiian land. At a certain point the land needs to come back to nā• 'Å• iwi o ka 'Ä€ina, we can't sit idly as we depend on tourism and let our communities wither away all for tourism, for people that don't even live here. 99 year leases do nothing for the community and everything for the people who want to drive us out of our communities.

HB-499-HD-2

Submitted on: 3/15/2021 2:13:05 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

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

Comments:

OPPOSE!

HB-499-HD-2

Submitted on: 3/15/2021 4:47:08 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Momi Ventura	Individual	Oppose	No

Comments:

Aloha My Name Is R.Momi Ventura, I Opposed HB499 That Allows DLNR To Extend Leases On Lands Throughout Hawai'i Nei Without Any Cap. From Stream Diversions From Mau'i To Kauai, And Mauna Kea To Pohakuloa On The Big Island Of Hawai'i. With All Of The Issues DLNR Already Have Taking "Care" Of Managing Hawai'i's Lands And The Issuances Of Long Term Leases. DLNR Should Not Be Extending Leases Of Any Private Developer's, Especially Without Public Transparency, Public Stewardship Or Assessments Of Environmental Impact. Please Defer HB499

LATE

HB-499-HD-2

Submitted on: 3/15/2021 8:23:17 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Kalili	Individual	Oppose	No

Comments:

I STRONGLY OPPOSE this bill. Such measures threaten to alienate public and "ceded" lands by granting broad leasing and disposition authorities; end-runs around the protections otherwise afforded these lands by HRS Chapter 171. For those many of us, especially those who have long advocated to protect and preserve these lands for the benefit of Native Hawaiians, proposals that facilitate their diminution before addressing, let alone resolving, outstanding historical land claims are wrongheaded and deeply offensive.

HB-499-HD-2

Submitted on: 3/15/2021 9:23:30 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

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

Comments:

The Native Hawaiian community should always be consulted and considered when leasing lands that belong to them for their betterment.

HB-499-HD-2

Submitted on: 3/15/2021 9:48:28 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kelsey Amos	Individual	Oppose	No

Comments:

I oppose this bill. I think the issue of ceded lands and the claims of Native Hawaiians to these lands should be taken seriously. Lease extensions on public/ceded lands do not get us closer to resolving these claims, instead they maintain the current (im)balance of power and defer the problem to future generations.