

## Testimony of OHA Trustee Lei Ahu Isa in Strong Support for SB1334 SD1

Aloha Chair Rhoads, Chair Dela Cruz, and Chair Inouye,

I'm testifying in full support of SB 1334 as a fiduciary agent for our beneficiaries who have been marginalized all these years.

Senators, I support SB 1334 because I feel OHA needs to bring forth the \$200 million settlement of debt given to us by Governor Abercrombie. I share verbatim a paragraph from the Civil Beat article that states:

“Quoting U.S. Senator Daniel Akaka, who sat in the front row of the bill-signing ceremony Wednesday at Washington Place, Abercrombie said, “It’s important to do things right... In Hawaiian we call it **pono**.”

There is also this article published 9 years ago in 2012 as well in the Star Advertiser:

“The Star Advertiser spoke of how the settlement does not involve any money, but instead conveys about 25 acres of adjacent parcels of land in Kakaako valued at about \$200 million to OHA. The state and OHA agree that a \$200 million settlement represents a reasonable compromise of the disputed claims for the prior 34 years.”

So I ask this question - Did we receive a \$200 million settlement? I support SB 1334 and the development of Kakaako Makai so that OHA will make this a reality.

The **Friends of Kewalos** submitted testimony in **strong opposition** to SB 1334. What I saw in their testimony is a message saying ‘KAPU, Hawaiians keep out. This is our home, our hale. Stay out of my front yard!’

I will now quote for you a portion of it verbatim:

“We are not against all development. We understand the people need housing, but ask yourselves ‘**Is this the right place?**’ We need to preserve for the People what little oceanfront land we have left, not only in Kakaako Makai, but the entire State. We support ‘smart development’ that puts emphasis on people first over profit.”

Senators, that’s interesting and convenient for them to say, NOW. Now that they have their housing in their high rises, and their developers who surely put profit over people because many of us can’t afford those high rises.

Senators, YES...yeah “THIS IS THE RIGHT PLACE!” This is our place. Our \$200 million settlement place.

Are they ashamed of Native Hawaiians?

I ask myself, as native Hawaiians, do we have easy access to beaches in Kailua, in Hawaii Kai, in Waikiki, in Haleiwa, in Waialua, in lands occupied by Military basis such as Pearl Harbor, Kaneohe Marine Base, Hickam, Barber’s Point, Ford Island, and Iroquois in Ewa Beach?

Hawaiians are ocean people. Hokule'a ocean people. We belong in Kakaako Makai.

Senators, on Oahu, OHA has land in the North Shore (Waimea Valley), in Wahiawa (Kukaniloko), in Honolulu (Na Lama Kukui) and near Waikiki (Kakaako Makai). Hawaiians need OHA to maintain its presence on all of these lands.

Is this the right place? Yes, Hawaiians belong everywhere on the lands of Hawaii nei. We belong.

Mahalo for giving me this opportunity to share my mana'o.



**SB1334 SD1**  
**RELATING TO HAWAI‘I COMMUNITY DEVELOPMENT AUTHORITY**

Ke Kōmike ‘Aha Kenekoa o ka Ho‘okolokolo  
Senate Committee on Judiciary  
Ke Kōmike ‘Aha Kenekoa o ke Ki‘ina Hana a me nā Kumuwaiwai  
Senate Committee on Ways and Means  
Ke Kōmike ‘Aha Kenekoa o ke Ki‘ina Hana a me nā Kumuwaiwai  
Senate Committee on Water and Land

Malaki 3, 2021

10:30 a.m.

Lumi 211

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The Office of Hawaiian Affairs (OHA) **STRONGLY SUPPORTS** SB1334 SD1, which will lift the current restriction against residential development for six of OHA’s parcels in Kaka‘ako Makai and raise the building height limit for two of our properties on Ala Moana Blvd. to 400 feet. This bill will not only empower OHA with the ability to consider options to meet the range of housing needs of Native Hawaiians and the broader public, but will also provide the agency with increased revenue opportunities to fund critical programs and services for our beneficiaries as well as steward our legacy lands.

SB1334 SD1 will allow OHA to unlock the potential of our Kaka‘ako Makai lands. We envision integrated, mixed-use projects that create a Hawaiian sense of place, incorporate culture and commerce, and draw our communities to this revitalized urban Honolulu area. Without housing, our project cannot provide a robust live, work, play community as seen in the mauka Kaka‘ako parcels. Passage of this bill will enable a host of development scenarios allowing Kaka‘ako Makai to be a place that families and communities can thrive.

This bill is also about fairness for Native Hawaiians. The current residential prohibition in Kaka‘ako Makai is a unique law – not an administrative rule or county ordinance, but a state law – that regulates land use based on a road. The effect of this law is that OHA, an agency solely dedicated to serving the Native Hawaiian community, cannot develop housing and housing-associated projects makai of Ala Moana, unlike other landowners with parcels immediately mauka of OHA’s property. SB1334 would create parity for OHA with these mauka landowners, by affording this Native Hawaiian-serving agency the same land use options for its parcels as those enjoyed by its mauka neighbors.

**Background**

Act 15, Session Laws of Hawai‘i 2012, conveyed to OHA 10 parcels in Kaka‘ako Makai, valued at \$200 million, to resolve a longstanding dispute between OHA and the State of Hawai‘i. Act 15 settled the state’s debt owed to the Native Hawaiian people for their unpaid constitutional and statutory portion of income and proceeds from the Public Land Trust from November 7, 1978 through June 30, 2012.

During that same 2012 session, legislators proposed separate legislation to give OHA the right to develop housing on two of the parcels that would be conveyed, thus adding to their value. While appreciative of these efforts, OHA was concerned that the residential issue would impair the passage of the settlement. Ultimately, while Act 15 was passed into law, the residential restrictions on the parcels it conveyed to OHA were not lifted. However, the Committee Report from the Committees on Judiciary and Labor and Ways and Means did express “concerns about the fairness of this proposed settlement” and recognize that **“property values [of the Kaka‘ako Makai parcels] could be enhanced by certain entitlements that, while not specifically provided for in this measure, could be obtained at a future date.”**<sup>1</sup>

In 2014, OHA returned to the Legislature to continue the discussion that started with lawmakers in 2012 about providing the agency with the ability to build housing in Kaka‘ako Makai. After this effort proved unsuccessful, OHA proceeded with its conceptual master planning, conducting statewide meetings in 2015 to gather input and again in 2016 to share our progress.

### **Current Planning Efforts**

All our planning and financial analyses to date indicates that we cannot generate revenues from our Kaka‘ako Makai lands consistent with the rate of return expected for a \$200 million investment – the amount recognized as due to OHA in 2012, which Act 15 sought to resolve – without the ability to build residential on those lands.

With new Board and Administrative leadership, combined with a drastically changing and challenging economic environment, OHA is making the development of its Kaka‘ako Makai a top priority. Over the last year, OHA has been taking a fresh look at its previous plans for its Kaka‘ako Makai lands with the goal of making short- and long-term progress. OHA is exploring all options to maximize revenues in Kaka‘ako Makai to best serve our beneficiaries. SB1334 SD1 represents our best hope to realize all our goals for these lands, from revenue generation, to providing housing, to offering a sense of place and community.

We understand that our properties sit near a popular shoreline in Honolulu. As an ocean people, we recognize our kuleana of not just protecting the waterfront but enhancing it. Our project will not inhibit access to the ocean. OHA does not own the

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<sup>1</sup> Stand. Comm. Rpt. No. 2710 (Reg. Sess. 2012), available at [https://www.capitol.hawaii.gov/session2012/commreports/SB2783\\_SSCR2710\\_.PDF](https://www.capitol.hawaii.gov/session2012/commreports/SB2783_SSCR2710_.PDF).

main points of ocean access used by surfers, swimmers and fishermen. Moreover, our waterfront properties along Kewalo Harbor fall under strict harbor rules, which limit ocean access for safety reasons.

Bearing the scars of poor land-use decisions of previous generations, Kaka‘ako Makai remains largely dormant, featuring empty parking lots and rundown buildings. For instance, a dump filled in a pristine fishery to create the Kaka‘ako Makai peninsula. Our hope is to turn this hardened shoreline into a welcoming environment that brings more of our ‘ohana to this special place.

### **A Note on Climate Change and Sea Level Rise**

Our goal is to properly steward all our ‘āina responsibly and in a way that creates the greatest value for our beneficiaries. To meet this goal, we must take into serious consideration the impact climate change and sea level rise will have on our Kaka‘ako Makai development. While our properties are near the ocean, they also “sit at higher elevation than the cross streets and main streets that lay mauka of the peninsula.” As a result, climate change and sea level rise are predicted to affect our Kaka‘ako Makai parcels in similar ways as many other areas of Honolulu located much further inland.

For example, a 2012 study found that the potential sea level rise (four feet) expected near the end of the century, or early next century, will cause drainage problems due to rainfall, groundwater rising, and ocean water flooding. The areas up mauka near the Neil Blaisdell Center will be impacted as much as our parcels, according to the study. Further modelling shows the McCully area, despite being far away from the ocean, being impacted similarly.

Accordingly, we will plan our developments according to the same best practice design principles that our neighbors up mauka used when they built their residential towers. The 2012 study identified ten design features to minimize future risks due to climate change and sea level rise. We will look to incorporate these mitigation measures into our plans to ensure that our commercial and residential development can serve as a model for managing the effects of climate change.

In light of the above, OHA strongly urges the Committees to **PASS** SB1334 SD1. Mahalo for the opportunity to testify on this important matter.



**HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY**

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DAVID Y. IGE  
GOVERNOR

JOHN WHALEN  
CHAIR

DEEPAK NEUPANE, P.E., AIA  
EXECUTIVE DIRECTOR

Statement of  
**DEEPAK NEUPANE, P.E., AIA**  
**Executive Director**

Hawaii Community Development Authority  
before the

**SENATE COMMITTEE ON JUDICIARY,**  
**SENATE COMMITTEE ON WAYS AND MEANS**  
and the

**SENATE COMMITTEE ON WATER AND LAND**

Wednesday, March 3, 2021 at 10:30 A.M.  
State Capitol Conference Room 211 & Via Videoconference

In consideration of  
**SB 1334, SD1**

**RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.**

Chairs Rhoads, Dela Cruz, and Inouye, Vice Chairs Keohokalole, and Keith-Agaran, and members of the Committees. The Hawaii Community Development Authority (HCDA) offers **comments on SB 1334, SD1**, that raises the height limit to four hundred feet for two parcels in Kakaako Makai, and allows residential development in Kakaako Makai by the Office of Hawaiian Affairs (OHA) or a third party that OHA conveys the parcels to.

In 2005, HCDA issued a Request for Proposal (RFP) to develop a mixed-use residential project in Kakaako Makai. Subsequent to the selection of a developer for the project by HCDA, a contingent of concerned community members mounted strong opposition to the development.

In 2006, the State Legislature, after considering the public opposition, passed HCR 30 to halt the HCDA Kakaako Makai mixed-use development project and convene a working group of stakeholders to participate in the development, acceptance, and implementation of any future plans for the development of Kakaako Makai. The Legislature also amended HRS 206-E prohibiting residential development in Kakaako

Makai. The HCDA subsequently canceled the RFP and convened a broad-based community working group to create a vision for Kakaako Makai.

After five years of work and over 40 public meetings, the working group, which included a representative from the OHA, agreed on a plan that included 14 guiding principles for Kakaako Makai which are enumerated below:

- 1) Establish Kakaako Makai as a community cultural gathering place,
- 2) Base the framework on Hawaiian culture and values of the ahupuaa,
- 3) Protect, preserve, and perpetuate the open view plans,
- 4) Preserve, restore and maintain coastal and marine resources,
- 5) Expand park and green space,
- 6) Provide open and full park access within and around the parks and ocean shoreline,
- 7) Ensure public safety, health and welfare,
- 8) Public land-use legislation – Public use of public lands in the public interest,
- 9) Ensure that Kewalo Basin Harbor's identity is retained,
- 10) Cultural facilities that offer public enrichment activities,
- 11) Apportion a limited number of small local businesses to assist in cooperatively sustaining Kakaako Makai's public use facilities,
- 12) Site design guidance – A Hawaiian sense of place in landscape, setting and design,
- 13) Community/Government planning partnership that places the public interest first and foremost, and will strive to uphold the greater good of the community, and
- 14) Assure and assist viable and sustainable operation of public uses and facilities on state public land in Kakaako Makai through public/private partnerships and 501(c)(3) non-profit management, similar to successful park conservancies and their stewardship programs.

HCDA hopes that any future development in Kakaako Makai take these guiding principles, created by the community, into serious consideration.

Thank you for the opportunity to testify.

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII

JOSH GREEN  
LT. GOVERNOR  
STATE OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES  
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879  
HONOLULU, HAWAII 96805

TESTIMONY OF WILLIAM J. AILA, JR, CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
BEFORE THE SENATE COMMITTEES ON JUDICIARY, WAYS AND MEANS, &  
WATER AND LAND  
DECISION MAKING ON MARCH 3, 2021 AT 10:30AM VIA VIDEOCONFERENCE

**SB 1334, SD1, RELATING TO THE HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY**

March 3, 2021

Aloha Chair Rhoads, Chair Dela Cruz, Chair Inouye, and members of the Committees:

The Department of Hawaiian Home Lands (DHHL) supports this bill that allows the raising of the building height limit for two of the six parcels owned by the Office of Hawaiian Affairs (OHA) in the Kakaako Makai area to four hundred feet and lifts the current restriction against residential development in Kakaako Makai to allow residential development by OHA or by third parties to which OHA conveys the parcels.

The mission of the Department is to manage the Hawaiian Home Lands Trust effectively and to develop and deliver land to native Hawaiians. We will partner with others toward developing self-sufficient and healthy communities. Since both OHA and DHHL share in the mission of improving the well-being of native Hawaiians, we support this measure that would allow residential development in Kakaako Makai.

Thank you for your consideration of our testimony.





**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 3, 2021  
10:30 a.m.  
VIA VIDEOCONFERENCE  
State Capitol, Room 211

**S.B. 1334, S.D. 1**  
**RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY**

Senate Committee(s) on Judiciary, Ways and Means and on Water and Land

The Department of Transportation (DOT) offers **comments** on S.B.1334, S.D. 1, which raises the building height limit for two of the six parcels owned by the Office of Hawaiian Affairs (OHA) in the Kakaako Makai area to four hundred feet.

The OHA Kakaako Makai parcels are located within four miles from Daniel K. Inouye International Airport and are directly below the aircraft approach and departure slopes for the airport.

Developers for proposed developments within five miles from airports are advised to read an Office of Planning [Technical Assistance Memorandum](#) for guidance with development and activities that may require further review and permits.

OHA and future residents should also be aware of potential single event noise from aircraft operations. In addition, there is a potential for fumes, smoke, vibrations, odors, etc., resulting from regular aircraft flight operations over the project location.

Other issues include requirements by the Federal Aviation Administration for height clearance and potential wildlife hazards to flight operations from developments near airports.

In closing, all developments within five miles from state airports must be prepared to address the above concerns.

Thank you for the opportunity to testify.

**SB-1334-SD-1**

Submitted on: 2/25/2021 5:34:01 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John & Rita Shockley	Testifying for FREE ACCESS COALITION	Oppose	No

Comments:

Aloha!

The Free Access Coalition of non-profits and activists STRONGLY oppose SB 1334. This is another re-hash of Office of Hawaiian Affairs' attempt to do a short-term cash-out of their ceded lands which may never reach the poor Hawaiian population OHA is supposed to help.

Honolulu's last ocean-front property must be developed with "pono" to benefit all of Hawaii, not just the short-sighted developer's plan to blight the Honolulu coastal sky-line with yet more hi-rise condo buildings that both Hawaiians and Locals will never afford.

We ask the Senate to shelve this short-sighted bill to see if OHA will finally make the kinds of development plans that will help make Kaka'ako Makai a blessing rather than a blight to Honolulu.

Mahalo for your time and hopefully your rejection of SB 1334.

# O'ahu Island Parks Conservancy

SENATE COMMITTEE ON JUDICIARY  
SENATE COMMITTEE ON WAYS AND MEANS  
SENATE COMMITTEE ON WATER AND LAND  
Wednesday, March 3, 2021  
10:30 AM

## Senate Bill 1334 Relating to the Hawaii Community Development Authority

Aloha Senate Committee Co-Chairs and Committee Members:

Senate Bill 1334 proposes to repeal the long-standing protective statute that was enacted to preclude residential development in Kaka'ako Makai to ensure that this shoreline area will remain open and accessible to all. Repealing the protective statute for this shoreline area makai of Ala Moana Boulevard will surely set a dangerous precedent for Hawai'i's land use laws overall.

OHA was seemingly short-changed when a 30-acre portion of Kaka'ako Makai was offered to OHA and accepted, a portion of which is a toxic hot-spot comprised of incinerator fill within an area that was once a thriving Hawaiian fishpond. In order to compensate for the shortcomings of this shoreline-zoned area, OHA has understandably struggled and endured challenges to achieve their objectives to support Hawaiian beneficiaries, and their corporate objectives of highest and best use by attempting to repeal the protective statute governing this shoreline area, HRS 206E-31.5:

**§206E-31.5 Prohibitions.** Anything contained in this chapter to the contrary notwithstanding, the authority is prohibited from: . . . (2) Approving any plan or proposal for any residential development in that portion of the Kakaako community development district makai of Ala Moana boulevard and between Kewalo Basin and the foreign trade zone. [L 2006, c 317, §1; am L 2014, c 61, §9]

Clearly the State Legislature did not permit repeal of this protective statute when first attempted, nor should this reversal be undertaken now or in the future.

Significantly, there appears to be a far better path for all concerned: the State Legislature by Resolution must encourage OHA to seek assistance from the State Office of Planning to determine the appropriately zoned State lands in central urban Honolulu to exchange in renewed compensatory value for their six (6) parcels in Kaka'ako Makai to develop to highest and best use in the quest to support the Hawaiian beneficiaries and OHA's programs and services. Such an exchange has been recommended to OHA by State Legislators since their first attempt to extinguish Kaka'ako Makai's protective statute.

The remainder of OHA's acreage in Kaka'ako Makai might also benefit significantly from the Guiding Principles for Kaka'ako Makai adopted by the Hawaii Community Development Authority in 2011:

Beginning in 2005 and extending through 2010, representatives of the larger community throughout O'ahu, including Hawaiian cultural practitioners and educators, park users and shoreline surfers, representatives of the performing arts and sustainable agriculture, community leaders and residents of Honolulu communities from Downtown through Kaka'ako to Manoa through Hawaii Kai, comprised the Kaka'ako Makai Community Planning Advisory Council, the community-based planning group authorized by the Hawaii State Legislature to engage in planning the future of Kaka'ako Makai. This highly organized effort produced the Kaka'ako Makai Master Plan that was ultimately adopted by the Hawaii Community Development Authority in 2011.

The Vision and Guiding Principles serving as the foundation for the Kaka'ako Makai Master Plan adopted by the HCDA are attached.

With planning appropriate to Kaka'ako Makai's present land use laws and zoning regulations, and the recommended renewed compensatory land exchange in Honolulu's central urban area with its existing highest-and-best-use zoning, OHA's remaining vast portion of Kaka'ako Makai can achieve many of the objectives and elements of the adopted Kaka'ako Master Plan to compatibly thrive as a shoreline asset that showcases Native Hawaiian identity, contributes to the Hawaiian cultural revitalization of Honolulu, and generates revenues to support needed programs and services for Hawaiian beneficiaries.

Respectfully submitted,  
Michelle S. Matson  
President, O'ahu Island Parks Conservancy

## **THE VISION FOR KAKA'AKO MAKAI** **The Hawaiian Place of Ka'ākaukukui and Kukuluae'o**

Kaka'ako Makai is the community's gathering place. A safe place that welcomes all people, from keiki to kūpuna, with enriching cultural, recreational and educational public uses. A special place that continues the shoreline lei of green with scenic beauty, connects panoramic vistas mauka to makai, and encourages ecological integrity of land, air and sea. Kaka'ako Makai honors, celebrates and preserves its historic sense of place, Hawaiian cultural values and our unique island lifestyle for present families and future generations.

### **GUIDING PRINCIPLES**

#### **Community Cultural Gathering Place**

Establish Kaka'ako Makai as a gathering place where community and culture converge in response to the natural scenic beauty of the green shoreline open space.

Celebrate the intertwined cultures of the community by ensuring a welcoming gathering place for a broad cross-section of people diverse in age, income and ethnicity.

Provide enriching public recreational, cultural and educational opportunities for residents and visitors alike through Kaka'ako Makai's scenic coastal and marine environment, the Native Hawaiian cultural heritage, compatible facilities and activities, and historic sites and settings.

## **Hawaiian Culture and Values of the Ahupua‘a**

Base the framework for planning, decision-making and implementation of the Kaka‘ako Makai master plan on Native Hawaiian values and traditional and customary rights and practices protected by the State.<sup>1</sup>

Emphasize the host Hawaiian culture.<sup>2</sup>

Incorporate the ahupua‘a concept and spirit of caring for, conserving and preserving the self sustaining resource systems necessary for life, including the land that provides sustenance and shelter, the natural elements of air, wind and rain extending beyond the mountain peaks and streams of pure water, and the ocean from the shoreline to beyond the reef where fish are caught.

Adopt the ahupua‘a lifestyle of individual kuleana working together and contributing to the whole for a greater level of stewardship, conservation, and proper management of resources with contemporary land-use benchmarks, such as growth boundaries and carrying capacity.

Assure that the planning of collective or individual traditional features, settings, and activities will be overseen by Hawaiian historic and cultural experts to prevent misinterpretation or exploitation.

## **Open View Planes**

Protect, preserve and perpetuate Kaka‘ako Makai’s open view planes from the mountains to the sea as an inherent value of the Hawaiian ahupua‘a and an important public asset for residents, visitors and future generations.<sup>3</sup>

Ensure planning and development safeguards to identify, document, retain, restore and protect makai-mauka and diamond head-ewa open view planes to the Ko‘olau mountains, Diamond Head (Lē‘ahi) and the Wai‘anae mountains as seen from the view vantage areas and vicinities of Kaka‘ako Makai’s public lands and Kewalo Basin Harbor.

## **Coastal and Marine Resources**

Preserve, restore and maintain Kaka‘ako Makai’s valuable coastal and marine resources for present and future generations.

Enable the monitoring, protection, restoration, and conservation of natural coastal and ocean resources, including reef and marine life, through responsible stewardship and sustainable practices.

Protect and sustain the coastal environment for cultural uses including fishing, ocean gathering, surfing and ocean navigation.

## **Expanded Park and Green Space**

Ensure expansion of Kaka‘ako Makai’s shoreline parks as significant landscaped open spaces<sup>4</sup> joining the lei of green parks extending from Diamond Head (Lē‘ahi) to Aloha Tower.

Implement the Hawaiian values of the ahupua‘a and mālama ‘āina by preserving shoreline open space, protecting scenic coastal and marine resources, and respecting the natural interaction of people, land, ocean and air.

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<sup>1</sup> Hawaii State Constitution, Article XII, Section 7. Inform the planning process by the principles and traditions of the ahupua‘a, and inspire the master plan by the interconnected relationship of people.

<sup>2</sup> §206E-34(c)(5), Hawaii Revised Statutes. The Hawaiian host culture is emphasized as pre-eminent yet inclusive of other cultures.

<sup>3</sup> Significant Panoramic Views Map A-1, Honolulu Primary Urban Center Development Plan.

<sup>4</sup> Inclusive of Kewalo Basin Park, Kaka‘ako Waterfront Park and Kaka‘ako Gateway Park.

Welcome residents and visitors alike with green open space, abundant shade trees and opportunities for family recreation.

Use the established park planning standard of at least 2 acres per 1000 residents as a benchmark to assure sufficiency of park space to contribute to the health and welfare of Kaka‘ako Mauka’s growing population and offset increased urban density, noise and pollution.

### **Public Accessibility**

Provide open and full public access to recreational, cultural and educational activities within and around Kaka‘ako Makai’s parks and ocean shoreline.

Ensure complete public recreational access with minimal impact to the environment, including drop-off accommodation of ocean recreation equipment and connections to public transportation.

Provide a shoreline promenade and tree-lined paths to safely and comfortably accommodate pedestrians, bicyclists and the physically impaired.

Provide sufficient shared parking complementary to the natural setting to support all uses in Kaka‘ako Makai, with workplace parking available for recreational and cultural users during non-working hours.

### **Public Safety, Health and Welfare**

Ensure that Kaka‘ako Makai is a safe and secure place for residents and visitors.

Keep public use areas safe day and night for public comfort and enjoyment.

Ensure that exposure to land and ocean is environmentally safe for people and marine life by assuring timely investigation, determination, and remediation of contaminants.

Ensure that Kaka‘ako Makai remains free and clear of elements, activities and facilities that may be potentially harmful to the natural environment and public well-being, including laboratories containing and experimenting with Level 3 or higher bio-hazardous pathogens and/or biological toxins known to have the potential to pose a severe threat to public health and safety.<sup>5</sup>

### **Public Land Use Legislation – Public Use of Public Lands in the Public Interest**

Recognize and respect the effort and intent of the Hawaii State Legislature to uphold the greater public interest by ensuring and sustaining public uses on Kaka‘ako Makai State public lands for the greater public good.

Preclude the sale of public land and development of housing in Kaka‘ako Makai;<sup>6</sup>

Demonstrate commitment to serve the highest needs and aspirations of Hawaii’s people and the long-term good of Hawaii’s residents and future generations through community-based planning;<sup>7</sup>

Restore the site-dependent use of Kewalo Basin Cove to the Kewalo Keiki Fishing Conservancy.<sup>8</sup>

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<sup>5</sup> Protection of the public health and safety is first and foremost in this area a) immediately adjacent to a Shoreline recreation area and the urban population center, b) in close proximity to a regional beach park and the Waikiki primary visitor destination, and c) within the updated tsunami zone.

<sup>6</sup> §206E-31.5, Hawaii Revised Statutes.

<sup>7</sup> HCR 30, 2006.

<sup>8</sup> Act 3, 2007, Special Session.

## **Kewalo Basin**

Ensure that Kewalo Basin Harbor's unique identity is retained with continued small commercial fishing and excursion boat uses, keiki fishing and marine conservation, marine research and education, and accessible green park open space expanding the lei of green between Ala Moana Park and Kaka'ako Waterfront Park.

Enable continued functional commercial boating uses at Kewalo Basin Harbor<sup>9</sup> and preserve the beneficial relationships between the existing small commercial fishing and excursion boat businesses and land-based maritime support service businesses.

Ensure that Kewalo Basin will continue as a State of Hawaii commercial harbor and valuable public facility asset by repairing, maintaining and enhancing the harbor for small commercial fishing and excursion boat use.

Ensure the protected use of Kewalo Basin Cove for Kewalo Keiki Fishing Conservancy keiki fishing and marine conservation programs.

Support Kewalo Marine Laboratory's continued valuable marine biology and ecosystems research and education in the vicinity of Kewalo Basin.

Ensure preservation of Kewalo Basin Park, the net house and parking lot for public use, upgrade and improve existing facilities within the park, and provide green open space between Ala Moana Park and the channel frontage.<sup>10</sup>

## **Cultural Facilities**

Offer public enrichment opportunities through both fixed and flexible cultural facilities that celebrate the diverse cultures of Hawai'i and blend compatibly with the shoreline open space.

Contemplate compatible indoor and outdoor performance venues that encourage the teaching, practicing, and presentation of hula, theater, music, dance, and other performing and visual arts, with an outdoor multi-cultural festival space for Honolulu's diverse ethnic communities.<sup>11</sup>

Contemplate educational facilities, such as an exhibition hall with permanent, interactive and rotating exhibits, museums communicating the cultural history of the area, and places for traditional Hawaiian cultural practices.<sup>12</sup>

Establish a cultural market stocked by local farmers, fishers and Hawaiian traditional craft makers to reflect the Hawaiian values of gathering and trading in the ahupua'a between the mountains and the sea.<sup>13</sup>

Ensure a community center for local families to gather, interact and learn from each other.

## **Small Local Businesses**

Apportion a limited number of small local businesses to assist in cooperatively sustaining Kaka'ako Makai's public use facilities. Ancillary small businesses may include diverse local restaurants, cafés,

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<sup>9</sup> §206E-33(2), Hawaii Revised Statutes.

<sup>10</sup> Inclusive of greenbelt connections between Ala Moana Park and Kewalo Basin Park, between the Net House and Kewalo Basin Channel, and between Ala Moana Boulevard and Kewalo Basin to Point Panic.

<sup>11</sup> §206E-34(d)(3), Hawaii Revised Statutes.

<sup>12</sup> §206E-34(d)(5), Hawaii Revised Statutes.

<sup>13</sup> §206E-34(a) and (b), Hawaii Revised Statutes.

small shops, markets or other uses that will complement the recreational, cultural, harbor or other public facilities serving the community interest.<sup>14</sup>

Encourage small local enterprises that emphasize the Hawaiian culture and support traditional local products, rather than large corporate retailing attractions.

### **Site Design Guidelines –A Hawaiian Sense of Place in Landscape, Setting and Design**

Ensure that Kaka‘ako Makai’s public use facilities are compatible in placement, architectural form, and functional design within the landscape of the shoreline gathering place.<sup>15</sup>

Provide and maintain abundant native coastal plants and trees to blend the scenic and sensory qualities of the coastal environment and create a Hawaiian sense of place.

Identify, protect, preserve, restore, rehabilitate, interpret and celebrate Kaka‘ako Makai’s historic sites, facilities, settings, and locations.

Maintain the quality of coastal environmental elements including natural light, air and prevailing winds.

Mandate sustainability principles, conservation technologies, and green building standards for buildings, grounds and infrastructure.<sup>16</sup>

### **Community/Government Planning Partnership**

The Kaka‘ako Makai Community Planning Advisory Council places the public interest first and foremost, and will strive to uphold the greater good of the community in partnership with the HCDA as the public oversight agency by:

Openly working with the community, the HCDA and the HCDA’s planning consultants as guaranteed by government commitment to ongoing community representation and involvement throughout the master planning process;

Openly communicating with the State Legislature and other elected public officials;

Committing the time and effort required to meet the goals and objectives of the Kaka‘ako Makai planning process, and advocating responsibly in the public interest both collectively and individually, notwithstanding premature or conflicting proposals.

### **Future Funding and Management**

Assure and assist viable and sustainable operation of public uses and facilities on State public land in Kaka‘ako Makai through public/private partnerships and 501(c)(3) non-profit management<sup>17</sup> similar to successful park conservancies and their stewardship programs.

The community land conservancy will be essential in determining safeguards to restore, protect and perpetuate Kaka‘ako Makai’s natural shoreline resources and view planes, historic and recreational resources, and public uses on State public lands in the public interest as a quality of life benchmark.

This conservancy may be a public/private partnership of the Kaka‘ako Makai Community Planning Advisory Council (CPAC), the Hawaii Community Development Authority (HCDA) or current

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<sup>14</sup> §206E-34(d)(2), Hawaii Revised Statutes.

<sup>15</sup> Encourage private development mauka of Ilalo Street to compliment the gathering place concept of the Kaka‘ako Makai public use area on public lands by providing landscaped set-backs and inviting open architecture at the street level.

<sup>16</sup> Ensure reasonable carrying capacity with limited infrastructure for sufficient water supply, storm-water drainage and waste disposal.

<sup>17</sup> §206E-34(c)(3), Hawaii Revised Statutes.



oversight agency, and private contributing interests to both monitor and underwrite public use on State public land in service to the public good.<sup>18</sup>

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<sup>18</sup> A public/private community benefits agreement may be developed upon completion of the master plan to define respective responsibilities and contributions.



**February 26, 2021**

To: **Sen. Karl Rhoads, Chair**  
**Sen. Jarrett Keohokalole, Vice Chair & Members of Judiciary**  
**Sen. Donovan Dela Cruz, Chair**  
**Sen. Gil Keith-Agaran, Vice Chair & Members of Ways & Means**  
**Sen. Lorraine Inouye, Chair**  
**Sen. Gil Keith-Agaran, Vice Chair & Members of Water & Land**

From: **Kali Watson**  
**President/CEO**  
**Hawaiian Community Development Board**  
**Honolulu, Hawaii 96813**

Re: **Hearing on SB 1334**  
**Relating to Residential and height restrictions on OHA lands in Kaka'ako**  
March 3, 2021 at 10:30 am  
Room 211, State Capitol

**TESTIMONY IN SUPPORT**

Dear Chairpersons, Vice Chairs and Members:

Thank you for the opportunity to provide testimony in support of **SB 1334** relating to allowing residential development and lifting the height restrictions on OHA lands located in Kaka'ako Makai.

OHA and its beneficiaries consulted extensively and decided to develop their Kaka'ako Makai Hawaii trust lands to draw people from all over the world for a variety of activities to generate income and enhance the lives of Native Hawaiians. The plans may include a hotel for kama'aina, restaurants and gathering/meeting places. There is also strong support for income generating health and education services as well as much needed affordable housing within walking distance of these activities. OHA has master planned the area with an emphasis on Native Hawaiian businesses, patrons, practitioners and residences to create a kipuka, a cultural oasis. While located right across the street from the Kaka'ako TOD station, the other twenty TOD stations on Oahu allow residential use so why should OHA be restricted? Particularly when the need is so great. Mixed business use with increased and denser residential use and minimal transportation infrastructure are OHA's desirable and sensible goals.

OHA's interior parcels primarily on Ala Moana Boulevard allow buildings up to 200 ft. high for business offices (compared to the 422 feet high Collection condominium right across the street). Our Hawaiian people don't need 20 story office buildings; they need affordable housing for their families, for workers, students and their kupuna. They want to practice their Hawaiian culture within their ahupua'a. The balanced use of this land system is what kept the Hawaiian people alive and flourishing and OHA should be commended for recreating that concept on their land. Please pass measure **SB 1334**.

Pupuka I Holomua,

Kali Watson  
President/CEO

Chairman of the Board

Richard Soo

Secretary

Jackie Burke

Treasurer

Helen O'Connor

Board Members

Linda Ahue  
Duane Hewlen  
Puni Kekauoha  
Alfred "Bobby" Willing

President/CEO

Kali Watson

Senior VP

Patti Barbee



# KE ONE O KĀKUHIIHEWA

O'ahu Council of the  
Association of Hawaiian Civic Clubs

## SENATE COMMITTEES ON JUDICIARY, WAYS AND MEANS, AND WATER AND LAND

WEDNESDAY, MARCH 3, 2021

VIA VIKIŌ

KE KAPIKALA MOKU 'ĀINA

STATE CAPITOL

415 South Beretania Street

## SB1334 - Relating to the Hawaii Community Development Authority

*Aloha Luna Ho'omalua* Karl Rhoads, Donavan Delacruz, and Lorraine Inouye, *Hope Luna Ho'omalua* Jarrett Keohokalole and Gilbert Keith-Agaran, and members of the Senate Committees on Judiciary, Ways and Means and Water and Land:

Ke One O Kākuhihewa-O'ahu Council for the Association of Hawaiian Civic Clubs **SUPPORTS** SB1334. This bill allows the raising of the building height limit for two of the six parcels owned by the Office of Hawaiian Affairs in the Kaka'ako makai area to four hundred feet and lifts restrictions against residential development.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner to create the greatest value for its beneficiaries. Planning efforts to date have shown that the residential prohibition on these lands cap their value short of \$200 million. OHA has committed to implementing a plan for a mixed-se project that showcases our Native Hawaiian entity, contributes to economic and cultural revitalization of urban Honolulu and generates revenues to support programs and services for its beneficiaries.

Thus, Ke One O Kākuhihewa respectfully urges the Committee to pass out SB1334.

Ke One O Kākuhihewa is a native Hawaiian council made up of 24 civic clubs on the island of O'ahu. Our oldest member, Hawaiian Civic Club of Honolulu was established by Prince Jonah Kūhiō Kalaniana'ole on December 7, 1918.

Sincerely,

Benton Kealii Pang, Ph.D.

BENTON KEALII PANG, PH.D.  
HAWAIIAN CIVIC CLUB OF  
HONOLULU  
PELEKIKENA

JACOB KA'ŌMAKAOKALĀ AKI-  
KING KAMEHAMEHA HCC  
HOPE PELEKIKENA

GEORGIANA NAVARRO-  
MĀKAHA HCC  
HOPE PELEKIKENA 'ELUA

LEATRICE KAUAHI-HCC OF  
HONOLULU  
PU'UKŪ

ROTH PUAHALA -KING  
KAMEHAMEHA HCC  
PELEKIKENA IHO NEI

TERI LOO-KO'OLAUPOKO HCC  
KĀKAU 'ŌLELO

CHRISTINE "CHRISSEY" ANJO-  
PEARL HARBOR HCC  
HOLE KĀKAU 'ŌLELO

'ĀHĀHUI SIWILA HAWAI'I O  
KĀPOLEI  
KALA HOLDEN

ALI'I PAUAHI HCC  
KEHAULANI LUM

'EWA-PU'U'LOA HCC  
MARLEEN KAU'I SERRAO

HCC OF HONOLULU  
ANITA NAONE

KAILUA HCC  
MAPUANA DE SILVA

KALIHI-PĀLAMA HCC  
JUANITA BROWN  
KAWAMOTO

KING KAMEHAMEHA HCC  
LETANI PELTIER

KO'OLAULO'A HCC  
RANAE "TESSIE"  
FONOIMOANA

KO'OLAUPOKO HCC  
ROCKY KALUHIWA

LUALUALEI HCC  
SHIRLINE HO

MĀKAHA HCC  
LUANN LANKFORD-  
FABORITO

MAUNALUA HCC  
ROSE KITTY SIMONDS

NA LANI 'EHA HCC  
R. KELANI RAMOS

NĀNĀIKAPONO HCC  
JAYCINE HICKS

PAPAKŌLE'A HCC  
KEALI'I LUM

PEARL HARBOR HCC  
ANTOINETTE LEE

PRINCE KŪHIŌ HCC  
A. MAKANA PARIS

PRINCESS KAHANU HCC  
DREANA KALILI

PRINCESS KAI'ULANI HCC  
RUSTY RODENHURST

QUEEN EMMA HCC  
RAWLETTE P. KRAUT

HCC OF WĀHIAWA  
NOELANI DEVINCENT

HCC OF WAIALUA  
MAKALAPUA CASSON-  
FISHER

WAI'ANAE HCC  
CYNTHIA ENRIQUEZ

WAIKIKI HCC  
DWYNN KAMAI

HCC OF WAIMĀNALO  
LOUANNA KAIO

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:35:19 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Donna K Santos	Testifying for Na Kuleana O Kanaka 'Oiwi	Support	No

Comments:

Aloha,

We are an Native Hawaiian Organization (NHO) based on Kaua'i.

We STRONGLY support SB 1334 because the lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that is rightfully reclaimed, while in the midst of a housing crisis, is an offence to our Native Hawaiian community.

OHA received these parcels in Kaka'ako Makai as compensation for past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million.

This bill would allow OHA to develop a project in Kaka'ako Makai that not only celebrates Native Hawaiian culture but also creates economic opportunities for its beneficiaries and the larger community, while generating revenues to help Native Hawaiians.

We support Hawaiian self-determination and Hawaiian management of Hawaiian lands.

We ask that this measure is passed out of your committees.

Mahalo piha,

Donna Kaliko Santos

President

Na Kuleana O Kanaka 'Oiw



# HISTORIC HAWAII FOUNDATION

**TO:** Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair  
Committee on Judiciary (JDC)

Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair  
Committee on Ways & Means (WAM)

Senator Lorraine R. Inouye, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair  
Committee on Water & Land (WTL)

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

**Committee:** Wednesday, March 3, 2021  
10:30 a.m.  
Via Video Conference & Conference Room 211

**RE: SB 1334 SD1, Relating to the Hawai'i Community Development Authority**

On behalf of Historic Hawaii Foundation (HHF), I am writing with **comments, concerns and recommended amendments for SB 1334 SD1**. The bill would allow the raising of the building height limit for parcels owned by the office of Hawaiian affairs in the Kaka'ako Makai area and lift the restriction against residential development for the parcels.

Historic Hawai'i Foundation is a statewide nonprofit organization established in 1974 to encourage the preservation of historic buildings, sites, structures, objects and districts on all the islands of Hawai'i. As the statewide leader for historic preservation, HHF works to preserve Hawai'i's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life, environmental sustainability and economic viability of the state.

HHF is concerned about the proposed level of development and how it would affect existing historic properties. We are particularly concerned about the two parcels where additional height would be allowed, as one includes an existing historic building and the other has historic site features and is adjacent to two historic buildings.

HHF differentiates the issues of use (residential or non-residential) and scale (including height, mass and lot coverage). Although it is common to assume all residential use in this setting must be high-rise, that is not

accurate. It would be possible to develop low- and mid-rise residential units that fit within height restrictions. With appropriate scale and mass parameters and other design requirements in place, HHF would not have the same level of concern with housing development in Kaka‘ako Makai. However, those controls are not in place and therefore the proposed bill would open the way for overdevelopment and impact on historic and cultural resources.

The subject parcels are identified by Tax Map Key numbers. The following parcels would be allowed for residential use, with two of the four parcels allowing development to a height of up to 400 feet.

- TMK 2-1-58-6: the bill would allow development up to 400 feet. This parcel at 919 Ala Moana Boulevard includes a historically significant mid-century Modern building, currently occupied by the Hawai‘i Department of Safety and the Department of Environmental Health. It was originally the Army and Air Force Exchange Services Building.

Constructed in 1969, the building meets the criteria for listing in the both the Hawai‘i and National Registers of Historic Places. The Hawai‘i State Historic Preservation Division’s Historic Resource Inventory Form, completed as part of an intensive level survey in 2015, found that the building is significant for distinctive characteristics of a type, period or method of construction, the work of a master (architect James C.M. Young) and high artistic values in architecture, engineering and design.

**HHF strongly objects to the proposal to demolish this historic property and allow a 400-foot high tower in its place.** However, HHF would not oppose adaptive reuse to convert the existing office building into a residential use, so long as the historic character-defining features are retained and rehabilitated as part of the development. An example of this kind of reuse for housing can be seen at the nearby Salt development, with the adaptation of a four-story office building into affordable rental housing.

- TMK 2-1-15-61: the bill would allow development up to 400 feet. The majority of the parcel is currently used as surface parking and storage. However, the perimeter is marked by a boundary wall that appears to date to the era when the site was occupied by Fort Armstrong (1899 to 1952). The wall is shown on maps from 1911 and 1919, and is visible in aerial photographs taken in the 1920s. All other buildings and features associated with Fort Armstrong were demolished by 1982, leaving the perimeter wall as the only extant above-ground feature from that era.

In addition, this parcel is immediately adjacent to two historically-significant buildings: the Ala Moana Pumping Station and the U.S. Immigration Station. Both of these properties are listed on the National Register of Historic Places.

The Pumping Station was designed by master architect Oliver Traphagen (who also designed the Moana Hotel) and was constructed in 1900. It is significant for its design and engineering, as well as for association with the public health and environmental management history of Honolulu. It has been rehabilitated and adaptively used for senior services and other community uses.

The Immigration Station was designed by master architect C.W. Dickey and opened in 1934. It is historically significant both for its design (it is frequently cited as one of the most beautiful buildings in Honolulu) and for its association with the history of immigration to Hawai'i. In 2015, a National Park Service study found that it is nationally significant as part of the history of World War II internment of citizens of Japanese, German and Italian ancestry and recommended that it be listed as a National Historic Landmark.

HHF does not oppose developing low- or mid-rise residential uses on the surface parking lot, provided that the design preserves and retains the historic wall. However, a 400-foot tower would overwhelm the context of site, causing an adverse effect on both the adjacent historic properties.

**HHF strongly objects to allowing a 400-foot tower at this location.**

The three additional parcels were also surveyed for historic properties.

- TMK 2-1-58-129: this parcel housed the Fisherman's Wharf restaurant, which was previously demolished. The State Historic Preservation Division's conditions for allowing that demolition to proceed included the requirement that the owners retain the iconic signage. This condition should carry forward into any development proposal.
- TMK 2-1-60-26: the parcel is also known as the Piano Lot and is a surface parking lot. There are no known historic features or conditions for this lot. HHF does not have concerns with development at this location.
- TMK 2-1-15-51: this parcel contains a warehouse and distribution center. The historic resource inventory determined that the building is not eligible for the Hawai'i or National Register of Historic Places. HHF does not have concerns with development at this location.

Preserving human scale and historic value provide for a rich urban environment. A vibrant mix results from retaining historic districts and structures while adding contemporary, well-designed buildings. We encourage a vibrant and renewed Kaka'ako in which historic buildings are preserved, rehabilitated and used for a variety of community services. We envision a future in which there is a livable mix of buildings of different scales in a walkable community, and where residents of all income levels have access to well-built structures and lively gathering spaces punctuating the neighborhood. We would like to see a community that is still recognizable as Kaka'ako.

Cities around the world have integrated smart housing solutions with good urban design, including preserving the past while providing for affordable and mixed-income housing. Honolulu should do the same.

For these reasons, **Historic Hawai'i Foundation respectfully asks the committee to amend the bill to retain the height limits and require preservation of historically-significant buildings, structures, sites and objects.** Thank you for the opportunity to comment.





Senate Committee on Judiciary  
Senate Committee on Ways and Means  
Senate Committee on Water and Land

*Pō‘akolu, Malaki 3, 2021*  
*Via Wikiō*  
*Ke Kapikala Moku ‘āina*  
415 South Beretānia Street

Re: SB 1334 SD1 - Relating to the Hawaii Community Development Authority

*Aloha Luna Ho‘omalū Karl Rhoads, Hope Luna Ho‘omalū Jarrett Keohokalole, Luna Ho‘omalū Stanley Chang, Hope Luna Ho‘omalū Donovan Dela Cruz, Luna Ho‘omalū Gilbert Keith-Agaran, Hope Luna Ho‘omalū Gilbert Keith-Agaran and members of the Senate Committees:*

The Association of Hawaiian Civic Clubs **SUPPORTS** the intent of SB1334 SD1. This bill will help the State better fulfill its trust responsibilities to the Native Hawaiian community, by enabling OHA to enhance its revenue generating capacity of parcels transferred to it through Act 15 (2012) in line with that partial settlement of the overdue Public Land Trust revenues owed to the Native Hawaiian people.

The Association of Hawaiian Civic Clubs advocates for the Office of Hawaiian Affairs and for Native Hawaiians to access their constitutionally guaranteed share of Public Land Trust resources as administered through OHA programs. Our long-standing track record of this advocacy is evident in resolutions we’ve adopted at our annual conventions. Most recently:

- In 2007, at its 48th annual convention, the Association adopted resolution 07-01 whereby the Association urged OHA and the State Executive to negotiate a settlement regarding

the income and proceeds form the Public Land Trust and for the legislature to approve that settlement

- In 2012, at its 53rd annual convention, the Association adopted resolution 12-18 whereby the Association reaffirmed its support of the Native Hawaiian public and private Alii trusts, including the Office of Hawaiian Affairs.
- In 2013, at its 54th annual convention, the Association adopted resolution 13-29 whereby the Association urged the State and the United States to develop and establish a foreign trade zone licensed to OHA at certain Kakaako Makai parcels conveyed to the OHA under Act 15 (2012), to increase OHA's revenue generating capacity.
- In 2019, at its 60th annual convention, the Association adopted resolution 2019-58 whereby the Association called for the State to provide Native Hawaiians with their fair share of the Public Land Trust revenue.

Thus, the Association respectfully urges the committees to **PASS** SB1334 SD1.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalaniana'ole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawai'i and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture, health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions.

*Mahalo* for allowing us to share our *mana* 'o.

*Me ka 'oia 'i'o,*



Hailama Farden

*Pelekikena*



STANFORD CARR DEVELOPMENT, LLC

▪ **March 2, 2021**

**To: Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair and  
Members of the Committee On Judiciary  
Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair  
and Members of the Committee On Ways and Means  
Senator Lorraine R. Inouye, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair  
and Members of the Committee On Water and Land**

**RE: Testimony In Support of SB 1334, SD1 Relating to the Hawaii Community Development Authority**

March 3, 2021 at 10:30am  
Conference Room 211 and Videoconference

Dear Committee Co-Chairs and Members,

My name is Stanford 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 increased affordable housing opportunities. I am submitting this testimony in support of SB 1334, SD1 which will allow residential development and raise the building height limit for OHA parcels in Kaka'ako Makai.

I believe that OHA should be able to develop and utilize their land assets in order to create a perpetual revenue stream to fund important programs and services for their beneficiaries, and ensure effective and proper stewardship of their lands. I also agree with OHA that this bill will enable the office to move forward with options to meet the range of housing needs of Native Hawaiians and the broader public. This is extremely important given the dire need for housing among Hawaiian beneficiaries, including some of the 28,000 on DHHL's waiting lists. In light of the significant benefits that will result from the enactment of this bill into law, it should not be surprising that this measure has the strong support of various Native Hawaiian leaders and organizations.

Moreover, allowing residential development and increasing the building height limit on these OHA parcels will provide tremendous opportunities to develop badly needed housing for our Kupuna, workforce, low to moderate income individuals and families, and others. Kaka'ako Makai is also an ideal location for the creation of a vibrant residential community given its proximity to job centers and retail and commercial establishments. Furthermore, this bill will stimulate economic activity that will not only lead to a revitalized urban Honolulu area, but also help to revive our local economy that has been devastated by the COVID-19 pandemic.

Based on the foregoing, I respectfully ask the Committees to pass SB 1334, SD1. Thank you for this opportunity to testify on this important measure.

Thank you,

A handwritten signature in black ink, appearing to read 'Stanford S. Carr', written over a horizontal line.

Stanford S. Carr



To: Committee on Judiciary, Ways and Means, Water and Land  
Chairs: Karl Rhoads, Donovan M. Delacruz, Lorraine Inouye

March 3, 2012

Aloha,

Friends of Kewalos is opposing SB 1334 for the following reasons:

- Lifting the ban will result in lifting the protection of this last public oceanfront land in urban Honolulu from becoming another Waikiki and all that comes with it; restricted public access and increased density. Kamehameha Schools will surely jump on the bandwagon and build. We have enough highrises just across the street, a stones throw away, in the Mauka lands and more coming.
- Ocean access is precious to all of us in Hawaii. It defines who we are as island people. Like me, thousands of people flock to the ocean daily for sustenance for our Body, Mind, and Soul. The ocean is Hawaii's sense of place and so critical for our wellbeing. It should be a top priority that we protect all our shoreline lands for public use not private residences. We have so little left...
- The ability for OHA to convey the land to a third party so they can build, constitutes in my eyes the "Selling of Public Land. Only the legislators with 2/3 vote can approve the sale of public lands. This is similar to what happened in 2005 when the state was planning to sell this same land to Alexander and Baldwin to build their towers. Fortunately, this was stopped by the "Will of the People" and all the legislators except one, as a testament to the public sentiment for this land.
- This land is not safe to build on. Brownfields need to be mitigated, it is in a tsunami and sea level rise inundation zone. Sewer capacity will be stretched thin to the point of a break which will contaminate the near shore waters. No more residences should be allowed to be built so close to the ocean. Not to mention all the relocation costs to the People and Government when it happens.

You, the legislators, and the Office of Hawaiian Affairs, have a huge responsibility as stewards of this land to respect its history, the law, and the principle of "*preserving what little oceanfront land we have left*" *not only in KM but the entire State.*

Think beyond the "Making the Quick Buck". In 10 years the money would be gone... But the towers remain.

True riches of the land come when you can provide not only for the Hawaiian People but for all the People of Hawaii year after year, generation after generation in perpetuity. *Invest in People!*

That is how we all THRIVE.

Mahalo for this opportunity to share our mana'o.

Ron Iwami

*Friends of Kewalos*, President

Non profit 501C3

ronald@kewalo.org

*To Protect, Preserve, and Malama Kewalo Basin Park and the surrounding shoreline and ocean to ensure that the recreational user will continue to have access and the ability to enjoy the area for future generations to come.*

www.kewalo.org

This is my first testimony which is a must read.



Aloha Senators,

February 8, 2021

I was always taught: The more information you have, the better your decision. With that said, I would like to share the back story of this special land.

On September 7, 2005, a state agency called the Hawai'i Community Development Authority (HCDA) voted unanimously to allow residential development in Kaka'ako Makai (KM), the last public oceanfront land in urban Honolulu. Exactly one week after this zoning change, HCDA selected Alexander & Baldwin (A&B) as the master developer. Their plan revealed for the first time showing the extent of the \$650 million dollar project highlighting three 200 feet tall residential luxury high rise towers along with a giant 45 foot high pedestrian bridge spanning the Kewalo channel with high end restaurants and retail malls. On top of that, the 36.5 acres of public land was to be sold to A&B for \$50 million. A "sweetheart deal."

The People could not believe what just happened. Long story short, *Save Our Kaka'ako Coalition* was formed consisting of 12 organizations including: *Friends of Kewalos*, *Save our Surf*, *Hawaii State Bodysurfing Association*, *Da Hui*, *Surfrider Foundation*, *Sierra Club*, *Life of the Land* and others. This totally grassroots movement, fueled by the "Power of the People" included a March to the Capital, meeting with Governor Lingle, numerous rallies, and countless testimonies, was able to stop the project by rallying the support of all the legislators except one, to enact a landmark law banning the sale of public land and banning all residential development in KM. This law stands today as a testament to the public sentiment for this land.

The People did not stop there. After five years of hard work, a plan was created, this time with extensive public input, called the *Kaka'ako Makai Conceptual Master Plan* with a Vision Statement and 14 guiding principles. It was adopted by HCDA in 2011 and declared it to be the "go to" plan for future development of the land.

It was not over yet...

In the 2012 legislative session, two bills were introduced, one to transfer this same public land to the Office of Hawaiian Affairs (OHA) valued at \$200 million, to settle claims of back rent for the use of the ceded lands dating back to 1978.

The second bill would have allowed an EXCEPTION to the law and allow residential entitlements for two parcels in the OHA land settlement.

We believe the *powers that be* cleverly tied this bill to the settlement bill, which had a lot of momentum, in the hopes of squeezing it through together to benefit OHA.

As it turned out OHA got the land, but the *exception bill* died due to public opposition.

They tried again in 2014 to get the exception bill passed, but again the People prevailed. *Power of the People.*

Now, they are trying again...

I would like to share part of an article by former Governor George Ariyoshi that he wrote for Hawaii Business News in 2006 about our mounting opposition to the KM sale of Public Land to build luxury high rise residential towers because it ties in to what we are talking about today.

He says “ *HCDA asked, how can we put this land to use now?*

*The People asked what do we want from this land in perpetuity?*

*The People asked the better question with the realization that when the land is developed, other potentials are gone forever.”*

He continues “ *In 1970, high rise construction was proposed the Magic Island and Kewalo ends of Ala Moana Park. Although this plan followed the original design for dredging and improving the area, the People spoke out against it. Today, this land is open space for the enjoyment of all.”*

The \$50 million that the State would have made from the KM land sale back in 2006 would have long been forgotten. Today, the money would be gone. But the towers remain...

I know Kamehameha Schools is waiting in the wings to build too.

If one exception is made, it would be difficult to deny others.

We are not against all development. We understand the people need housing, but ask yourselves “Is this the right place?” *We need to preserve for the People what little oceanfront land we have left, not only in KM, but the entire State. We support “smart development” that puts emphasis on **People first over profit.***

In closing, The KM Master Plan along with the law has protected this land from becoming another Waikiki to ensure that this last public ocean front land in Honolulu will be preserved for the enjoyment of all the People of Hawaii.

It is too late for Waikiki, but not too late for Kaka’ako Makai.

I hope you enjoyed and learned from this story.

You, the legislators, and the Office of Hawaiian Affairs, have a huge responsibility as stewards of this land to respect its history. You both have an opportunity to do something great, an opportunity to leave a lasting legacy not only for the Hawaiian people but all of Hawaii now and forevermore...

Mahalo for this opportunity to share our mana’o.

Ron Iwami

*Friends of Kewalos, President*

Non profit 501C3

[ronald@kewalo.org](mailto:ronald@kewalo.org)







**SB-1334-SD-1**

Submitted on: 3/1/2021 6:18:25 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Redfeather	Testifying for Ka Ohana O Na Pua	Support	No

Comments:

OHA is looking to steward 30 acres in Kaka'ako Makai in a way that will create the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**SB-1334-SD-1**

Submitted on: 3/1/2021 7:54:12 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Klaus Radtke	Testifying for alohahawaiiionipaa.org	Oppose	No

Comments:

We have testified for and supported the Office of Hawaiian Affairs (OHA) on many projects. However, we are herewith sadly but strongly opposing SB1334 that OHA is trying to push through the Senate as it would raise the building height of two of its six parcels in the Kakaako Makai area to four hundred feet, and would also lift the current restrictions against residential development in Kakaako Makai to allow residential development by OHA or by third parties to which it conveys the parcels. Please remember that you are dealing with the last and therefore irreplaceable public ocean-front land in Honolulu that has been fought over for over twenty years and is worth fighting for again.

To gather approval, the project has been billed as an exceptional affordable housing unit. However, we believe that it is not truly affordable either for the greater Native Hawaiian community nor the general public that is in desperate need of truly affordable housing.

We do not know of other Native Hawaiian-sponsored project proposed or implemented in Hawaii that will further limit beach access, will cause further shoreline erosion and beach pollution. What about Climate Change? We all believe that sea level rise is imminent and will greatly affect Waikiki to the cost of still untold billions of supposedly State-funded relocation and mitigation costs. Why has this not been considered before furthering the bill?

Mahalo for listening,

Klaus Radtke, Ph.D.  
Environmental Scientist  
For the Board of Directors of  
Alohahawaiiionipaa.org,



335 Hahani Street #342132 \* Kailua, HI 96734 \* Phone/Fax (808) 262-0682 E-Mail: [htf3000@gmail.com](mailto:htf3000@gmail.com)

March 3, 2021

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

SB 1334 SD1

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Hawaii's Thousand Friends (HTF), a statewide nonprofit organization dedicated to reasonable, responsible and appropriate planning and land use, does not support SB 1334 SD1 that allows residential development in Kaka`ako Makai.

The 2006 the legislature banned residential development in Kaka`ako Makai in response to citizen's protests against A&Bs proposed condo development. Public opposition, in 2012 and 2014 and now, demonstrates that residents *do not* want makai views, ocean access and open spaces covered with residential development.

According to HRS 206E-31.5 HCDA is prohibited from "Approving any plan or proposal for any residential development in that portion of the Kaka`ako community development district makai of Ala Moana Boulevard and between Kewalo Basin and the foreign trade zone."

While SB 1334 SD1 limits residential development to OHA property if allowed it not only violates HRS 206E-31.5 but is a foot in the door to allow *more* residential development in the future thus diminishing if not eliminating one of the last open public surf access areas in urban Honolulu.

HTF urges you to once again *listen to the people* and keep Kaka`ako makai open access to the shoreline, fishing, diving, body boarding and surf sites by holding SB 1334 SD1 in committee.



**SB-1334-SD-1**

Submitted on: 3/1/2021 11:39:35 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allan Cool	Testifying for Pe'a Records & Entertainment	Support	No

Comments:

I Allan Cool strongly support SB1334. The housing issues in Hawai'i span generations and it is time to create homes for Hawaiians. The stewards of this land. I will also add that the infrastructure should also be donated by the state as well. We can no longer be spending our tax dollars on giving infrastructure to for profit developers. The locals have absolutely no control over the housing market and prices. What we can have control over is hawaiian homes. This is the ONLY thing they can never buy and take away from us! We need to take action now!



# HAWAII APPLESEED

## CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai'i Appleseed Center for Law & Economic Justice  
In Support of SB1334 SD1 – RELATING TO THE HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY.

Senate Committees on Judiciary, Ways and Means, and Water and Land  
Wednesday, March 3, 2021, 10:30 AM, Conference Room 211 & Videoconference

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Dear Chairs Rhoads, Dela Cruz and Inouye, Vice Chairs Keohokalole and Keith-Agaran, and members of the Committees:

Thank you for the opportunity to provide testimony in **SUPPORT** of **SB1334 SD1**, which would allow OHA to maximize the income generated by their Kaka'ako Makai parcels for the purpose of bettering the conditions of native Hawaiians, by allowing the parcels to be developed for residential use and raising the height limit for two of the six parcels to four hundred feet.

SB1334 SD1 furthers social and economic justice for Hawai'i's indigenous people. The Kaka'ako Makai parcels were originally transferred to OHA to help resolve the \$200 million in past due income from the Public Land Trust owed by the State of Hawai'i to OHA and its beneficiaries. However, planning efforts show that the residential prohibition on the Office of Hawaiian Affairs' Kaka'ako Makai parcels caps their value far short of the \$200 million owed. SB1334 SD1 would help remedy that problem.

A major impediment to achieving economic security for local people is the lack of access to affordable housing, which inequitably impacts Native Hawaiians, who can be priced out of their homelands. SB1334 SD1 would allow the Office of Hawaiian Affairs to better meet the range of housing needs of Native Hawaiians and the broader public on their Kaka'ako Makai parcels. The legislature has repeatedly called for unique investment and development plans for more affordable housing, and residential development on OHA's Kaka'ako Makai parcels is one solution to meet the goal.

Hawai'i Appleseed's Budget & Policy Center recently released a report, [Healing Hawai'i's Economy](#), that explains state government's crucial role in countering the pandemic recession.<sup>1</sup> Economists identified one important lesson for policymakers is that direct government intervention, such as timely spending on services and infrastructure, can make the difference between a quick, robust recovery and prolonged stagnation. By lifting the residential prohibition and increasing the height limit on two of the parcels, OHA's development plans for a mixed-use project on its Kaka'ako Makai parcels would contribute to Hawai'i's economy.

Passing SB1334 SD1 is a way the legislature can invest not only in our state's overall economic

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<sup>1</sup> <https://www.hibudget.org/projects/healing-hawaii-economy>

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*The Hawai'i Appleseed Center for Law and Economic Justice is committed to a more socially just Hawai'i, where everyone has genuine opportunities to achieve economic security and fulfill their potential. We change systems that perpetuate inequality and injustice through policy development, advocacy, and coalition building.*

recovery and affordable housing shortage, but also in equitable policy and cultural revitalization for Native Hawaiians and revenue generation for OHA's programs and services for its beneficiaries. So, we urge the Committee to **PASS SB1334 SD1**.

We appreciate your consideration of our testimony.



**Testimony in Strong Opposition of SB1334SD1**  
Relating to the Hawaii Community Development Authority  
Wednesday, March 3, 2021  
10:00 AM Hearing

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

NOTICE OF DECISION MAKING  
Conference Room 211 & Videoconference

**Testimony in Strong Opposition to SB1334SD1 that would allow residential development in Kaka’ako Makai.**

My name is Wayne Takamine, a founding member and chair of the Kaka’ako Makai Community Planning Advisory Council (CPAC). My background in Kaka’ako Makai goes back to 2005 when the Hawaii Community Development Authority (HCDA) presented a condominium development RFP for Kaka’ako Makai. Soon after, public outcry in opposition to the Kaka’ako Makai residential development plan created a whirlwind of controversy that forced the 2006 legislature to approved HB2555 that prohibited the HCDA from any residential planning in Kaka’ako Makai and prohibited the sale of state land in the Kaka’ako district. The legislature also adopted HCR34 (2006) that required the HCDA to adopt an Advisory Working Group (AWG) of community groups and individuals to work in collaboration to create the Kaka’ako Makai Master Plan. This AWG became the Kaka’ako Makai CPAC and in 2011, CPAC presented the Kaka’ako Makai Master Plan to the HCDA Board that was unanimously approved. Of note: During the CPAC Kaka’ako Makai Master Plan process, surveys were taken of various concepts for Kaka’ako Makai and residential development was consistently near the bottom of the list.

The Master plan includes projects like the Museum for Hawaiian Music and Dance (\$35MM), Community Center (\$10MM), Performing Arts Venue (\$55MM). If these 3 projects were implemented by OHA they could have added \$100 million in value to its property along with jobs and cultural pride the Hawaiian Community. OHA can still seek federal and state subsidies and grant money to plan and develop projects related to a Hawaiian Community Cultural Center to augment any fundraising activities.

During the 2012 legislative approval process for the OHA Ceded Land Settlement (SB2783 2012), OHA and the HCDA acknowledged in public testimony that the value “as is” of the Kaka’ako Makai land exchange was equal to the \$200 million without any changes to the law prohibiting the sale of state land in Kaka’ako and the prohibition of the planning and development or residential in Kaka’ako Makai (HRS 206E 31.5). Also introduced was SB3122 to allow OHA residential development in Kaka’ako Makai. At the SB3122 hearing by the Senate Hawaiian Affairs and Economic Development and Government Operations and Housing Committees, a prominent Hawaiian Affairs Committee senator suggested, “If the issue is housing for Hawaiians, land outside of Kaka’ako Makai could and may still be considered.” The senator also emphasized in 2012 when considering the OHA Ceded Land Settlement bill SB2783, residential development in Kaka’ako Makai was not on the table.

On February 8, 2014, HB2554 was introduced to the legislature again asking to allow OHA residential entitlements. During the House Committee hearing on Ocean Marine Resources & Hawaiian Affairs and Committee on Water and Land, the State Attorney General voiced in testimony with strong concerns that HB2554 is not in accordance with the state constitution. They stated that this bill will place a cloud over Kaka’ako Makai residential development projects that will open the door for lawsuits. In 2014 when OHA last attempted to repeal the prohibition of residential in Kaka’ako Makai, a Honolulu advertiser poll showed 67% against allowing OHA to build residential. HB2554 ultimately met its demise by the end of the 2014 legislative session. Strong environmental, legal and safety concerns continue today with a February 18, 2021 Staradvertiser.com poll showing OHA’s plans are very unpopular:

BIG Q

## Should the residential prohibition on Kakaako Makai be lifted to enable the Office of Hawaiian Affairs to optimize use of its lands?

Feb. 18, 2021



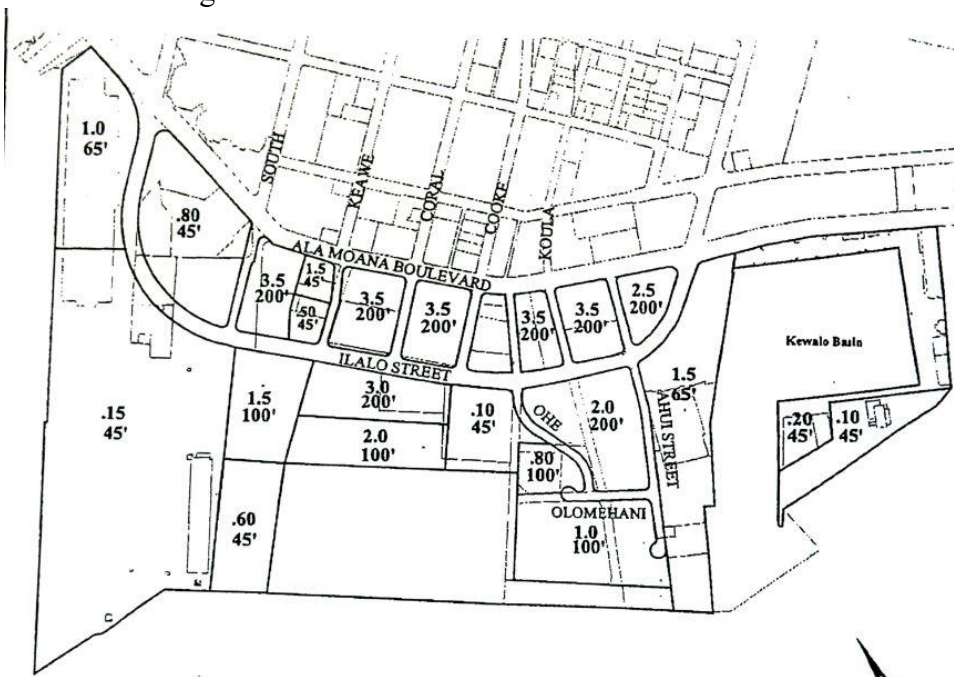
**C. No; keep sites low-rise makai of Ala Moana (531 Votes)**

A. Yes; enable high-rise housing, advance OHA mission (114 Votes)

B. Maybe; open to hearing more (76 Votes)

*This is not a scientific poll — results reflect only the opinions of those voting.*

The current height limits in Kaka’ako Makai are as follows:



OHA’s proposed 400’ height is a VERY drastic change from what is allowed today. The Fisherman’s Wharf/Cannery lots and the “Reuse” lots just Ewa of Waterfront Park height increase from 65’ to 400’ is unacceptable. A 400’ tower would dwarf even the existing Gold Bond Building!

Kaka'ako Makai was also a city dump with an incinerator. Hazardous waste includes Lead, Arsenic, Asbestos and PBC. These toxic materials exist in the substrata. Toxic soil remediation for this area is currently by capping the hazardous waste with barriers including impermeable membranes, asphalt, gravel, concrete, roads and buildings. An Army Corp. of Engineers study stated that the fill covering the preexisting reef is constantly washed with underground tidal changes the toxic materials undisturbed still exists but has bonded to the soil and considered stable. However, the effect of building a 400' tower with foundations several hundred times what exist now is a major environmental concern. With current construction in Waikiki, Ala Moana and Kaka'ako, it is apparent that 400' towers need foundations that involve digging soil, rocks, buried reefs and in Kaka'ako Makai Hazardous Waste and also pumping contaminated groundwater. These actions will dislodge the undisturbed toxic substances that have been in place for decades. Underground tidal flow and underground streams would then leach dislodged toxic material into the nearby ocean and pose a threat to ocean recreational park users and fish that are consumed.

Affordable housing was discussed several times over the years and the consensus was that unit prices would be out of touch for most of the middle class in Hawaii and the fact SB1334SD1 suggests OHA may lose ownership to third party developers or tenant owners. The revenue OHA would gain from SB1334SD1 would not be sustainable over the years and even in a rent/lease arrangement would result in a probable lease to fee simple conversion. In retrospect, the failed 2005 HCDA Condominium RFP would have sold Kaka'ako Makai land for the condos in partial exchange for the development. Transferring public land to a third party LLC would be equivalent of selling state land to a private entity. The question is if this change of state law is constitutional.

If OHA were to move forward in developing the Kaka'ako Makai Master Plan concepts for the benefit of the Hawaiian Communities, these projects could help strengthen its communities by presenting project goals that will generate synergies within their communities to overcome challenges in the creation of these facilities and programs. OHA could then seek commercial partnerships with businesses that can manage the facilities to make them financially sustainable. The Hawaiian communities would benefit by perpetually owning these facilities and having access to surrounding areas for cultural practices and community gathering during non-business hours. The public will also benefit by being able to rent the facilities for special occasions or attend special events and productions.

As the spokesman for the Kaka'ako Makai CPAC we strongly urge that SB1334SD1 and any bill with residential development in Kaka'ako Makai be denied approval. I believe a good business plan will allow OHA will make sustainable revenue from the lands in Kaka'ako Makai for its future generations. Development related toward a Hawaiian Community Center for the preservation of its cultural heritage would bring the highest returns for the Hawaiian community. Planning and negotiations by OHA to implement the current Kaka'ako Makai Master Plan with the support of local communities could prove to create better value and sustainability for the Hawaiian Community.

Respectfully,

Wayne Takamine M.B.A.  
Founding Member and Chair  
Kaka'ako Makai Community Planning Advisory Council

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:22:45 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Henry Curtis	Testifying for Life of the Land	Oppose	No

Comments:

Life of the Land strongly opposes SB 1334 SD1. OHA acquired the land for non-residential use as part of the OHA Ceded Land Settlement (SB2783 2012).

This bill proposes giving OHA a windfall in exchange for gutting a settlement in a hard-fought dispute.

BUT MORE IMPORTANTLY, passing this bill would send the message that legislative agreements to settle disputes can't be trusted.

Henry Curtis

Executive Director

**SB-1334-SD-1**

Submitted on: 3/2/2021 7:52:25 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patrick L. Kahawaiolaa	Testifying for Keaukaha Community Association	Support	No

Comments:

Aloha e Honorable Chairs Inouye, Dela Cruz & Rhoads,

I'm Patrick L. Kahawaiolaa, a native Hawaiian as defined pursuant to the 67th Congress c42, 42 Stat. 108 HHCA, 1920 as amended July 9, 1921 and the current President of the Keaukaha Community Association (KCA), the 2nd oldest native Hawaiian homestead settled December 16, 1924 as Kuhio Settlement on Hawaii Island one (1) day after Kalamaula, Molokai.

As a beneficiary of both TRUST ( HHCA & OHA) I just need to remind those elected to follow the constitutional, statutory & Fiduciary duties to uphold the Hawaiian Race pursuant to the Admissions Act Article XII Hawaii Constitution..

I am here seeking SUPPORT for SB 1334 for all the obvious reasons to allow these lands of Kakaako Makai, given to compensate for wrongdoings to the beneficiaries of the host culture, to at least have the opportunity to build for the beneficiaries a sense of place for the beneficiaries by allowing the same land uses as those directly across Ala Moana boulevard.

Please give Dignity and Pride to the native Hawaiians whose lost so much since 1893-2021.

I can be reached @ (808) 937-8217

'Owau me ka ha'aha'a, (I humbly remain)

Patrick L. Kahawaiolaa



# Native Hawaiian LEGAL CORPORATION

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



## SB1334 SD1

### RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

SENATE COMMITTEE ON JUDICIARY, COMMITTEE ON WAYS AND MEANS,  
and COMMITTEE ON WATER AND LAND

March 3, 2021

10:30 a.m.

Conference Room 211

Aloha e Committee Chairs, Vice Chairs, and Members,

The Native Hawaiian Legal Corporation (NHLC) **STRONGLY SUPPORTS SB1334 SD1** because the current residential prohibition on the Office of Hawaiian Affairs' (OHA's) Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**Our organization supports Hawaiian management of Hawaiian lands.** For these reasons, NHLC humbly requests that this measure is passed out of your committees.

Summer L.H. Sylva

Executive Director  
Native Hawaiian Legal Corporation

**SB-1334-SD-1**

Submitted on: 2/23/2021 4:27:40 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Courtney Tagupa	Individual	Oppose	No

Comments:

Strongly Oppose

**SB-1334-SD-1**

Submitted on: 2/23/2021 4:31:57 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimomi Khan	Individual	Support	No

Comments:

Aloha, I am a resident of Kaka'ako and a Native Hawaiian. I support SB1334 as a means to clear the path to provide the opportunity for OHA to pursue residential development on its Kaka'ako properties, knowing full well that such development is subject to public hearings and approval by HCDA. Thus, even with passage of this bill, there is no assurance that OHA will be able to develop its Kaka'ako properties in the way that it wishes. I would note, too, in fairness, that raising the building height to 400' feet is not an uncommon request as the City and County of Honolulu has that authority where there is a showing of community benefit and aligned with the Transit Oriented Development Plan for that geographic area.



**SB-1334-SD-1**

Submitted on: 2/24/2021 12:49:55 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Oppose	No

Comments:

Please note my strong opposition to this bill. A landmark law, hard fought for by the people, bans the sale of public land and bans all residential development in Kaka'ako makai. In 2011 the HCDA adopted the Kaka'ako Makai Conceptual Master Plan. In 2012 this land was transferred to the Office of Hawaiian Affairs (OHA) to settle claims of back rent. OHA knew the restrictions. At the time another bill was defeated, one which would have allowed OHA to build residences on part of the property. OHA ried to reverse that again in 2014 but failed. Now, seven years later, OHA is back again. OHA must be stopped, this bill must be deferred, aka defeated. Do not destroy the last public oceanfront lands in Kaka'ako makai.

OHA must find uses for the land that comply with the current law. The land, as is, needs to be saved in perpetuity for future generations.

Additionally, this land is under threat from climate change. It is also underthreat from flood inundation and tsunamis. Flood insurance rates (premiums) may quadruple this year. This is not a place where people should reside as they could easily lose their homes from hurricanes, tsunamis, coastal floods, etc. Show courage. Do not cave in to OHA. OHA made a bad decision and OHA must live with it.

lynne matusow

Douglas Meller  
2615 Aaliamanu Place  
Honolulu, HI 96813

TESTIMONY OPPOSING SB 1334, SD 1  
RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Wednesday, March 3, 2021, 10:30 am, State Capitol Room 211  
Senate Committee on Judiciary  
Senate Committee on Ways and Means  
Senate Committee on Water and Land

**Enactment of SB 1334, SD 1 may violate Article XI Section 5 of the State Constitution.** The State Supreme Court has already ruled that a law which exercises legislative power over private use of a specific state property is an unconstitutional “special law” rather than a “general law” as required under Article XI Section 5.

**ARTICLE XI**

**Section 5.** *The legislative power over the lands owned by or under the control of the State and its political subdivisions shall be exercised only by general laws, except in respect to transfers to or for the use of the State, or a political subdivision, or any department or agency thereof.*

SB 1334, SD 1 proposes to amend Chapter 206E, Hawaii Revised Statutes, to override the adopted Kakaako Community District Makai Area Plan, the Kakaako Community Development District Rules for the Makai Area (Hawaii Administrative Rules Title 15, Subtitle 4, Chapter 23), and Kakaako Reserved & Workforce Housing Rules (Hawaii Administrative Rules Title 15, Subtitle 4, Chapter 218). On specifically identified state property, but not on any other public or private property, SB 1334, SD 1 would:

- allow 400-foot-tall buildings,
- allow residential development where previously prohibited, and
- waive “affordable housing” requirements.

In plain English, SB 1334, SD 1 would authorize specified state property to be privately developed for 400-foot-tall high-priced vacation condominiums exempted from HCDA-adopted height limit rules (shown on the 2<sup>nd</sup> page of this testimony), land use rules, and “affordable housing” rules. Oahu residents will not like this. And if the Legislature enacts SB 1334, SD 1, I believe that someone will file a lawsuit alleging that SB 1334, SD 1 is an unconstitutional exercise of legislative power over private use of a specific state property.

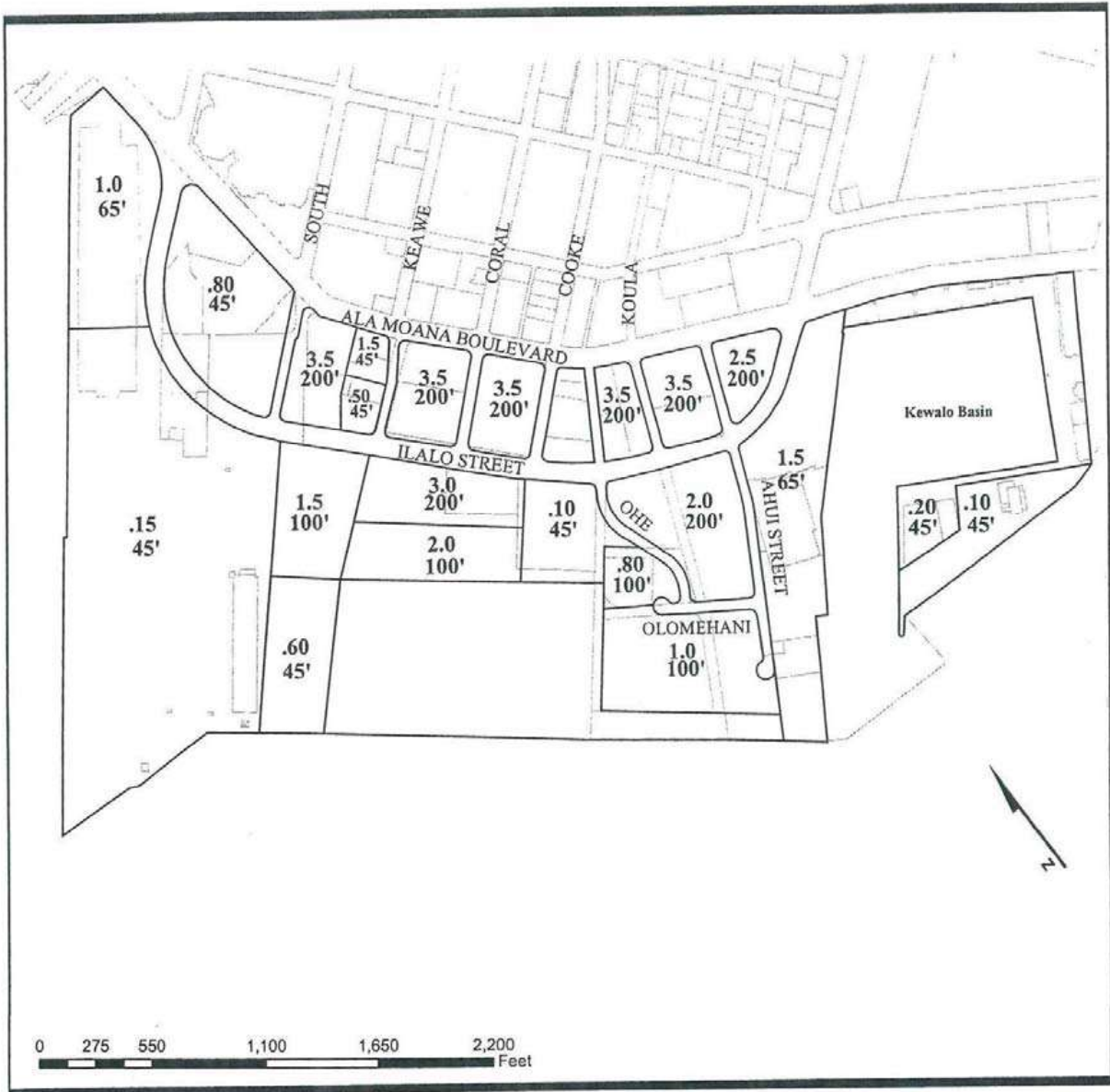


Exhibit 3  
Maximum Height and Density Plan

**LEGEND:**

- 200' Indicates Maximum Allowable Height
- 3.5 Indicates Maximum FAR

September 2005

**SB-1334-SD-1**

Submitted on: 2/24/2021 7:40:50 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yvonne Geesey	Individual	Oppose	No

Comments:

Strongly Oppose.

**SB-1334-SD-1**

Submitted on: 2/25/2021 9:08:27 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
CATHERINA GAINES	Individual	Oppose	No

Comments:

I am a 40 plus year resident of Hawaii, a person who loves the ocean, a daughter and a mother, and a concerned citizen. I live in a crowded Honolulu which has limited open oceanfront space for residents and visitors to enjoy. Kapiolani Park, Ala Moana Park, and Kakaako are the last remaining open green spaces fronting the ocean that are unencumbered by high rises and commercial enterprises. I **oppose** SB 1334 that would allow the raising of the building height limit for two of the six parcels owned by the Office of Hawaiian Affairs in the Kakaako Makai area to four hundred feet and lift the current restriction against residential development in Kakaako Makai to allow residential development by the Office of Hawaiian Affairs or by third parties to which the Office of Hawaiian Affairs conveys the parcels.

I oppose SB1334 for the following reasons:

- I want to maintain what little green open space fronting the ocean we have available to us in urban Honolulu to be enjoyed myself and future generations. As a resident I enjoy the parks, views, and access to the sea these open spaces offer. As a visitor it is one of the draws that brings tourists to our island.
- I am saddened by the thought of towering 400 foot buildings that will primarily be used as residences for just a few people to enjoy the views and open access to the sea. These towers will block the coastline views for thousands who have enjoyed the views without having to break/or ask for exemptions.
- I want to maintain what few areas of open access we have as residents to the south shore of our island. I fear that development will limit access to entry as well as availability to parking that residents currently enjoy.
- I am concerned about any type of residential development in the Kakaako makai area. I remember this area was heavily used for industrial uses, garbage, and other waste. Allowing people to reside in this area seems negligent.
- Lastly, with the ongoing climate changes, rising tides, and the property being marked in the City and County of Honolulu as a tsunami inundation zone it appears unwise to build large towers in this area.

Thank you for giving me the opportunity to express my point of view,

Catherina Gaines

**SB-1334-SD-1**

Submitted on: 2/25/2021 8:30:02 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ethan Chang	Individual	Oppose	No

Comments:

I oppose SB 1334 to protect what little left we have left of Hawaii's shorelines and to ensure free and clear ocean access for this generation and generations to come. I want to remind our representatives that the Kewalos community is very knowledgeable; we can read between the lines. We're familiar with the public facing rehearsal of democratic participation and behind-the-scenes closed door deals. We've seen this played out from Kalama to Kaho'olawe; from Kahuku to Mauna Kea. We're familiar with this familiar pattern happening all across the island. I want to mahalo the organizers for their steadfast work in bringing the community together on this urgent matter.

**SB-1334-SD-1**

Submitted on: 2/25/2021 9:29:15 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sandra moneymaker	Individual	Oppose	No

Comments:

I am a Honolulu resident since 1966 living in Kaká ako +35 years and I am writing in opposition to SB1334.

Our shorelines are diminishing and must be protected.

Citizens must have free & clear access to the oceans.

The lands of subject in SB1334 are in a designated tsunami evacuation zone and subject to the effects of sea level rise as well so why should luxury development be approved there?

OHA accepted the land knowing it's use had previously been restricted yet they continue trying to change that.

SB1334 should not pass to allow changes.

Again I ask you to oppose SB1334.

Mahalo,

Sandy Moneymaker



**SB-1334-SD-1**

Submitted on: 2/25/2021 10:14:57 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kate Feloy	Individual	Oppose	No

Comments:

I strongly oppose development at Kaka'ako Makai for the following reasons: Public land should remain public and we should be protecting the little remaining public shoreline. Free and clear public ocean access is incredibly important and should be protected. Kaka'ako Makai oceanfront land is not a suitable place for residential development, it is vulnerable to sea level rise and associated groundwater intrusion and the building process threatens contamination to the soil and ocean.

**SB-1334-SD-1**

Submitted on: 2/25/2021 11:17:40 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Chee	Individual	Oppose	No

Comments:

Hello,

My name is David Chee and I strongly oppose SB 1334.

I oppose SB 1334 for the following reasons:

1. Kaka'ako Maki public oceanfront lands are not the right place to build private residences. Kaka'ako should not be turned into Waikiki.
2. As a community, we need to protect what little of Oahu's shorelines are left. Shoreline and ocean access should remain free and clear for the entire general public (including lots of free parking).
3. Oceanfront development construction can contaminate both the soil and the ocean, causing harmful damage to our natural oceanic resources.
4. With climate change and sea level rise, allowing more oceanfront residences to be built does not make any sense.
5. More oceanfront development will block what little ocean views are left.
6. Our sewage system infrastructure is already outdated and in need of an overhaul. Can it service even more flushing toilets and more waste water? Remember Waikiki, pumping raw sewage into the Ala Wai Canal? If this type of situation happens in Kaka'ako, raw sewage go straight into the ocean. Not good.
7. The Oahu community does not need yet another oceanfront condo/residence development, especially in Honolulu and Kaka'ako. **WE NEED GREEN SPACE!!!** Use this land to provide our community with badly needed park space. This parcel could be used to connect Magic Island, Ala Moana Park, Kewalo Basin Park, and Kaka'ako Waterfront Park.

Please stop SB 1334 and do not allow it to advance.

I thank you for your consideration.

Mahalo,

David Chee



**SB-1334-SD-1**

Submitted on: 2/25/2021 1:23:59 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andre Bisquera	Individual	Oppose	No

Comments:

I oppose SB1334 and the development of the public lands at Kewalos. This is a favorite surf break of many and gives the public valued access to the ocean. Please don't allow this bill to pass. Thank you.

Andre Bisquera

**SB-1334-SD-1**

Submitted on: 2/25/2021 1:33:36 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachelle Nobriga	Individual	Oppose	No

Comments:

I OPPOSE this Bill.

1. PLEASE Protect Hawaii's Shorelines, what little we have left.
2. The Kaka'ako Makai public oceanfront lands is not the right place to build 400 ft private residences.
3. PLEASE consider Contaminated soil, sea level rise, tsunami inundation zone.
4. PLEASE Protect free and clear ocean access.

PLEASE do NOT Allow the raising of the building height limit for two of the six parcels owned by the office of Hawaiian affairs in the Kakaako Makai area to four hundred feet.

PLEASE do NOT Lift the current restriction against residential development in Kakaako Makai to allow residential development by the office of Hawaiian affairs or by third parties to which the office of Hawaiian affairs conveys the parcels.

This same procedure was done by Ward Estates/Howard Hughes. Permission is granted for one parcen, then another, then another, and today there is a WALL OF CONCRETE 400+feet high thanks to Howard Hughes Deveopment.

PLEASE, do NOT Pave Paradise. Please Respect the Land, Oceans and Mountains.

PLEASE, OPPOSE this Bill. Enough is Enough. When does this stop?

Hopefully, Today is the beginning of the end of this destruction of Paradise.

Thank You.

**SB-1334-SD-1**

Submitted on: 2/25/2021 1:47:05 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paula Moehlenkamp	Individual	Oppose	No

Comments:

1. I support protecting Hawaii's Shorelines and what little we have left.
2. I believe Kaka'ako Makai public oceanfront lands is not the right place to build 400 ft private residences. I is a souce of pollution, soil contamination
3. I support and pprotect free and clear ocean access.

**SB-1334-SD-1**

Submitted on: 2/25/2021 2:10:47 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lei Ho	Individual	Oppose	No

Comments:

Dear Legislators,

Please do not allow SB 1334 to be approved. That would be a travesty, a horrible way to progress into the future of this island and its people. We owe it to our citizens to preserve for them and their descendants access to the ocean and clear land at the ocean front to maintain the ocean views. We also need to protect the makai lands from sea level rise and tsunami inundation. I am concerned with the ability of the sewers to handle the increased burden that keeps being put upon them with all of the recent building in the Kakaako area. We have yet to see whether they can handle the sewage from all of the recent development once all of the units have been sold and occupied.

When, not if, the sea level rises and if there are tsunami damages to any future development in Kakaako Makai, the burden of responsibility will fall upon the public who will not be able to compensate the losers. Please do not risk any further cost to our people who are already being denied adequate housing of their own. The enrichment of developers and the provision of oceanfront residence should be the last thing concerning you who have a long list of issues more immediate for our citizens.

Taking the "easy money" was how we got into the fiscal hole we're in. Let's not do it again!

Thank you,

Lei Ho

**SB-1334-SD-1**

Submitted on: 2/25/2021 2:36:30 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Donna Hashimoto	Individual	Oppose	No

Comments:

I oppose this bill because I live in Kakaako and there are so many condos already that benefit people from out of this state, not the locals. Protecting the shoreline and access to the shoreline is very important. Please do not allow developers to build high rises on the makai side.



**SB-1334-SD-1**

Submitted on: 2/25/2021 4:20:28 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dyson Chee	Individual	Oppose	No

Comments:

Thank you for the opportunity to testify in opposition to SB1334.

**SB-1334-SD-1**

Submitted on: 2/25/2021 4:38:54 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mio Chee	Individual	Oppose	No

Comments:

My name is Mio Chee and I live in Ala Moana. I oppose SB1334. With climate change and sea level rise, allowing more oceanfront residences to be built does not make any sense to me. My house is about 1 mile away from a shore is projected to be greatly affected by sea level rise in a few decades according to the sea level rise projector by PACIOOS.

**SB-1334-SD-1**

Submitted on: 2/25/2021 5:05:41 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
T Takata	Individual	Oppose	No

Comments:

Strongly oppose SB1334; the negatives from this proposed Makai Kakaako residential development for us Honolulu resident/voters far outweigh any benefits.

**SB-1334-SD-1**

Submitted on: 2/25/2021 5:39:33 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christopher Moore	Individual	Oppose	No

Comments:

I oppose further building in the area. I feel the area has been overbuilt.

**SB-1334-SD-1**

Submitted on: 2/26/2021 1:13:27 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marvin Heskett	Individual	Oppose	No

Comments:

Aloha,

I stand firmly opposed to SB 1334. Here we are again. Since 2005, we have stood to defend public space and to defend our coastal resources for the public trust which they are. As unfair as the process is for the HCDA, the lands in question were protected by all of the peoples of Hawaii including a large contingent from the Hawaiian Community. I was so fortunate as to have heard the nearly supernatural voice of auntie Genoa Keawe at Kakaako in defense of the place during the Save Our Kakaako campaign in 2006. The government of Hawaii did the community an injustice by providing this place, already protected by the people, as it's offering for reconciliation for the HCDA. There are other means for the state to compensate the HCDA. Pleas eleave Kakaako makai as an invaluable resource for all of the people of Hawaii.

Mahalo Nui Loa,

Marvin Heskett

**SB-1334-SD-1**

Submitted on: 2/26/2021 9:51:25 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ernest K Moses Jr	Individual	Oppose	No

Comments:

I am in opposition to the lifting of the height and density restrictions on the OHA Kakaako Makai parcels. Having read their latest article in Ka Wai Ola newsletter, it is more about having the parcels go to a developer, than any Hawaiian land trust. The have the same story of how it will help the Hawaiian people, but it is for their "wink and nod" associates in their LLC's , and the deep pocket developers already putting up high density properties and communities. Mahalo.

**SB-1334-SD-1**

Submitted on: 2/26/2021 10:08:48 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

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

Comments:

To whom it may concern:

**I STRONGLY SUPPORT SB1334:**

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past-due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

Respectfully,

Jessica dos Santos

**SB-1334-SD-1**

Submitted on: 2/26/2021 10:12:30 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lilia Kapuniai	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334:**

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.



**SB-1334-SD-1**

Submitted on: 2/26/2021 10:25:28 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yoshito L'Hote	Individual	Support	No

Comments:

**Sample Testimony:**

**I STRONGLY SUPPORT SB1334:**

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

Follow us on social



**SB-1334-SD-1**

Submitted on: 2/26/2021 10:38:55 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raynae Fonoimoana	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 10:42:58 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Josh & Kanani DeLary	Individual	Support	No

Comments:

I STRONGLY SUPPORT SB1334 because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 10:48:26 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Frances Dinnan	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA’s Kaka‘ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 10:56:14 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joel Nishimoto	Individual	Oppose	No

Comments:

In strongly oppose building highrises or any residential units on the Makai side of Ala Moana Blvd. for the following reasons:

- This will create blocked shoreline access to the Public (the shorelines must be made readily available to everyone)
- This will create more traffic
- This will bring about additional overburden of electrical, water, gas, and all other public and private usage of utilities
- This will overcrowd an already hugely over-crowded Kakaako
- This will start a bad precedence to build other private residences and businesses on the Makai side of Ala Moana Blvd.

**SB-1334-SD-1**

Submitted on: 2/26/2021 11:02:15 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lora Silva	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA’s Kaka‘ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

Follow us on social





**SB-1334-SD-1**

Submitted on: 2/26/2021 11:35:58 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Banner Fanene	Individual	Support	No

Comments:

Aloha -

I STRONGLY SUPPORT SB1334 because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.

Mahalo

**SB-1334-SD-1**

Submitted on: 2/26/2021 11:45:13 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Kirk-Kuwaye	Individual	Oppose	No

Comments:

Aloha Senators,

I oppose SB 1334. While I support OHA's mission, I don't support the development of scarce oceanfront lands for high rise private residences. I hope our community leaders both in government and out can find ways to support OHA but not at the expense of losing ocean park areas in our urban core.

Thank you for considering my views.

Michael Kirk-Kuwaye

**SB-1334-SD-1**

Submitted on: 2/26/2021 11:47:57 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amy Kalili	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 11:53:30 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katie Benioni	Individual	Support	No

Comments:

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 12:35:14 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vanessa Lee Miller	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA’s Kaka‘ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 2:59:17 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marc Lambert	Individual	Oppose	No

Comments:

Please DO NOT allow any residential towers to be built in Kaka'ako Makai. Resedents need more open spaces and less buildings in Honolulu.

**SB-1334-SD-1**

Submitted on: 2/26/2021 3:43:28 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nanea Lo	Individual	Oppose	No

Comments:

Hello,

My name is Nanea Lo. I'm from Papakāleia, O'ahu, currently residing in Māhili. I'm a lifelong resident of Hawai'i in my ancestral homelands. I'm writing in opposition of SB1334.

I believe that these lands should be kept for ONLY residential. More Kānaka Maoli (Native Hawaiians) should be put here for housing. It should not be rezoned for anything else.

Please oppose this bill.

me ke aloha 'Āina,

Nanea Lo

**SB-1334-SD-1**

Submitted on: 2/26/2021 4:10:37 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rainbow Ulii	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA’s Kaka‘ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka‘ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka‘ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai‘i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka‘ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.



**SB-1334-SD-1**

Submitted on: 2/26/2021 4:43:51 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Catherine Fly	Individual	Support	No

Comments:

I strongly support SB1334 because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 4:52:48 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
B.A. McClintock	Individual	Support	No

Comments:

Please support this important bill. Mahalo for your time.

**SB-1334-SD-1**

Submitted on: 2/26/2021 5:14:47 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Olan Leimomi Fisher	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 5:15:22 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Keli'i Fisher	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/26/2021 6:30:51 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lorraine Garnier	Individual	Support	No

Comments:

I am in full support of SB1334.

Please accept the needs of the landowners to adjust heights of their properties, within suggested limits to allow for more flexibility of its use. Its time.

Mahalo

**SB-1334-SD-1**

Submitted on: 2/26/2021 6:31:47 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bronson Kainoa Kiyoshi Azama	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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I would also like to note that the recent change in OHA leadership is quite reinvigorating for our community, and I find that further development of these areas shall be best managed under the current leadership.

**SB-1334-SD-1**

Submitted on: 2/26/2021 8:07:05 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Madeline C Neely	Individual	Support	No

Comments:

I am in strong support of SB1334 SD1. Please have courage to pass this needed Senate Bill to start the process of the long over due kuleana for new revenue's to support future linal decedents of these islands. Mahalo

**SB-1334-SD-1**

Submitted on: 2/26/2021 8:37:46 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Davianna McGregor	Individual	Support	No

Comments:

Aloha Chair Inouye and Members of the Senat Water and Land Committee. I support SB 1334 SD1 to allow residential development and mixed uses on the Kaka'ako makai lands now owned by the Office of Hawaiian Affairs. mahalo



**SB-1334-SD-1**

Submitted on: 2/26/2021 10:38:17 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tercia L. Ku	Individual	Support	No

Comments:

I strongly support SB 1334.

I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.

OHA's purpose is to continue to fiscally support the improvement of the Native Hawaiian condition. To tie their hands when it comes to use of this lands is not allowing progress for the benefit of the beneficiaries of this state.

**SB-1334-SD-1**

Submitted on: 2/27/2021 8:38:55 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimomi Khan	Individual	Support	No

Comments:

I continue to support SB1334 SD1 as a means to clear the path to provide the opportunity for OHA to pursue residential development on its Kaka'ako properties, knowing full well that such development is subject to public hearings and approval by HCDA. I would note, too, that raising the building height to 400' feet is not an uncommon request as the City and County of Honolulu has that authority where there is a showing of community benefit and aligned with the Transit Oriented Development Plan for that geographic area.

**SB-1334-SD-1**

Submitted on: 2/27/2021 10:25:52 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lance T. Iwami	Individual	Oppose	No

Comments:

I oppose SB 1334 because:

I would like to protect Hawaii's shoreline and keep the area free and clear for the public to have free and clear ocean access for my family and children and my grandchildren to enjoy.

**SB-1334-SD-1**

Submitted on: 2/27/2021 3:18:18 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl B.	Individual	Oppose	No

Comments:

Oppose

While understanding OHA's position, we really do not need any more development. Come up with another idea.

**SB-1334-SD-1**

Submitted on: 2/27/2021 3:21:59 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roy Seiyei Akamine	Individual	Oppose	No

Comments:

Dr Sirs,

We are writing to voice our strong opposition to SB 1334.

We do not want Kakkako Makai to look like Waikiki, Makai of Kalakaua Avenue.

This area is so readily accessible for all of us to enjoy, whether we live, work, or just commute daily in Honolulu. Do not allow a concrete curtain of buildings to block our view and access to our priceless shore and ocean!

Aloha,

Roy and Amy Akamine

**SB-1334-SD-1**

Submitted on: 2/27/2021 4:21:28 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tadia Rice	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

Charmayne Malloy  
738 Aipo St  
Honolulu, HI 96825

SB 1334 , SD1

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

DATE:	Wednesday, March 3, 2021
TIME:	10:30 a.m.
PLACE:	Conference Room 211 & Videoconference
TIMESLOT:	WAM

Position: **OPPOSE**

The reason that I oppose SB 1334 :

1. To Protect Hawaii's Shorelines what little we have left.
2. Kaka'ako Makai public oceanfront lands is not the right place to build 400 ft private residences.
3. Contaminated soil, sea level rise, tsunami inundation zone.
4. Protect free and clear ocean access.

Mahalo for considering my testimony in opposition of SB 1334.

**SB-1334-SD-1**

Submitted on: 2/27/2021 5:46:43 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alex Kagawa	Individual	Oppose	No

Comments:

While I am supportive of OHA's and all other organizations whose mission and purpose is to better the conditions of native Hawaiians, maintaining access to Hawaii's shorelines is vital to all people of Hawaii, therefore I OPPOSE Senate Bill 1334 SD1 as it would allow residential development in Kakaako makai.

This isn't solely about whether OHA should be given equal opportunity to build residential developments in Kakaako makai just as other developers have done on the mauka side.

This is about the lack of proper guidance, agreement and better communication on all long range development in Hawaii. Luckily, our state laws already provide this guidance structure in Chapter 226 known as the Hawaii State Planning Act. The law was intended to have periodic and comprehensive reviews every to keep it current with the times, though long overdue, the chapter still provides thoughtful direction on long-range development plans for Hawaii. It seems that development is scattered, out of control, and out of sync. Hiding behind the facade of providing affordable homes, the development projects like luxury residential buildings, are based solely on profits and payoffs.

Thoughtless development is straining our water resources, landfills, sewer systems, roads, utilities, open spaces, fishing areas, etc. and we are losing our ability to be self-sustainable (ahupuaa).

Who is really caring for our land, shorelines and ocean ? Who are the people developing on these lands ? Do they respect the hawaiian culture ? Look at all the future development that is being proposed for Kakaako, the tiny open parcels that developers were required to keep as open space are miniscule compared to all the existing and future development. These tiny parks will not be able to sustain the new population from the onslaught of new luxury high rises in Kakaako.

Anyone born and raised here can sense that the island is hurting. It is evident everywhere you look, especially on Oahu. Neighbor islands will be next. Our mountain trails are overrun and worn. Soon our mountains will begin to erode faster. Our lands are also being disrespected in so many ways by those who want to bring their lifestyle here (e.g. flotillas at Ahu Moku, christmas bonfires in Maui, etc.). This dilution of



hawaiian culture is slowly eroding our beliefs and values that guide our decision making process.

Kakaako makai is not real land, most of it is filled land. I've heard that there were fishponds, salt pans, shallow reefs, and marsh lands where pili grass grew. Little-by-little, the area, and culture, were buried. Can we work on bringing some of this back ?

Those who are looking to develop the makai lands should spend some time walking down Ward, Cooke, Koula and South streets and as you near Ala Moana Boulevard, you can sometimes hear the fresh water streams or auwai that are buried underneath the roads. These ancient waterways are like the blood in the veins of old Hawaii.

Maybe it's time to give OHA a better deal, maybe the Kakaako makai trade wasn't a good deal after all. Can we explore other options to satisfy the State's obligations to OHA ? Are there other lands that can be provided that are more suitable for OHA's mission ?

Maybe if Hawaii could focus more on offshore developments that would bring money into the state instead of increasing thoughtless development on our limited lands and shorelines. The profits brought in from the outside will stay in Hawaii. Isn't this better than allowing outside developers to get rich off our lands, take their money out of Hawaii, and leave only low paying landscaping, maintenance, security guard, maid service jobs for Hawaii's people ?

For all development in Hawaii, especially shoreline developments, we need better guidance, better planning, and better communication to stop the desecration of our island State.

Thank you for the opportunity to submit testimony.

**SB-1334-SD-1**

Submitted on: 2/28/2021 11:31:49 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darlene Johns	Individual	Support	No

Comments:

I am in support of this bill for residential development and advocate for multi family mid or high rise (towers) at the Kaka'ako Makai properties. Residential re-zoning should be considered whenever possible, being that land is a major commodity for the development of Hawn Home Lands and is necessary to satisfy the long waiting list of beneficiaries for home placement. We continue to grapple with housing shortages. Therefore we should amend zoning laws to allow for multi-family properties (duplex, condos, etc.) There are cities throughout the country with this same issue of housing shortages who have amended their zoning laws. Hawaii needs to think similarly especially given how little developable land there is on the islands. I for one, as a beneficiary, would be interested in a condo (if granted) at the Kaka'ako Makai properties. Mahalo, Darlene Johns, Moloka'i

**SB-1334-SD-1**

Submitted on: 2/28/2021 12:36:34 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard T. Porter	Individual	Oppose	No

Comments:

I strongly oppose SB1334 for the following reasons:

1. The construction would be in a flood plain.
2. Erecting high rise buildings close to the ocean is aesthetically disasterous. Look at what that has done to Waikiki - you can't see the ocean from Kalakawa Avenue for blocks and blocks because of high rise buildings.
3. This validates the terrible precedent set in Waikiki by allowing the hotels to completely block the view of, and access to, the ocean and beaches by Hawaii residents.
4. If this blocking view of and access to the ocean and beaches by Hawaii residents is considered desirable by the Government, then we need a new Government.

**SB-1334-SD-1**

Submitted on: 2/28/2021 12:55:31 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linn Merlitti	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334:**

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA’s Kaka‘ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 2/28/2021 1:56:08 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Benyshek	Individual	Oppose	No

Comments:

Aloha,

I am writing to express my strong opposition for SB1334 SD1, which would lift the current restriction against residential development in Kakaako Makai and allow the raising of the building height limit for two of the six parcels owned by the Office of Hawaiian Affairs to four hundred feet. Kakaako Makai is the last public oceanfront land in urban Honolulu and should be preserved and protected. The community has seen overwhelming support in taking action AGAINST SB1334 and that should be recognized. The Surfrider Foundation is dedicated to protecting beach access rights for all people. You, the legislators and the Office of Hawaiian Affairs, have a huge responsibility as stewards of this land to respect and preserve its history. Please oppose this bill and help us protect Hawaii's shorelines and our right for free and clear ocean access.

Thank you for your time and consideration.

Elizabeth Benyshek

Vice Chair, Surfrider Foundation Oahu Chapter

**SB-1334-SD-1**

Submitted on: 2/28/2021 3:52:08 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christine A Serafin-Clothier	Individual	Oppose	No

Comments:

As a resident of lower Makiki and a property owning taxpayer I am writing in OPPOSITION to the request by OHA to negate the statue protecting the Kakaako shore line and allow structures of up to 400 feet.

Though I have only lived in Honolulu since 1995 I have always been struck by the concern for protecting the land, 'The Sense of Place' even here in the commercial part of the island. And it is a unique irony that the one group the should be at the forefront is seeking this change. A previous administration gave them the short end of the stick but they need to seek an exchange of property that can satisfy there need for low income housing and additional income. Not to defile further this shoreline.

Respectfully submitted,

Christine A. Serafin-Clothier

**SB-1334-SD-1**

Submitted on: 2/28/2021 4:23:37 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Legrande	Individual	Oppose	No

Comments:

These are precious lands and this development, even tho only 2 parcels of the 6, would set an horrendous precedent for ravaging this coastline. We fought strongly in 2005 to prevent the building of towers on these lands. Please do not approve towers makai of Ala Moana Blvd. OHA has smart people; these smart people need to figure it out. No sacrifices here, please. Thank you. Linda Legrande

**SB-1334-SD-1**

Submitted on: 2/28/2021 4:27:37 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christian Squire	Individual	Oppose	No

Comments:

I oppose bill SB1334 to Protect Hawaii's Shorelines.

Kaka'ako Makai public oceanfront lands is not the right place to build 400 ft private residences. This would cause

contaminated soil, and loss to beach and ocean access. With sea level rise and being in a tsunami inundation zone, this is not a sustainable development.



**SB-1334-SD-1**

Submitted on: 2/28/2021 5:32:35 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Iwai Jr.	Individual	Oppose	No

Comments:

Date: March 3, 2021

To: Senate Committee on JDC/WAM/WTL

Re: Opposition testimony to SB 1334

Mr. Deepak Neupane, Executive Director of the Community Development Authority (HCDA), in his enlightening testimony on SB1334, clearly pointed out the strong public opposition of any residential development within Kakaako Makai. Because of the public outcry, the Legislature amended HRS 206-E that prohibited residential development in Kakaako Makai. HCDA then organized a broad-based community working group (**that also included an OHA representative**), that worked 5 years and held over 40 public hearings and agreed upon the following 14 guiding principles for Kakaako Makai:

1. Establish Kakaako Makai as a community cultural gathering place,
2. Base the framework on Hawaiian culture and values of the ahupuaa,
3. **Protect, preserve, and perpetuate the open view plans,**
4. Preserve, restore and maintain coastal and marine resources,
5. Expand park and green space,
6. **Provide open and full park access within and around the parks and ocean shoreline,**
7. Ensure public safety, health and welfare,
8. **Public land-use legislation – Public use of public lands in the public interest,**
9. Ensure that Kewalo Basin Harbor's identity is retained,
10. Cultural facilities that offer public enrichment activities,
11. Apportion a limited number of small local businesses to assist in cooperatively sustaining Kakaako Makai's public use facilities,
12. Site design guidance – A Hawaiian sense of place in landscape, setting and design,
13. **Community/Government planning partnership that places the public interest first and foremost, and will strive to uphold the greater good of the community,** and
14. Assure and assist viable and sustainable operation of public uses and facilities on state public land in Kakaako Makai through public/private partnerships and

501(c)(3) non-profit management, similar to successful park conservancies and their stewardship programs.

I highlighted items 3,6,8, & 13, not necessarily because these are the most important, but because it “places the public interest first and foremost...” essentially for the greater good of the community. SB1334 that proposes high rise residential development, initially on 2 and possibly 6 of their parcels at a later time, and the option to sell these parcels to the “highest bidder” now or in the future is misguided. The precedent it will also set to allow other parcel holders to pursue similar high rise residential development will eventually result in an extension of “Waikiki” where public access to the shoreline will become limited and/or restricted. Housing development is important but other lands mauka of Ala Moana Blvd is the better option. Extending Waikiki into Kakaako Makai is not the answer. “Keep Waikiki in Waikiki!” by following the guiding principles that were created by the community for the community. Mahalo.

Thomas Y. Iwai Jr.

TI2AquaMan@gmail.com

Island Aquaculture & Aquaponics

**SB-1334-SD-1**

Submitted on: 2/28/2021 5:44:08 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
GERALDINE S.L. CHOCK	Individual	Oppose	No

Comments:

As a local born citizen, I vigorously oppose further development of the Kaka'ako area. Further development of the area will continue the momentum of over-crowding, draining of natural resources such as water, overtaxing other infrastructures of the city such as sewer lines, and reducing the overall the beauty of the island as well as jeopardizing the shoreline. The over development of the area has already caused an eye sore to the local community. Enough is enough, we do not want our beautiful island to look like Miami!

**SB-1334-SD-1**

Submitted on: 2/28/2021 6:05:16 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean Panquites	Individual	Oppose	No

Comments:

I am writing in opposition of SB1334. I strongly believe we need to protect Hawaii's shorelines. There are a hand full of beach parks that local residents are able to enjoy. Home, rentals, and buildings have taken over our shorelines. Kaka'ako has changed for the worse and is littered with high rises that are not favorable for local families. I am born and raised on O'ahu and growing up the beach was always a place for us to enjoy with family and friends. As I grew up I have seen Kaka'ako change. Some changes was for the better, the improvement of Kewalos and Kaka'ako park. Both of these places were dirt, gravel, and coral empty lots with large boulders and high mounds on crushed coral and dirt. Now these places are beautiful parks, for everyone to enjoy. Kewalos is a placed loved by many. So loved that these people have taken it upon themselves to protect and care for the park. To take these places away or to continue to develop these areas with shops or private residences will be a shameful thing to do. Slowly, O'ahu is losing its beauty to over development of buildings near our shorelines. I say enough building near shorelines and in Kaka'ako. Furthermore, private residence near our shorelines in dangerous due to living in a tsunami zone. Also, The development and residence near our shorelines is bad for the ocean with all the pollutants that will enter the ocean during development. Private residence will also introduce pollutants such as pesticides and chemicals through runoffs. Again I strongly oppose SB1334.

**SB-1334-SD-1**

Submitted on: 2/28/2021 6:42:21 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charles Knight	Individual	Oppose	No

Comments:

I oppose SB1334. Laws were passed in 2005 to prevent exactly what SB1334 is trying to overturn. SB1334 allows the heights of buildings in Kaka'ako area to increase from 200 feet to 400 feet. This will drastically increase the population, traffic and noise in this already congested area. SB1334 allows development of the shoreline of public land given to OHA without rezoning. The bill also allows the sale of these public lands to others which was never the intentions of the general public. Please do not pass SB1334.

**SB-1334-SD-1**

Submitted on: 2/28/2021 11:45:13 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kate Paine	Individual	Oppose	No

Comments:

How many reasons are there not to pass this bill fwd: flood zone, view plane loss, loss of open space, further stress on already over capacity sewer system, no residential on makai side promise, etc. All OHA pr reasons are being posted on social media to sugar coat what cannot be justified for anything but ill-gotten, short term profits. Since 2005 the public has made it clear: open space makai of Ala Moans.

**SB-1334-SD-1**

Submitted on: 2/28/2021 8:10:08 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
FRANK ABREU	Individual	Oppose	No

Comments:

ALOHA,

I grew up surfing Oahu's south shore since seven years old. I have seen the landscape of town change over the years and I'm 44 years old now. I feel I have to say something now before its to late. Please stop the development of kewalos and our town shorelines. Its public lands for all of us to enjoy with our friends and family. We don't need more building making the natural beauty of Hawaii extinct. Let us do what is right and preserve what is left and have a place to take our friends and family. Thank you

FRANK JVK ABREU

**SB-1334-SD-1**

Submitted on: 3/1/2021 12:39:49 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Yoshizumi	Individual	Oppose	No

Comments:

Aloha,

**I strongly oppose SB1334.** In 2005 there was an attempt to build luxury condos on Kakaako Park. We the People came out in force to prevent this development proposed by Alexander and Baldwin. As a result a law was passed banning residential development in Kakaako Makai to protect and preserve the last ocean front land in the area.

Now I understand OHA wants to change the law to allow for building residential condos on the land that was given as a settlement from the government. I understand the need for housing but I ask you is this the right place for this type of development? Do we need 400 feet residential condo in this area? As you look at all the development across Ala Moana Boulevard, is this what we want here? If the law is changed to allow residential development, the government could also sell parcels of Kakaako Park for this type of development as they tried in 2005. Please stop SB1334 now!

Mahalo,

Marvin Yoshizumi



**SB-1334-SD-1**

Submitted on: 3/1/2021 9:01:03 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelly Gunn	Individual	Oppose	No

Comments:

I OPPOSE the proposed ban lift on this residential development to raise the current height limit.

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:01:59 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Camile Cleveland	Individual	Oppose	No

Comments:

I strongly oppose this bill.

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:24:47 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darren Tanaka	Individual	Oppose	No

Comments:

In 2006 the Legislature recognized the importance of protecting the costal areas of our islands and they wisely passed legislation restricting residential development in Kaka’ako Makai. In 2012 and 2014 they acted again this time in opposition to grant a waiver to allow residential development. I am asking you to do the same again and OPPOSE SB 1334.

OHA accepted a land deal in 2006 with a law in place (for 6 years prior to them accepting the deal) to protect the coast line in Kakaako. That law was passed to serve the majority of the people and shouldn’t be changed to serve a small group of people. Whatever was implied and/or expected at the time they accepted the States offer is irrelevant and OHA shouldn’t assume they are entitled the the rule change.

During the time immediately after the law (prohibiting residential development in Kaka’ako makai) was passed OHA participated in the working group that came up with the 14 guiding principles for the development of Kaka’ako. None of these principles recommend residential development in Kaka’ako Makai.

OHA would have us believe that this isn’t a “public land” issue and this land is in a private trust. But in reality this is a public land issue. OHA does not pay taxes on these properties and they would still require legislative approval to sell anything because it’s public land. The fight is the same as it was in 2006 “Public Land Is Not For Sale” only the names have changed from Alexander&Baldwin to OHA.

Also suggesting things are not equal with Mauka land owners is a twisted narrative, of course things are not equal and it shouldn’t be that is why there was a law passed to create that difference between Mauka and Makai.

Additionally I would like to add that this is not a “not in my backyard issue” this applies to development in any area that has development issues that impact our our coastlines and access to the ocean.

Respectfully,

Darren Tanaka



**SB-1334-SD-1**

Submitted on: 3/1/2021 9:28:41 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
E Yeh	Individual	Oppose	No

Comments:

Please help preserve our ocean access and safeguard it's health by developing and building responsibly. The Kaka'ako area has undergone continuous development and is a highly desirable area for many reasons - and as such, we should be extremely strict in ensuring high standards that protect our unique natural resources. Simply because something is legally permissible does not mean it should be approved - the impact of additional high density residential buildings in this area will restrict access and availability to one of the few convenient multi-use ocean areas in town. The cost of requiring projects to be done responsibly with minimal environmental impact and preserving ocean access for all is a small cost compared to the irreparable damage that could be done to one of our most valuable resources.

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:34:09 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carl J. Berg	Individual	Oppose	No

Comments:

I oppose SB1334 which would lift ban on residential development in Kakaako/Kewalos beach front and raise the current building height limit

**SB-1334-SD-1**

Submitted on: 3/1/2021 10:03:38 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Craig Jerome	Individual	Oppose	No

Comments:

To Whom it May Concern:

I write in strong opposition to SB1334. The Kakaako Makai public oceanfront lands are not the right place to build private residences. Doing so would only put the desires of the wealthy above the interests of the people of the State of Hawaii. We must protect what little remains of our public shorelines, including by keeping the restrictions on development that already exist in Kakaako Makai. These are our public lands, and they are cherished by the community that uses them.

**SB-1334-SD-1**

Submitted on: 3/1/2021 10:10:08 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lawrence Sanoria	Individual	Support	No

Comments:

The state of Hawaii transferred the property at Kakaako in order to satisfy a debt to OHA that they would not or could not pay monetarily. And then they tie OHA's hands so that they cannot make good use of the property. It just baffles me that on the one hand, the state acts like it wants to help the Hawaiians and then on the other hand, they continue to stifle the Hawaiian people by not allowing them to determine their own destiny. These properties could potentially satisfy some of the people who are "wait" listed for property for Hawaiian homesteads. Instead of receiving lands, people could be awarded leases for condominiums/apartments. People need places to live in and this might be part of a wider solution to reduce the homeless situation. Why is the state of Hawaii not showing its aloha for it's own people? I do not understand this and it really disappoints me that we can be so giving of ourselves and our resources to take care of our visitors but we can't take care of our own. I urge this body to consider approval of lifting the restrictions on the use of Kakaako makai and let the Hawaiian people have to right to self determination so that they can figure out the best use for the property in order to maximize the benefits to the people. I don't believe it would cost the State of Hawaii too much in terms of expenditures.



**SB-1334-SD-1**

Submitted on: 3/1/2021 11:17:44 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Isaiah	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

I realize that the 2006 law prohibits housing, but laws can be change/revised. Kanaka Maoli occupied that area for years before development happened. The housing crisis continues for most residents of Hawaii but even more so for Native Hawaiians. With more and more non-Hawaii residents purchasing properties and homes that are ridiculously priced and unaffordable, dreams of owning a home is far out of reach. We do need more affordable housing and allowing OHA to make it available to our Native Hawaiians on the Kaka`ako properties.

Mahalo nui for your consideration!

**SB-1334-SD-1**

Submitted on: 3/1/2021 1:15:16 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kealii punley	Individual	Oppose	No

Comments:

I strongly oppose this bill.

**SB-1334-SD-1**

Submitted on: 3/1/2021 1:32:41 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Philip Kitamura	Individual	Oppose	No

Comments:

I strongly oppose SB1334, which would enable and encourage the use of public waterfront land (one of the few areas left of its kind) for private development of high-rise condos. I strongly oppose the increase of height limits, as well as lifting the ban on residential development of Kaka'ako Makai. As a regular bodysurfer of Point Panic, this is the only area (HAR 13-254) we have in the STATE to practice our kaha nalu (bodysurfing). Therefore, it is the only place where bodysurfers convene regularly. While the Point Panic parcel is not currently targeted for residential development by OHA, this law followed by sale of the Point Panic parcel with another height exception, would allow that part of the city park to be sold and developed as a 400ft residential building. Please recognize that the collective voice of the people do not want more residential buildings in this area.

**SB-1334-SD-1**

Submitted on: 3/1/2021 1:37:19 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

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

Comments:

Dear Senators,

I **STRONGLY OPPOSE** SB1334; but since I'm not a developer, I have doubts that my opposition will carry much weight.

The view of the horizon from the top of Punchbowl will soon be obliterated with towers on the mauka side of Ala Moana Blvd in Kaka'ako. Now you are proposing to allow a precedent for monstrously tall buildings on the last public oceanfront parcels on the makai side?

Sometimes it is worth looking at the aesthetic success of other communities when it comes to preserving the coastline for all Hawaii residents; not just the people who can afford an expensive hotel room or a luxury condominium on the waterfront.

The city of Nice, France has known for several hundred years how not to ruin their waterfront along the Mediterranean Sea. One can drive for miles with beautiful beaches on one side and buildings on the other.

The shores of urban Honolulu are already **plastered with enough cement, concrete, and asphalt on land that is off-limits to the general public**; so please do not set any of the precedents that WILL be established with the passage of SB 1334.

Thank you for your kind consideration.

Sincerely,

Denise Boisvert

Waikiki (the model of what not to make of the makai side of Kaka'ako!)

**SB-1334-SD-1**

Submitted on: 3/1/2021 2:23:00 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hali Ojeil	Individual	Oppose	No

Comments:

I oppose SB1334, which would enable the use of public water front land for private development of high-rise condos.

Please acknowledge that the collective voice of the people strongly oppose SB1334.

**SB-1334-SD-1**

Submitted on: 3/1/2021 2:20:54 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gordon B. Lindsey	Individual	Support	No

Comments:

I strongly support SB 1334 for many reasons

**SB-1334-SD-1**

Submitted on: 3/1/2021 2:45:37 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory Nojima	Individual	Support	No

Comments:

Aloha Committee,

I am **STRONGLY IN SUPPORT** of SB1334 humbly asking for residential development to be allowed in Kaka'ako Makai. I believe the Office of Hawaiian Affairs (OHA) will be developing that area in the best interest of Native Hawaiian's and providing much needed housing in a very tasteful way. Our Hawaiian People are in need of affordable homes and OHA would be able to meet some of those needs.

I humbly ask that the Committee **PASS** SB1334 for our Native Hawaiian People.

Mahalo piha,

Cory M. Nojima

**SB-1334-SD-1**

Submitted on: 3/1/2021 3:07:23 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roselani Oga	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.



**SB-1334-SD-1**

Submitted on: 3/1/2021 4:20:58 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adam Meredith	Individual	Oppose	No

Comments:

Enough is enough! Development over Hawaiian owned lands has gone too far and building over Point Panic Beach Park is completely outrageous. As a second generation bodysurfer, I strongly oppose building over this beach park and any other developments on any other parks and Hawaiian owned lands. Point Panic is a historical monument of Oahu as it is the only break designated for bodysurfers only and I have a vast respect for the community that works to keep it that way and raises awareness on the beauty of the sport/passion of bodysurfing. Please do not pass this bill as it would be both a tragedy and a tremendous loss to the bodysurfing community and to the Hawaiian people as whole. Mahalo for reading!

**SB-1334-SD-1**

Submitted on: 3/1/2021 4:26:36 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kawehi Correa	Individual	Support	No

Comments:

It's critical that OHA be offered the same rights as other developers in the same community. The ability to use urban core Honolulu Kakaako lands at its highest and best use to be able to provide to its constituents the maximum value. OHA should be afforded what has been offered to developers in Waikiki, Kakaako Mauka, Ward, and Ala Moana. To limit their use is to limit the use for the community at large and its constituents.

Mahalo,

Kawehi Correa

**SB-1334-SD-1**

Submitted on: 3/1/2021 4:21:55 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
makani p feeney	Individual	Oppose	No

Comments:

Aloha,

I strongly oppose SB1334 which would raise building heights and make certain areas available for public sale in the Kaka'ako area. First of all, I love the ocean and the area makai of Ala Moana Boulevard and use it regularly. I hope to one day spend time there with my children and grand-children. The development of this area would greatly change that future. Perhaps not tomorrow, but for future generations I am positive this bill would change that. Please do not allow OHA to just become another money-chasing entity, although it looks like that has already occurred.

Mahalo for your time,

Makani Feeney

District 10

**SB-1334-SD-1**

Submitted on: 3/1/2021 4:26:47 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Kanealii	Individual	Support	No

Comments:

March 1, 2021

Aloha Hawaii State Legislators,

My name is Diane "Maka'ala" Kanealii, I am a life long resident of Hawai'i island and humbly request your support of **SB1334 SD1** as the current residential prohibition on the Kaka'ako Makai lands owned by the Office of Hawaiians Affairs (OHA) for benefit of Native Hawaiians for self-determination.

The lands in Kaka'ako are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit rightfully reclaimed Indigenous land and Indigenous organization from building housing on it, in the midst of a housing crisis and global pandemic, is another slap in the face to the entire Native Hawaiian community.

OHA is working to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in **past due** income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million.

Senate Bill 1334SD1 would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

Our family supports Hawaiian self-determination and management of Hawaiian lands and I humbly request that this measure is passed out of your committees.

**Mahalo Nui,**

Diane Maka'ala Kanealii



Testimony in support of SB1334

Aloha mai Chair Rhoads and Committee Members,

I am writing to request your support for SB1334 Hawaii Community Development Authority. I am a land & energy developer with local and international development experience. My company, IDG, specializes in working with indigenous communities in developing assets they own by advising in raising capital, project management and structuring partnerships. IDG operates under the United Nation's Declaration on the Rights of Indigenous Peoples (UNDRIP) business model that recognizes the international human rights of the indigenous peoples to develop and benefit directly from their economic, social, & cultural rights including land & resources. As the host culture, the Native Hawaiians have a strong presence in the island & statewide community. Their voices are heard at the State Legislature, City & County Council & Private Sector. The Native Hawaiian culture continues to be "commodified" in this State for the purpose of economic development. More specifically, the tourism industry utilizes our cultural knowledge and practices to promote Hawaii as a premiere tourist destination.

This Committee has the awesome opportunity to grant OHA the same development rights awarded to other developers in the Kaka'ako area. I am hopeful that your committee recognizes the awesome opportunity that OHA has to optimize full development of their Kaka'aako Makai lands.

I am very concerned about the fact that a US mainland company, Howard Hughes, was able to capture the luxury housing market in Kaka'ako with permits to build 22 Towers. How does that happen? They are making huge profits and capitalizing on using old infrastructure from the time I was a kid growing up in Hawaii in the '60's & 70's. How does that benefit the local people who are taxpayers and the fabric of our community? Most of the local residents can't afford these expensive apartments.

<https://www.staradvertiser.com/2021/01/18/hawaii-news/plans-for-2-more-ward-towers-set-for-review/?HSA=586391343e9cde8b614b3bb95c7de317d460e9ed>

Yet, directly across the street 100 feet away, the Office of Hawaiian Affairs (OHA), is being denied the same privileges as these foreign corporate entities. OHA in "good faith" entered into a settlement agreement for Kaka'ako Makai lands (30) acres, with the State of Hawaii for passed arrearages in the amount of \$200 million that the State owed to OHA for its pro rata share from the proceeds of the Public Land Trust (PLT), better known as the Ceded lands revenues.

Moreover, being denied the same development zoning rights that the Kaka'ako Mauka developers are being granted is not only "unfair" but ethically wrong. OHA should be granted the same zoning designations for residential use and height restrictions lifted in parity with the foreign developers.

OHA has the awesome opportunity to create a destination for its beneficiaries, the Public and our guests. This will bring tax revenues, create jobs and create a place for all to enjoy. They have an obligation to steward their lands to provide a future for their beneficiaries for generations to come. OHA has the rights to optimize its lands highest & best uses. They have not been afforded the same opportunity as their neighbors across the street. I find this to be politically suspect and wreaks "institutional racism" at its worse. This is not the Hawai'i we want for our keiki. We want a kākou relationship with all Hawai'i to enjoy what Hawaiians have to offer, our 'āina and culture.

I can guarantee you that should OHA be disallowed the same privileges as a "foreign" entity developing in Hawaii that there will be severe damages between the Hawaiian community and the State with crippling effects to our state economy. This goes to "good faith" for our community as a whole.

Since the pandemic the globe including Hawaii has experienced devastating effects to our communities and economy. We need solutions and fair play. I hope that you will consider the points that I have made to vote in support of this measure SB1334.

With kind personal regards.

Sincerely,

A handwritten signature in black ink that reads "Robbie Cabral". The signature is written in a cursive style with a large, looping initial 'R'.

---

Robbie Cabral  
Founder, Sr. Advisor  
Innovations Development Group, Inc.

**SB-1334-SD-1**

Submitted on: 3/1/2021 4:52:06 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Wagner	Individual	Support	No

Comments:

I only wish to say that not to permit Hawaiians to use their own lands in the way they choose is immoral. Period. There is simply no justification for conquerers in the year 2021 to continue to exert their power over the conquered by the mere force of history. Here, the conquerers have an opportunity to do the right thing and to correct so many wrongs that have been done to Hawaiians. Please let's use this opportunity.



**SB-1334-SD-1**

Submitted on: 3/1/2021 5:03:27 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aaron Alapai	Individual	Support	No

Comments:

I support OHA exploring all options to maximize revenues in Kaka'ako Makai to best serve our beneficiaries.

Therefore, support the raising of the building height limit for two of the six parcels.

Thank you for your diligence.

**SB-1334-SD-1**

Submitted on: 3/1/2021 5:21:48 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
SEAN SPENCER	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1. Nuff Said!!**

**SB-1334-SD-1**

Submitted on: 3/1/2021 5:31:54 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Amato	Individual	Oppose	No

Comments:

I am writing in opposition to SB1334. Please vote to preserve the shoreline and skyline in Kakaako. This city has changed so much in the last 10 years. We need to retain a sense of "Place". Mahalo -Daniel

**SB-1334-SD-1**

Submitted on: 3/1/2021 5:33:32 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Napua Ahsing	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.** For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 3/1/2021 5:49:27 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
claire bailey	Individual	Support	No

Comments:

I am in support of this bill SB1334 to release the \$200 million for Kaka'ako.

**SB-1334-SD-1**

Submitted on: 3/1/2021 5:51:17 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alvin AKEE	Individual	Support	No

Comments:

Aloha Senators:

I STRONGLY SUPPORT SB1334 SD1 because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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I support Hawaiian self-determination and Hawaiian management of Hawaiian lands. For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 3/1/2021 6:07:38 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darryl Nordstrom	Individual	Oppose	No

Comments:

I strongly oppse this bill. Please keep this land from being developed into luxury condos and more luxury stores, and away from the people of Oahu.

Ron Iwami of Friends of Kewalos did an excellent job of summarizing why this bill should

not be allowed to move forward.

There are much better ways to develpe this land for ALL people of Hawaii.

Please do not allow big money and greed to decide the fate of Kakaako Makai.

I beleive we all would benefit from a more open and transparent plan to developpe this land.

Mahalo for you time and consideration

Darryl Nordstrom

**SB-1334-SD-1**

Submitted on: 3/1/2021 6:11:42 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thalya DeMott	Individual	Oppose	No

Comments:

Oahu's public oceanfront lands are not appropriate for extreme high-rise residential development when we need to protect our precious remaining shorelines for public use and the enjoyment of future generations.



**SB-1334-SD-1**

Submitted on: 3/1/2021 6:24:34 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaulu Luuwai	Individual	Support	No

Comments:

Aloha honorable members of this joint committee hearing,

I am a Native Hawaiian law student at the William S. Richardson School of Law and I support this measure. This bill could lead to development that would result in actual value for Office of Hawaiian Affairs beneficiaries as intended by the Kaka'ako Makai land exchange. OHA funds many great programs with its limited budget and could do so much more for Native Hawaiians with increased revenues.

If this bill does pass, however, the legislature should ensure that any resulting development will include workforce housing for Native Hawaiians/local families. Hawai'i cannot handle any more luxury towers while kama'Ä• ina continue to be pushed out. Especially as the people of Hawai'i feel the impacts of the pandemic, which has led to COVID refugees increasing the market price of homes, now more than ever we need innovative solutions to workforce and housing issues.

Thank you for hearing this important measure.

**SB-1334-SD-1**

Submitted on: 3/1/2021 6:29:09 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Rodwell	Individual	Oppose	No

Comments:

Aloha! I am a long time resident of O'ahu, teacher and community member of Kaimuki area. I strngly oppose banning the limit of development in Kakaako. This area is barly recognizable after years of enjoying visiting Kakaako for its unique qualities, it now feels like a foreign place with the significant amount of development in recent years. I understand the need for growth but growth at this rate will turn Hawaii from a pleasant island place to a metroplis which first and formost will not be able to be supported by our curent natural resources or our ability to deal with any more increased watse. This has now become OVER development and is no longer healthy for our state and communities. I don't wish to live in the lovely island that I can home as if it were a metroplis inviting wealth gaps, increaed commercialism and increased waste. As a resident and community member I urge you to not support this bill and do your best to help Hawaii be sustainable. Mahalo!

**SB-1334-SD-1**

Submitted on: 3/1/2021 6:54:41 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Azia Bird	Individual	Oppose	No

Comments:

Aloha,

I am writing to voice my opposition in SB1334 regarding residential building on Kaka'ako Makai. This land needs to be preserved and protected not only for our generation, but our future generations- our keiki. As a surfer access to be able to enjoy and preserve this land and ocean is precious. How many of our native and local community are able to afford to live in these newly built properties that have already been built and gentrified in Kaka'ako, How much more environmentally can this land be impacted with more buildings? It is time we start preserving land instead of capitalizing off of it. Foreign profit does not profit our native and local communities. Preserving our land is an investment all of our native and local community benefit from, as well as those who visit. We do not need even bigger buildings that obstruct our views that only the privileged will be able to enjoy. That only certain pockets will profit from. That will environmentally impact our island that is already overly developed. I hope that when my children and their children grow up they will be able to enjoy Kaka'ako makai like I did growing up. I oppose SB1334.

Thank you,

Azia Bird

**CHAIR OF THE Senate Committees on Ways and Means,  
Judiciary, and Water and Land**

**Toby Tamaye**  
**888 Kapiolani Blvd. #1806**  
**Honolulu, HI 96813**  
**(808) 497-1228**  
**ttamaye@at-marketing.net**

Tuesday, March 2, 2021  
10:30am

**I SUPPORT SB1334 SD1**  
**SB 1334 RELATING TO THE HAWAII COMMUNITY**  
**DEVELOPMENT AUTHORITY**

My name is Toby Tamaye, and I am testifying in favor of SB1334 SD1. I am a current Kaka'ako resident in the Symphony Honolulu Condominium. I have lived in Hawaii for over 48 years and I am a Native Hawaiian. I am married with two daughters, aged 8 and 13 years old. I am President of AT Marketing, a 100% Native Hawaiian owned small business that has been operating since 2004.

I support the land use change that would provide OHA the opportunity to develop residential housing on our Kaka'ako Makai parcels. Not only will the development bring in revenue to support Native Hawaiians, but I would also be looking for Affordable Housing options that Kaka'ako Makai will bring.

Let me part of the solution and the potential of Kaka'ako Makai. I plan to take advantage of the opportunity to live, work and play there with my family and future generations. I have been living in the city of Honolulu since 1990, and it would be a dream to be part of OHA's vision for Kaka'ako Makai.

I urge the committee to pass SB1334 SD1. Thank you for this opportunity to testify.

**SB-1334-SD-1**

Submitted on: 3/1/2021 7:00:08 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Galen Fox	Individual	Oppose	No

Comments:

Chairs, Members,

SB1334 is the third effort to build luxury towers on state land adjacent to Kewalo Basin. We fought back against Lingle's attempt in 2005-6, and Abercrombie's in 2014-5. Now OHA is back again, trying once more "to build their hotels my father's and I once knew" on state land! So wrong! This is not what the Office of Hawaiian Affairs should be doing with its aina. Do a land swap. Build homes for native Hawaiian residents elsewhere on much more land. Keep this waterfront land for all Hawaii residents needing public park. We know -- you know -- Ala Moana isn't enough.

A keiki o ka aina.

**SB-1334-SD-1**

Submitted on: 3/1/2021 7:42:22 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bianca Isaki	Individual	Oppose	No

Comments:

Aloha Senators - I live in Kane`ohe. I oppose SB1334 because Kaka'ako Makai public oceanfront lands is not the right place to build 400 ft private residences and I'm worried about beach parking and access to the shoreline. Thank you.

Bianca Isaki

**SB-1334-SD-1**

Submitted on: 3/1/2021 7:53:15 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael G. Namocot II	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 3/1/2021 7:54:45 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charmain Alu Wong	Individual	Support	No

Comments:

I write in support of SB 1334 allowing OHA to develop its 30 acres in Kaka'ako Makai. OHA's intent is to develop this area in a manner that is prudent and creates the most value for its beneficiaries. The residential prohibition on these lands is wrong as OHA will be prevented from realizing the \$200 million due them from the State of Hawai'i. Developing this area creates economic opportunities for all residents of Hawai'i, promotes our Hawaiian culture, creates revenue for Native Hawaiians and addresses the housing crisis in Hawai'i.

Please pass SB 1334 which allows OHA to realize its noble mission to its beneficiaries and all residents of Hawai'i nei.



**SB-1334-SD-1**

Submitted on: 3/1/2021 8:14:22 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rae Sojot	Individual	Oppose	No

Comments:

I strongly oppose SB1334 which would encroach upon if not outright deny recreational usage of public waterfront land in Honolulu in pursuit of private development of high-rise condos. Public, recreational spaces are critical in urban core areas and yet are swiftly declining. I strongly oppose the increase of height limits, as well as lifting the ban on residential development of Kaka'ako Makai. We have seen how private, residential developments like Ko Olina Resorts curtail public access to beaches despite claims that access would not be denied. As a bodysurfer, I frequent Point Panic, the only area (HAR 13-254) *officially recognized and dedicated by the State* to practice kaha nalu, or bodysurfing. While the Point Point parcel is not currently targeted for residential development by OHA, this law followed by the sale of the Point Panic parcel with another height exception, would allow that part of the city park to be sold and developed as a 400ft residential building. This is unacceptable and shameful. Please recognize the collective voice of the people: We do not want more residential development. We want our recreational spaces saved for future generations. --Rae Sojot

**SB-1334-SD-1**

Submitted on: 3/1/2021 8:30:28 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karynne L C Morgan	Individual	Support	No

Comments:

I STRONGLY SUPPORT SB1334 SD1 because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.

For these reasons, I humbly request that this measure is passed out of your committees.

Karynne Chong Morgan

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:09:33 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kristofor gellert	Individual	Oppose	No

Comments:

I strongly oppose this bill. This land should. It be developed . It would be an eyesore to the coastline not to mention potential pollution and runoff.

**SB-1334-SD-1**

Submitted on: 3/1/2021 8:49:34 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Max Castanera	Individual	Support	No

Comments:

Aloha mai kakou,

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

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**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.** For these reasons, I humbly request that this measure is passed out of your committees. Mahalo for your time.

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:13:47 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mikyla Thomas	Individual	Oppose	No

Comments:

**Aloha nui kakou,**

**I am a 29 year old Native Hawaiian Mother of two young children and a south shore water woman. I have been bodysurfing point panics since I was little. I am the daughter of Bob Thomas who was the main person to push for a bodysurfing only surf spot enforced by the DLNR back in the 70's. I oppose this bill because I believe it does not benefit the general public and citizens of this island. It is not in Hawai'i's best interest to further gentrify our communities while allowing the working class population to feel further alienated in their homeland. Point panic is a place that local people gather to practice the Hawaiian sport of Kaha Nalu (Bodysurfing). This bill would decrease accessibility to this place. There is no need for expansion of industrial zones or to add many more stories to buildings. Increased development under the Capitalist system is undermining our resilience to natural disasters, and protecting our fundamental natural resources because it does not focus on maintaining the systems we do have. The Office of Hawaiian Affairs has proven their loyalty to corporations many times over the wellbeing of the Hawaiian people. It is a common understanding that OHA has a reputation of being far from a real representation of anything or anyone Hawaiian. Most of O'ahu's coastline already developed and data revealing that climate change will impact these cites, I believe it is in the State and County's best interest to not develop these places and take action to prevent the further abuse of Hawai'i's finite resources.**

**Mahalo for you time,**

**Mikyla Hi'ilani Thomas**

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:18:46 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kerry Long	Individual	Support	No

Comments:

Aloha kākou,

I write in support of SB1334, which provides that OHA can steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA has a right to approach this project from the trajectory of revenue maximization as this parcel of land was part of a settlement that ultimately compromised what the state actually owe's OHA by way of the state constitution. But I support this bill to lift the reins off of OHA because there is so much more potential in developing this parcel than revenue generation.

As a beneficiary of OHA I will advocate for affordable workforce housing, Hawaiian education support and cultural education as a part of this development. We all know there is a teacher shortage crisis in Hawai'i. I'd like to see a portion of the residential development be used to subsidize housing for teachers (or perhaps teacher recruits) who pursue and serve in Hawaiian language immersion education, in Hawaiian Public Charter Schools and in SPED. I'd love to see this as a cultural education site where students can engage in marine and maritime studies. I have many ideas actually, and I know that there are many others who have ideas about how this parcel could be developed in a way that provides solutions to various challenges we as a community are facing.

But no sense we push for these things at OHA if OHA can't develop the parcel with the autonomy they are due. Please untie OHA's hands to serve their beneficiaries and support the passage of SB1334.

Mahalo for your time,

Ilima Long

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:22:45 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael G. Dang	Individual	Support	No

Comments:

**Dear legislative members,**

**Thank you for considering my testimony encouraging you to support SB1334 to allow OHA to use the lands in a way as to realize the contemplated settlement value of \$200 million. Consequently, please**

**(1) Allow the raising of the building height limit for two of the six parcels owned by the Office of Hawaiian Affairs in the Kakaako Makai area to four hundred feet; and**

**(2) Lift the current restriction against residential development in Kakaako Makai to allow residential development by the Office of Hawaiian Affairs or by third parties to which the Office of Hawaiian Affairs conveys the parcels.**

**(3) Confirm that the federal and/or state government will remediate or cover all costs to remediate the environmental conditions of the land to residential and other minimum standards depending on the land uses planned. Confirm, also, that all such remediation costs are completely separate from the \$200 million settlement estimate.**

**(4) Provide additional settlement offers so OHA can realize the full \$200 million the legislature was trying to offer to settle certain claims by OHA, if the legislature cannot provide the land in a usable form or land uses for OHA to realize the \$200 million estimate.**

**My understanding is that one of the goals of this settlement was to enable OHA beneficiaries to receive the benefits of a stream of income from the settlement. From my real estate development leadership roles, including studies of the area, and leading the rezoning of KS' Kaka'ako lands, the best way to do this is to allow a mixture of uses in the area.**

**In this case, allowing people to live in buildings on just the few acres of this land contemplated can do this and spark a vibrant, living, breathing mixed use community that can bring new life to these lands once used in part for refuse. What a great restoration of vibrancy is possible if people are allowed to**

**live there again. It can help with the security of the area, too, by having eyes on the grounds.**

**The legislature could also require a small measure of affordable housing uses on the makai side HCDA. What if the legislature could require reservations of a portion of the residential uses for rentals to newly employed teachers, newly employed police, newly employed firefighters, medical students in residency, in their first years of work in Hawaii? Most other residential would need to be at market rental levels, though, to subsidize the costs of these other types of great community uses.**

**You folks can have a gem, a wonderful community there if you will allow some level of residential uses. Please approve SB 1334 SD1. Mahalo plenty. Mike Dang**



**SB-1334-SD-1**

Submitted on: 3/1/2021 9:22:54 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Gellert	Individual	Oppose	No

Comments:

Strongly oppose

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:36:52 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sandra C. Castell	Individual	Support	No

Comments:

I am an OHA beneficiary, and I strongly support SB 1334 SD 1, the raising of the building height limit for two of the six parcels owned by the office of Hawaiian affairs in the Kakaako Makai area to four hundred feet. This would lift the current restriction against residential development in Kakaako Makai to allow residential development by the Office of Hawaiian Affairs or by third parties to which the Office of Hawaiian Affairs conveys the parcels.

The purpose of receiving these parcels was to benefit the beneficiaries, such as myself. Hawaiians need a place to live. Hawaiians are having a housing crisis. The State has a fiduciary duty to Native Hawaiians. We have a right to self-determination, the right to choose where to live, work and play., and to manage our own lands. The current restrictions reduce the full benefit of \$200 million owed to OHA, and continues the marginalization of Native Hawaiians. This must end.

Yours truly,

Sandra Castell, 'Ewa Beach

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:37:04 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clarence Kalima	Individual	Support	No

Comments:

As a Native Hawaiian and beneficiary of the Office of Hawaiian Affairs I am in support of SB1334. There is a need for affordable housing in the urban core and the added revenue would support OHA's mission to improve the lives of Native Hawaiian people. I urge you to support this bill as well. Mahalo

**SB-1334-SD-1**

Submitted on: 3/1/2021 10:03:26 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JENNA PATAGUE	Individual	Oppose	No

Comments:

Aloha kakou,

I strongly oppose SB1334. This bill will be taking a precious parcel of public waterfront land, Kakaako makai. This area has changed throughout the years, but still has brought a lot of joy to many. I cherished this place because of Point Panic. This was the first place I learned to bodysurf and have fond memories fishing with my uncles. Many generations have learned the craft of bodysurfing here. This is the only area (HAR 13-254) in the state that allows bodysurfing. Please consider this to stay a public land so that our keiki and future generations can enjoy it. Let's keep Hawai'i beautiful and not blocked by high rises.

Ua mau ke ea o ka aina i ka pono.

Mahalo nui.

**SB-1334-SD-1**

Submitted on: 3/1/2021 9:39:03 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Drew Elwood	Individual	Oppose	No

Comments:

I oppose SB 1334 because kakaako waterfront park is a historical place and the only place in all of hawaii that is designated for bodysurfing. It is the mecca for this sport and generations have cherished this land/park and ocean access. Generations of families have shown their children and shared the love of this precious place to hopefully be able to enjoy it for many years to come. We need to protect Oahu and all of Hawaii's shorelines from further commercialization and gentrification . We must protect free and clear ocean access.

Regards,

Drew

**SB-1334-SD-1**

Submitted on: 3/1/2021 10:06:16 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Constance Keoahunui Uale Warrington	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.** For these reasons, I humbly request that this measure is passed out of your committees.

Mahalo,

Constance Keoahunui UAle Warrington

**SB-1334-SD-1**

Submitted on: 3/1/2021 10:09:19 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gloria Palma	Individual	Support	No

Comments:

Aloha honorable members of this joint committee hearing,

I am a Native Hawaiian law student at the William S. Richardson School of Law and I support this measure. This bill could lead to development that would result in actual value for Native Hawaiians beneficiaries of OHA as intended by the Kaka'ako Makai land exchange. OHA funds many great programs with its limited budget and could do so much more for Native Hawaiians with increased revenues.

If this bill does pass, however, the legislature should ensure that any resulting development will include workforce housing for Native Hawaiians/local families. Hawai'i cannot handle any more luxury towers while kama'Ä• ina continue to be pushed out. Especially during the pandemic, which has lead to COVID refugees increasing the market price of homes, now more than ever we need innovative solutions to workforce issues and housing.

Thank you for hearing this important measure.

**SB-1334-SD-1**

Submitted on: 3/1/2021 10:09:58 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Orion Kishimoto	Individual	Oppose	No

Comments:

I, Orion Kishimoto, OPPOSE SB 1334 because Kaka'ako Makai public oceanfront lands is not the proper place to build private residences. We need to stop and think about the environmental impacts this will have. Our climate is already changing in negatives ways such as increase of pollution, global warming, sea level rise, and toxic chemicals. The least we can do is prevent anymore damage to our oceans and ecosystems by not building private residences.



## **Passing SB1334, CD1 is long overdue. It's an issue of honesty and fairness by honoring a debt long owed.**

### **Let's review some facts:**

- ❖ In 1978 the people of Hawai'i voted to create the Office of Hawaiian Affairs to promote and protect the rights of Native Hawaiians, the first peoples of Hawai'i. OHA is the constitutionally established body responsible for protecting and promoting the rights of Native Hawaiians. OHA's responsibility and focus is on improving the conditions of Native Hawaiians through various strategic priorities.
- ❖ Hawaii's constitution established OHA's right to a pro rata portion of The Public Land Trust, 20% of revenues from ceded land, however, many issues relating to the fair allocation of the public land trust remained unresolved and disputed for nearly 30 years. In 2012, OHA and the State agreed to settle the State's past due public land trust revenue debt by conveying to OHA 30 acres of land in Kaka'ako Makai, with an appraised land value of approximately \$200 million.
  - OHA hired Medusky & Co., Inc. who valued the land at approximately \$193 million. In its appraisal report, Medusky acknowledged that residential uses are not allowed; however, 2 of the 5 comparable transactions used to determine the land value were residential.
  - The state's appraisal was done by the Hallstrom Group and was valued at approximately \$198 million. In Hallstrom's appraisal, it assessed the value of the Kaka'ako Makai lands by assuming a 400 foot height limit for Parcels E and I, which far exceeds the current allowable heights for these parcels. The state presented OHA with the value based upon its appraiser assuming they could build to the 400 ft level on Parcels E and I adjacent to Ala Moana Blvd.
- ❖ On February 8, 2012, OHA Chair Collette Machado indicated that while OHA preferred "a cash settlement," the settlement bill provided OHA with "an opportunity to obtain land assets that can provide a revenue stream that will increase OHA's capacity to deliver programs and services to our beneficiaries."
- ❖ During the 2012 Legislative Session, several legislators pushed for OHA's past due public land trust settlement bill to include the ability to develop residential housing in Kaka'ako Makai but this amendment was not advanced.

## **Passing SB 1334, CD1 is a step forward in making that exchange pono.**

Passing SB1334, CD1 allows the State to make whole its representation to OHA. OHA was given this land as payment for a more than 30-year debt of \$200 million. Almost 10 years later,

what is gained annually from these lands is a little over \$3 million net, far short of the potential promised. Passing SB1334, CD1 gives OHA a chance to move forward to realize that potential that was promised in the State's appraisal that represented that the potential value of this land included 400 ft buildings on lots E and I.

Like any other landowner, OHA deserves the right to determine the responsible use of their own lands--in this case, not for private gain, but for the betterment of the Hawaiian people through programs and services. Once the State offered and conveyed these Kaka'ako Makai lands as payment to OHA in 2012, they became Native Hawaiian trust lands. These are not "public lands" anymore but OHA has stated that it intends to make this place a "kipuka" for all.

If SB1334, CD1 is not passed, the State should pay OHA what is owed with interest, or offer OHA a land swap of comparable value currently available for productive use. It's the pono thing to do.

**SB-1334-SD-1**

Submitted on: 3/1/2021 11:01:33 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Braden Iwami	Individual	Oppose	No

Comments:

Aloha,

Please do not approve private development in kakaako makai. Kakaako makai should be developed for the public to use. Mahalo

**SB-1334-SD-1**

Submitted on: 3/1/2021 11:17:31 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Sojot	Individual	Oppose	No

Comments:

Aloha, I would like to quote from OHA's website regarding Kaka'ako Makai. "The ability to develop residences in Kaka'ako Makai will not only provide OHA with **increased revenue opportunities**, but also empower the agency to better meet the range of housing needs of Native Hawaiians **and the broader public.**" "We are evaluating **multiple project scenarios** that include **but are not limited to** affordable, workforce, kupuna and **market rate housing.**" When I read this my heart hurt. The first thing noted by OHA is the increased revenue opportunities. It's about the money - forgetting it is the 'aina that we need -- even more than market rate housing. Our 'aina is under duress from the lack of sustainability. There are many issues that could (and more likely would) arise if new buildings are allowed to be erected at the Kaka'ako Makai site. More tall concrete buildings to block the sea breezes from flowing inland. More buildings taking up land that needs to absorb the rain. More chances of runoffs into our ocean waters - affecting our marine life. More exclusion of Native Hawaiians from their 'aina in favor of those that can pay the large sums of money to live there. I am very tired of the many developers that promise affordable housing **IF** they are granted exemptions to various rules and regulations --ex. height variances, density variances, or if they are given certain tax credits or incentives. The sad part is that the promises seem to fade once the exemptions are granted or they are kept at a bare minimum. How many investors are eagerly awaiting the Makai development to get the go-ahead to buy their second or third or fourth investment property. I don't think my Uncle or many others will benefit from the development. It's the minority and not the majority. It's the ones doing okay, not the ones struggling. We need affordable rentals more than anything. Many Native Hawaiians are in the lower paying jobs and worry about making their monthly rent - not putting a down payment on a condo in Kaka'ako. OHA was aware of the prohibition of residential housing in Kaka'ako Makai when the settlement was made. But now that they see the growth of Kaka'ako, the cash register sounds are being heard. Take a survey and find out how many Native Hawaiians are in those pricey condos in Kaka'ako. Then, think how OHA can better help those Native Hawaiians elsewhere in Hawai'i. It feels as if we are being boxed out of our 'aina. Things are more geared towards those that have the money to pay. It's not always about the money. But, it's always about the 'aina. We need to protect it. Along with water, it's the 'aina that sustains and nourishes us. We don't need concrete covering our 'aina. Mahalo

**SB-1334-SD-1**

Submitted on: 3/1/2021 11:44:14 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Kobelansky Jr.	Individual	Oppose	No

Comments:

My mom had an expression that went like this: “if all your friends are gonna jump in the fire, are you gonna jump in too?”

Leaders of the Aina, are you increasing building heights thereby promoting development because you want to optimize the property like everyone else and become like everyone else, just to make a quick buck and party hearty?

Is this what our ancestors wanted?

I’m sure they would be very proud of you for building condos and high rises for preserving there culture and land that way.

And finally we have the saying:

The life of the land is perpetuated in righteousness.

Or

**“Ua mau ke Ea o ka Aina i ka Pono”**

It’s the **State’s motto**....remember?!

It used to mean something....

**Please oppose Senate Bill 1334.** Keep our land free and clear, low rise and affordable, and available for all to use for peace and posterity forever.

Much Aloha,

John Kobelansky Jr.

(Resident of Kaka’ako)



**SB-1334-SD-1**

Submitted on: 3/1/2021 11:44:19 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kapono Nailili	Individual	Oppose	No

Comments:

Aloha.

First, I am opposed to SB1334 because OHA does not represent the whole of the native Hawaiian people and they do not and should not get the final say when it comes to making a deal with the State in regards to the \$200million debt owed to the Native Hawaiians by the state for use of ceded lands. Secondly to grant OHA a free pass on building regulations by raising the height of a building from 200ft to 400ft, allowing residential developments ma kai of Ala Moana Blvd, as well as allowing them to sell PUBLIC land should they so choose, acts as a foot in the door to any developer to also bring their case as to why they should be granted the same building rights as OHA. We've seen this same thing happen millions of times in our history, you give an inch they take a mile. If they want to build above the height regulation and put up a residential building they can do so mauka of Ala Moana Blvd. Public lands are NOT for sale and any decision regarding such lands should involve the public voice and I'm not talking about holding a public forum for people to speak but rather a vote from the public to decide the outcome. OHA has no clear plan in place of how this bill will benefit the Native Hawaiian Community as a whole and the wording in this bill is vague.

*"The legislature finds that the ongoing transformation of Kakaako into a place where the people of Honolulu can live, work, and play should increase the revenue generating potential of the land conveyed to the office of Hawaiian affairs by Act 15 of the land and concomitantly increase the number of programs and kinds of services that the office of Hawaiian affairs was created and is able to provide for native Hawaiians. The legislature further finds that even more revenue could be generated to provide programs and services to better the conditions of native Hawaiians, if the office of Hawaiian affairs were permitted to develop some or all of the parcels it received under Act 15 for residential use."*

When they say "the people of Honolulu can live, work, and play" it makes it very clear who "the people" are that will live there. When they say "affordable" housing what does that mean? Whats the number? And if it is affordable how are they generating money for the Native Hawaiian Community?

If they chose to sell the land for income to provide "services" for the Native Hawaiians that money will eventually run out while the property that was sold will continue to generate income. How does this help us Hawaiians?

When you say "increase number of programs and kinds of services... to provide for the Native Hawaiians" what exactly does that even mean?

The wording is vague and this is not in the best interest of the PUBLIC and Native Hawaiians.

I oppose. I oppose. I oppose.

Na'u,

Kapono NÄ• 'ili'ili



**SB-1334-SD-1**

Submitted on: 3/2/2021 12:02:36 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kahealani enoka	Individual	Oppose	No

Comments:

My name is Kahealani Enoka and as a native Hawaiian I STRONGLY OPPOSE this bill SB-1334.

I was born in 1992 and my parents Kimo and Liz Enoka practically raised me just on the other side at the Ala Moana bowl, Rockpiles, and Kaiser's surf breaks. Throughout my entire childhood, my parents, sister and two brothers have occupied all these areas including Kaka'ako Makai for recreational use including surfing, fishing, diving, potlucks etc, since the 70's to this current day. Kaka'ako Makai shall remain as public land undeveloped and for recreational use to the public.

My reason(s) for opposing this bill are simply so that OHA protects and conserves what little portions of land we have left and by keeping them undeveloped. We have enough towers in this area, enough traffic, enough people. Preserve and mālama these lands we have left. Also as previously mentioned on page 3 line 20; "to enact this act to allow the office of Hawaiian affairs to maximize the income or proceeds that six of the parcels of land conveyed by act 15 could generate for the purposes of bettering the conditions of native Hawaiians, by allowing the parcels to be developed for residential use," this is not an effective way of providing or "bettering" the conditions for the native Hawaiian people. The excuse to "generate money" is a short term and not an ideal long term goal that will truly benefit the native Hawaiian people of Hawai'i.

I believe that OHA may provide programs and/or revenue in other ways, but NOT by developing on some or all parcels received for residential use.

'A'ole SB-1334!

**SB-1334-SD-1**

Submitted on: 3/2/2021 12:04:07 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kahealani enoka	Individual	Oppose	No

Comments:

My name is Kahealani Enoka and as a native Hawaiian I STRONGLY OPPOSE this bill SB-1334.

I was born in 1992 and my parents Kimo and Liz Enoka practically raised me just on the other side at the Ala Moana bowl, Rockpiles, and Kaiser's surf breaks. Throughout my entire childhood, my parents, sister and two brothers have occupied all these areas including Kaka'ako Makai for recreational use including surfing, fishing, diving, potlucks etc, since the 70's to this current day. Kaka'ako Makai shall remain as public land undeveloped and for recreational use to the public.

My reason(s) for opposing this bill are simply so that OHA protects and conserves what little portions of land we have left and by keeping them undeveloped. We have enough towers in this area, enough traffic, enough people. Preserve and mālama these lands we have left. Also as previously mentioned on page 3 line 20; "to enact this act to allow the office of Hawaiian affairs to maximize the income or proceeds that six of the parcels of land conveyed by act 15 could generate for the purposes of bettering the conditions of native Hawaiians, by allowing the parcels to be developed for residential use," this is not an effective way of providing or "bettering" the conditions for the native Hawaiian people. The excuse to "generate money" is a short term and not an ideal long term goal that will truly benefit the native Hawaiian people of Hawai'i.

I believe that OHA may provide programs and/or revenue in other ways, but NOT by developing on some or all parcels received for residential use.

'A'ole SB-1334!

**SB-1334-SD-1**

Submitted on: 3/2/2021 12:52:37 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Chinen	Individual	Oppose	No

Comments:

To all Committees involved,

I would like to ask you to strongly reconsider your decision of moving this forward. the public has not had the time to be fully and clearly informed on the matter at hand with the kakaako makai developments. I am fully in favor of our native hawaiians getting back what they deserve from the many generations of what they have had to endure and put up with given our sad hawaiian history. and it's with that in mind I am opposing SB1334. I am thinking for all the people of hawaii but specifically our native hawaiian generations to come in the future. I want to pass on to them a part of honolulu that is preserved and cared for in the midst of all the industrialism and development that neighbors it. Please don't erect any residential buildings up to 400 feet. I would like to ask you to look at alternative ways to use this precious land that preserves hawaiian culture, creates revenue for many generations to come, and provides a sense of place for all of Hawaii. Thank you so much! Aloha, Daniel Chinen

**Bruce Lum**  
**99-546 Iwaiwa Street**  
**Aiea, Hawaii 96701**

Committee on Judiciary, Way and Means & Water and Land  
The Thirty-First Legislature  
Regular Session of 2021

March 1, 2021

Aloha kākou committee chairs and members,

I am testifying in **full support of S.B. 1334 S.D.1**, because it is very clear that the position of the Office of Hawaiian Affairs wanting to move forward with their master plans for the two of nine parcels that the office was conveyed by Act 15 of the 2012 sessions laws is justified.

Nine parcels were conveyed to OHA, to settle certain claims against the State, regarding the Office of Hawaiian Affairs' longstanding claims to income and proceeds from ceded lands (1978-2012).

Much of the opposition to this bill has revolved around threats and issues that have been satisfied, or are solely anecdotal in nature, prejudicial, arbitrary or issues that will be properly and systematically vetted in the mechanisms and standards of the HCDA's development application process and procedures.

Furthermore, ACT 15 (2012) requires "The Properties are and shall remain (even after conveyance to the office) under the jurisdiction and authority of the Hawaii community development authority, with respect to zoning, land use conditions and all other matters over which the authority has jurisdiction and authority to act." This indicates that the proper controls have been put in place ahead of application by OHA to develop its master plan.

Threats to Kewalo Basin Park, Kaka'ako Park, Kewalos surf break and Point Panic surf breaks, and public access of the shoreline between Kewalo Basin Park to the ewa boarder of Kaka'ako park have melted away. Kaka'ako park provides a public access easement at and along the park's ocean line. With the transfer of Kaka'ako park to the city, clear ocean access will be preserved in perpetuity for generations to come.

Opposition has also been voiced in terms of contaminated soil, sea level rise, tsunami inundation zone, etc. Any developer would have to pass the rigors of HCDA and meet the bundle of standards and quality control requirements put in place by the state and city. These are future to-do items in a long list of pre and post development requirements that all developers must satisfy. It has been stated in various climate change reports that the elevation of the Kaka'ako mauka areas are of greater inundation risk than the makai side of Ala Moana Blvd.

**Bruce Lum**  
**99-546 Iwaiwa Street**  
**Aiea, Hawaii 96701**

Until any developer actually applies to the HCDA to seek approval for development, the real vs imagined concerns are just that... imagined and yet to be verified. Opposing S.B. 1334 S.D.1 on the basis of imagined concerns is not fair or logical. Even the 400ft height variance and residential design in OHA's master plan will be subject to two public engagements for review... one at the inception and one at the point of final decision making which requires a separate hearing. By amendments, ACT 15 §206E- (2012) mandates this of the Hawaii Community Development Authority.

It has been said that the nine parcels that OHA owns on the makai side of Ala Moana Blvd. are public lands. Well, that is simply not true. The title to those nine parcels have been conveyed to OHA in lieu of hard cold cash. Basically, the equity in those nine parcels is the real measure for the trade made to OHA. The titled parcels are owned by OHA not the public. In essence, ownership of the land is now in the hands of the original and rightful owners... native Hawaiians whom the US Congress, the state and the Hawaii State Constitution have codified in their laws as part beneficiaries of the Public Land Trust. PLEASE REFER TO THE ATTACHED, *"A Brief historical record of The Hawaiian Commissions Home Act 1920, Hawaii Statehood 1959, Hawaii State Constitution (1978 amended), and the HRS Chapter 10 that codified the Office of Hawaiian Affairs."*

My opinion is that granting OHA the ability to catch up and to carry out its purpose is an expression of legislative policy to satisfy the State's constitutional obligations to native Hawaiians under article XII, sections 4 and 6 of the Constitution. Furthermore, adopting S.B. 1334 S.D.1 would be an affirmation of the statehood compact that the Territory of Hawaii promised to keep with the United States of America, USCODE 48C3 Sec. 4 [Compact with the United States]. The purpose of the compact was, "...for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920".

Give the process a chance. Adopting this bill for an act would be just, fair and pono.

Mahalo nui loa,



Bruce Lum  
brlum@mac.com

Attached: *"A Brief historical record of..."*

**Bruce Lum**  
**99-546 Iwaiwa Street**  
**Aiea, Hawaii 96701**

*A Brief historical record of The Hawaiian Commissions Home Act 1920, Hawaii Statehood 1959, Hawaii State Constitution (1978 amended), and HRS Chapter 10 that codified the Office of Hawaiian Affairs.*

## **HAWAII DECLARED A STATE**

USCODE 48C3 Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4 (August 21, 1959)

### **A few conditions of statehood**

USCODE 48C3 Sec. 1. [Declaration of acceptance, ratification, and confirmation of Constitution.]

That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled 'An Act to provide for a constitutional convention,...

USCODE 48C3 Sec. 3. [Constitution.]

The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence...

...the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefore, approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

USCODE 48C3 Sec. 4. [Compact with United States.]

As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of the Constitution of said State, as provided in section 7, subsection (b) of this Act, subject to amendment or

**Bruce Lum**  
**99-546 Iwaiwa Street**  
**Aiea, Hawaii 96701**

repeal only with the consent of the United States, and in no other manner:...

### **PUBLIC LAND TRUST**

USCODE 48C3 "Sec. 5. [Title to property; land grants; reservation of lands; public school support; submerged lands.]"

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920,

### **THE HAWAII STATE CONSTITUTION 1978,**

ARTICLE XII HAWAIIAN AFFAIRS, THE HAWAIIAN COMMISSIONS HOME ACT

([https://www.capitol.hawaii.gov/hrscurrent/Vol01\\_Ch0001-0042F/05-Const/CONST\\_0012-0001.htm](https://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/05-Const/CONST_0012-0001.htm))

**Section 1.** ...the Hawaiian Homes Commission Act, 1920, enacted by the Congress, was adopted as a law of the State, subject to amendment or repeal by the legislature; provided that if and to the extent that the United States shall so require, such law shall be subject to amendment or repeal only with the consent of the United States and in no other manner; (from the Hawaii State Constitution of 1978)

**Section 2.** The State and its people do hereby accept, as a compact with the United States, or as conditions or trust provisions imposed by the United States, relating to the management and disposition of the Hawaiian home lands, the requirement that section 1 hereof be included in this constitution, in whole or in part, it being intended that the Act or acts of the Congress pertaining thereto shall be definitive of the extent and nature of such compact, conditions or trust provisions, as the case may be. The State and its people do further agree and declare that the spirit of the Hawaiian Homes Commission Act looking to the continuance of the Hawaiian homes projects for the further rehabilitation of the Hawaiian race shall be faithfully carried out. [Ren and am Const Con 1978 and election Nov 7, 1978]

**Bruce Lum**  
**99-546 Iwaiwa Street**  
**Aiea, Hawaii 96701**

**Section 4.** The lands granted to the State of Hawaii by Section 5(b) of the Admission Act and pursuant to Article XVI, Section 7, of the State Constitution, excluding therefrom lands defined as "available lands" by Section 203 of the Hawaiian Homes Commission Act, 1920, as amended, shall be held by the State as a public trust for native Hawaiians and the general public.

**Section 5.** There is hereby established an Office of Hawaiian Affairs. The Office of Hawaiian Affairs shall hold title to all the real and personal property now or hereafter set aside or conveyed to it which shall be held in trust for native Hawaiians and Hawaiians...

#### **OFFICE OF HAWAIIAN AFFAIRS**

codified by Hawaii State Legislature in 1980;

( [https://www.capitol.hawaii.gov/hrscurrent/Vol01\\_Ch0001-0042F/HRS0010/HRS\\_0010-0013\\_0005.htm](https://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/HRS0010/HRS_0010-0013_0005.htm))

#### **HRS [§10-1] Declaration of purpose.**

(a) The people of the State of Hawaii and the United States of America as set forth and approved in the Admission Act, established a public trust which includes among other responsibilities, betterment of conditions for native Hawaiians. The people of the State of Hawaii reaffirmed their solemn trust obligation and responsibility to native Hawaiians and furthermore declared in the state constitution that there be an office of Hawaiian affairs to address the needs of the aboriginal class of people of Hawaii.

(b) It shall be the duty and responsibility of all state departments and instrumentalities of state government providing services and programs which affect native Hawaiians and Hawaiians to actively work toward the goals of this chapter and to cooperate with and assist wherever possible the office of Hawaiian affairs. [L 1979, c 196, pt of §2]

#### **HRS §10-3 Purpose of the office.**

The purposes of the office of Hawaiian affairs include:

(1) The betterment of conditions of native Hawaiians. A pro rata portion of all funds derived from the public land trust shall be funded in an amount to be determined by the legislature for this purpose, and shall be held and used solely as a public trust for the betterment of the conditions of native Hawaiians. For the purpose of this chapter, the public land trust shall be all proceeds and income from the sale, lease, or other disposition of lands ceded to the United States by the Republic of Hawaii under the joint resolution of annexation, approved July 7, 1898 (30 Stat. 750), or acquired in exchange for lands so ceded, and conveyed to the State of Hawaii by virtue of section 5(b) of the



**Bruce Lum**  
**99-546 Iwaiwa Street**  
**Aiea, Hawaii 96701**

Act of March 18, 1959 (73 Stat. 4, the Admissions Act), (excluding therefrom lands and all proceeds and income from the sale, lease, or disposition of lands defined as "available lands" by section 203 of the Hawaiian Homes Commission Act, 1920, as amended), and all proceeds and income from the sale, lease, or other disposition of lands retained by the United States under sections 5(c) and 5(d) of the Act of March 18, 1959, later conveyed to the State under section 5(e);

(2) The betterment of conditions of Hawaiians;

(3) Serving as the principal public agency in this State responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians; except that the Hawaiian Homes Commission Act, 1920, as amended, shall be administered by the Hawaiian homes commission;

(4) Assessing the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conducting advocacy efforts for native Hawaiians and Hawaiians;

(5) Applying for, receiving, and disbursing, grants and donations from all sources for native Hawaiian and Hawaiian programs and services; and

(6) Serving as a receptacle for reparations. [L 1979, c 196, pt of §2; am L 1990, c 304, §§4, 16]

**Use of public land trust proceeds.**

HRS Chapter 10 §10-13.5; Twenty per cent of all funds derived from the public land trust, described in section 10-3, shall be expended by the office, as defined in section 10-2, for the purposes of this chapter. [L 1980, c 273, §1; am L 1990, c 304, §§7, 16]

**SB-1334-SD-1**

Submitted on: 3/2/2021 4:32:45 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leslie L.J. Reilly	Individual	Support	No

Comments:

Aloha,

As a Native Hawaiian, I STRONGLY SUPPORT SB1334 SD1 because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

I support Hawaiian self-determination and Hawaiian management of Hawaiian lands. For these reasons, I request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 3/2/2021 4:52:36 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan Willis	Individual	Oppose	No

Comments:

As a frequent user of Point Panics, I strongly oppose this bill. We don't need more high rises on the ocean front.

**SB-1334-SD-1**

Submitted on: 3/2/2021 4:54:46 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kanoë Willis	Individual	Oppose	No

Comments:

As a frequent user of Point Panics, I strongly oppose this measure.

**SB-1334-SD-1**

Submitted on: 3/2/2021 5:43:32 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Guy Chang	Individual	Oppose	No

Comments:

I do not support any residential building in Kakaako Makai. I also oppose the selling of public lands. We the people of Hawaii deserve to have the freedom to enjoy free access to the ocean and parks that have been there for generations of ohana. If you let one entity get a opportunity to do this, then it will only encourage more development in the area. Growing up in the many valleys and mountains that overlook the south shore, I am sure there are a lot of other people who are truly heartbroken that the beautiful ocean view that they once had is now just specks in between all the buildings. Please keep what little beauty we have left for future generations to enjoy.

TESTIMONY OF  
KERRY YONESHIGE  
TO THE  
SENATE COMMITTEES ON  
JUDICIARY, WAYS AND MEANS, AND WATER AND LAND  
ON MARCH 3, 2021 10:30 A.M.  
CONFERENCE ROOM 211 & VIDEOCONFERENCE

SB 1334, SD1

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Chairs Rhoads, Dela Cruz, and Inouye, Vice Chairs Keohokalole, Keith-Agaran, and members of the Committees, thank you for the opportunity to provide written testimony on S.B. 1334, S.D. 1.

I strongly oppose S.B. 1334, S.D. 1 (the Bill) for the following reasons:

1. The will of the people has been expressed and heard by the legislature through the enactment and revision of HRS 206E-31.5 in 2006 and 2014. The intent of that statute was to preserve this land (Kaka'ako Makai) for all citizens of Hawaii to enjoy and prevent it from becoming another Waikiki.

2. A citizen group formed by legislative action through HCR 34 (SLH 2006) prepared the Kaka'ako Makai Conceptual Master Plan (the Plan) which was adopted by the Hawaii Community Development Authority in 2011. The details of the Plan outline the guiding principles for the preservation and development of Kaka'ako Makai and does not include any residential development

3. The revision of HRS 206E-31.5 as stated in this Bill will provide the exception for other developers to seek exemption from HRS 206E-31.5 opening the doors for further residential development in Kaka'ako Makai turning it into a land of high rises, elimination of public right of ways to the sea, and ruining the natural beauty of that coast line.

4. The mission statement of the Office of Hawaiian Affairs (OHA) starts with “to malama Hawai’i’s people and environmental resources”, this Bill does not accomplish those facets of their mission statement.

5. I have surfed Ala Moana park for over 40 years and I remember the days when I could look from the surf breaks and see the hillsides of Tantalus. Today, that beautiful view of the Koolau range is a distant memory, blocked by the high rise residential towers that few Hawaii residents can afford. This Bill will create another concrete jungle in Kaka’ako Makai.

In summary, the proposed development of Kaka’ako Makai will increase revenue and profits to OHA but the natural beauty of Kaka’ako Makai will be forever lost. The idea of maximizing revenue and return on investment for one state agency, OHA, has to be weighted against the benefit of all citizens of the State of Hawaii to enjoy that natural beauty. In my view, the beauty of Kaka’ko Makai to be enjoyed by all citizens of Hawaii far exceeds the benefits of increased revenue and profit of one state agency.

Thank you for the opportunity provide written testimony.

**SB-1334-SD-1**

Submitted on: 3/2/2021 6:09:37 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaeo Rezentes	Individual	Oppose	No

Comments:

I oppose the further urbanization of our Hawaiian land. Because of the destruction it will cause to the land and how it will only bring more people to an already very busy place. Many locals use this land for activities in the water but I'm certain further construction of the area will only push us locals further out. I have many memories in that Kaka'ako park and I would hate to see an ugly building on them. Only further crowding the most desecrated land in our islands. It frustrates me to see the few money hungry, greedy people put themselves above the good of the public. It also frustrates me to see how we locals have no voice, and it took me 15 minutes to figure out how to do this stupid state website. Almost as if you guys don't want to hear the voices of the people. Democracy is dead. But i'll fight to keep my aina as natural as possible until the last sip of air I breath.



**SB-1334-SD-1**

Submitted on: 3/2/2021 6:07:27 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Halealoha Ayau	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

To whom it may concern:

Developers has been building high rise condominiums for more than a decade in the Ala Moana / Kakaako area which causes heavy vehicle traffic during on and off peak hours. During the pandemic, that has slowed down vehicle traffic but as the economy gets better and less restrictions, that's about to change. Overall, how does it benefit the locals who mostly can't even afford a single unit in the area?

As far as vehicle traffic, what impact would it have on the sewer system as more condominiums are being built? I assume the existing sewer system must have reached its maximum capacity due to the condensed buildings in the area? Building more condominiums, especially near the ocean, would it have a devastating impact if the sewer system were to fail and overflow into the ocean? Just heavy rain alone causes the sewer system to overflow into the ocean.

Lastly, since when it is allowed to build a private residence on public land? Especially a beach park where we all enjoyed using and it would limit access to the ocean.

**SB-1334-SD-1**

Submitted on: 3/2/2021 6:26:15 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Graham Wilson	Individual	Oppose	No

Comments:

To all,

The sale of this public land will not be positive to the local Hawaii community and their future. I oppose this bill and invite you to do the same for the Hawaii community's future of keeping the sacred land in the hands of its people and children for its history, knowledge and faith. Not into the hands of a profit making machine that'll drive out the rich history this land deserves to keep.

Mahalo,

Graham Wilson (Hawaii Visitor)

**SB-1334-SD-1**

Submitted on: 3/2/2021 6:40:26 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Harrison Welsh	Individual	Oppose	No

Comments:

Thank you for taking the time to read my testimony. The park being considered for development is not only a personal place of refuge, it is a global, national treasure and Hawaiian treasure to all who visit especially the community of bodysurfers around the world who consider the wave the single most unique, ideal and limited resource to the sport. Bodysurfing is likely one of the oldest water sports in human history, and certainly a historically meaningful part of Hawaiian activity. Point Panic, which would be dramatically affected by this decision, is not just one of the only places of congregation for world-class bodysurfers and learners alike, it may be the only break of its caliber in the world, and to destroy access to it would severely handicap what is a beautiful and wholesome sport for people of all ages. In fact, body surfing is one of those few sports that allows children and the elderly, far into their golden years, to safely participate. I have spent countless hours in the beautiful park watching the sun set, and to replace this public access with paid private property would be to take a natural wonder that benefits all people and commodify it and put it out of reach for countless future ocean lovers. I am physically pained thinking of all of the future time I had hoped to spend at this park that would be taken from me, and the long list of friends and family to whom I have described the awesome nature of this place but who have not yet had the opportunity to visit, will forever mourn what they have not been able to experience. Do not turn this marvellous locale into a legend of the past, relegated only to stories. Please allow this area to remain public, it is not just any piece of coastal land, it is a wonder of the modern world in every sense of the phrase and should be protected as a piece of Hawaiian heritage on the same level as any other of the pearls that line our coasts. Thank you again for your time, please protect what money will surely corrupt, you are the first and last defense against an encroaching destruction of all that is beautiful in the world. I hope that you appreciate the responsibility that is solely in your hands. This is a perfect example of what you were elected to protect.

**SB-1334-SD-1**

Submitted on: 3/2/2021 6:55:40 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jocelyn Leialoha M Doane	Individual	Support	No

Comments:

Aloha Chairs and Members, Mahalo for the opportunity to submit STRONG SUPPORT for SB1334 SD1, which would allow OHA to make use of the lands the State transferred in 2012 to pay off a decades long obligation, valued at \$200 million. The Hawai'i Admission Act, which admitted the State into the Union, and the State Constitution, established the Public Land Trust, comprised of lands stolen from the Hawaiian Kingdom and its people. As a result of the United States complicit actions in the illegal overthrow of the Kingdom and acceptance of these STOLEN lands, the United States required, and the State of Hawai'i accepted, that these lands would be held in trust for native Hawaiians and the public. The constitution and various statutes require that Native Hawaiians benefit from this trust through a pro rata share of the public land trust revenue. For over a century, the State has not held up its end of the bargain. Even after clarification during the last constitutional convention, for decades, the State continues to refuse to properly compensate the Native Hawaiian community, even in light of clear data that OHA and the Native Hawaiian people are being grossly underfunded. In addition to rectifying the ongoing issue of underfunding the Native Hawaiian people through the annual allocations to OHA, I urge your committees to allow OHA to utilize its Kaka'ako lands to generate revenue--the purpose for which the State transferred it in the first place. Although OHA wanted a cash settlement, after numerous lawsuits, failed bills, and attempts to negotiate, OHA accepted 30 acres of land in Kaka'ako Makai, and is actively working on completing its master planning for this land. With community input, OHA plans to convert Kaka'ako Makai into a revenue generating asset in a manner that demonstrates Hawaiian stewardship of these lands for generations to come. This asset will also eventually support Native Hawaiians' need for programs and services.

Mahalo Piha

**SB-1334-SD-1**

Submitted on: 3/2/2021 7:11:50 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leni Meleka English	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.** For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 3/2/2021 7:29:26 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Logan Ellis	Individual	Oppose	No

Comments:

I strongly oppose the use of the public lands for private residential use. This area (the Kakaako Waterfront) is a beautiful space that supports physical and mental health of people throughout the state. In addition the ocean resources provide recreation and a way for all to find peace and happiness. Building and privatizing this area will lead to development that will further harm the sanctity of this area. Consider the side effects of increasing urbanization in this area and how tensions between the users of this park and the people (many of whom will likely not be from Hawaii or regular users of the waterfront area) will rise and create more trouble.

**SB-1334-SD-1**

Submitted on: 3/2/2021 7:32:04 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eugene Lee	Individual	Oppose	No

Comments:

Dear Senators.

I am opposed to SB1334 which would allow the office of Hawaiian affairs to over turn a restriction to open residential development in Kakaako Makai. This also over turns the work and history of Hawaii's people to preserve and protect the land for not only the Hawaiian People but all who come to Hawaii.

This bill only opens the way for further "development" with only profit first, over the people and the land.

Please do not approve this bill, find a solution that will preserve our land and our people in perpetuity.

Thank you for your work and be safe,

Eugene M.C. Lee, M.D.



**SB-1334-SD-1**

Submitted on: 3/2/2021 8:01:46 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eomailani Kukahiko	Individual	Support	No

Comments:

**I support SB1334 SD1 as a strategy to revitalize the Kaka'ako Makai lands for greater utilization and through residential and retail endeavors. This generation of income will allow OHA to be more economically self-determining to fulfill its fiduciary responsibilities to the Hawaiian community.**

**As a Hawaiian teacher educator, I have had the opportunity to learn my language, one 'Å• lelo no'eau that comes to mind regarding this land utilization is PÅ• noanoa ka 'Å• ina, mÅ• noanoa ka po'e. Rare is the land, many is the people. In fact we are at a point in our history where Star a million dollar home is now considered affordable (Star Advertiser), Native Hawaiians or other Pacific Islanders are overrepresented in our houseless by 210% (Civil Beat)and an estimated half of all of Hawaiian families now live in the diaspora (2010 Census).**

**The State of Hawai'i has demonstrated an inability to properly care for the kÅ• naka 'Å• iwi. Native Hawaiians that have been systemically disconnected from their land base and this has led to devastating intergenerational poverty, incarceration, negative health and educational statistics. I agree with the Office of Hawaiian Affairs assertion that the ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of 'Å• iwi self-determination.**

**Having vocalized my support for this bill, I would like to share these final thoughts as OHA has expressed creating a project at Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians. Hawaiians leaders are directed by, E 'Å• pÅ•« ali'i, Will NH be able to afford living in this proposed development? Will Hawaiian families be able to afford shopping at the retail stores? Will 'Å• lelo Hawai'i be normalized in this new space of vibrancy? Will aloha 'Å• Å«na guide the interaction with land, history, and healing for the benefit of our IÅ• hui?**

**EÅ• mailani Kukahiko**



**SB-1334-SD-1**

Submitted on: 3/2/2021 8:07:36 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joe Banks	Individual	Oppose	No

Comments:

I strongly oppose SB1334, which would enable and encourage the use of public waterfront land (one of the few areas left of its kind) for private development of high-rise condos. I strongly oppose the increase of height limits, as well as lifting the ban on residential development of Kaka'ako Makai.

The thought of the sale and privatization possibility of this land is baffling. As the state preaches the need for protection of our shorelines from development, encroachment of rising sea levels, developers/homeowners and preservation of land for cultural uses they constantly do the opposite. The sale and even the talk of allowing the sale is the state shafting the Hawaiians and anyone who visits and uses Kaka'ako Makai daily.

Let's do what is right and stop this bill. This is a tremendous move in the wrong direction that will have a lasting effect. We do not need more water front condos nor do we need more commercialization and over building in Kaka'ako Makai. We are once again selling out the people for short term profitability, let's change that.

Wednesday, March 3, 2021  
10:30 am, Videoconference

SB 1334 SD1 - RELATING TO THE HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY

Aloha Chair Rhoads, Vice Chair Keohokalole, Senate Committee on Judiciary members, Chair Dela Cruz, Vice Chair Keith-Agaran, Senate Committee on Ways and Means members, Chair Inouye, Vice Chair Keith-Agaran, and Senate Committee on Water and Land members:

I am in **SUPPORT** of the intent of SB 1334 SD1, enabling the Office of Hawaiian Affairs (OHA) to maximize the income or proceeds that six of its Kaka‘ako Makai parcels of land conveyed by Act 15 could generate for the purposes of bettering the conditions of Native Hawaiians. OHA originally received these parcels to resolve the \$200 million in past due income from the Public Land Trust owed by the State of Hawai‘i to OHA. OHA’s planning efforts to date have determined that the residential prohibition on these parcels prevents them from generating revenues consistent with a \$200 million investment. Developing these parcels to the specifications requested would not only provide OHA with increased revenue opportunities but also empower the agency to better meet the inordinate housing needs of Native Hawaiians.

From Mā‘ili, my name is Kamuela Werner. I graduated from Nānākuli High School, hold a Master of Public Health and am currently studying Applied Cultural Anthropology with a research focus in environmental racism against Native Hawaiians of Nānākuli-Wai‘anae. As an OHA beneficiary, the agency has supported my academic, professional, and community advocacy goals through its scholarships and programs.

Our State is forced to make tough financial decisions due to the COVID-19 pandemic and subsequent economic recession. Despite this, the State’s constitutional and fiduciary obligations to Native Hawaiians should be faithfully executed. Allowing OHA to develop it’s Kaka‘ako Makai parcels for residential use is an investment for all Hawai‘i residents, which should not be upended by the aesthetic, visual, and recreational desires of those living mauka. What should be of greater priority is addressing the longstanding deplorable conditions of many Native Hawaiians who are disproportionately sick, houseless, and or impoverished in their own homeland. In fact, areas in the State with the lowest life expectancies are predominantly Native Hawaiian communities—my communities.<sup>1</sup> From a public health perspective, adequately resourcing our trust is a matter of life and death. To not do so, is both unconstitutional and institutionally racist.

Therefore, I strongly urge the committees to **PASS** SB 1334 SD1. Mahalo nui.

Ke aloha ‘āina,

Kamuela Werner, MPH

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<sup>1</sup>See the U.S. Small-area Life Expectancy Estimates Project data tables for Hawai‘i here: <https://www.cdc.gov/nchs/nvss/usaleep/usaleep.html>

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:15:26 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Lacques	Individual	Oppose	No

Comments:

Testimony in strong OPPOSITION to SB 1334 SD 1.

The meager amount of oceanfront land left in urban Honolulu should be preserved for residents as well as visitors. Kaka'ako Makai should not become another Waikiki, please defer this atrocious bill.

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:44:00 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristin Anderton	Individual	Oppose	No

Comments:

I adamantly OPPOSE SB 1334. I will keep this brief.

It is critical to protect Hawaii's Shorelines - there is very little left and as caretakers of this amazing place, it is up to all of us to prevent these shorelines to be further reduced.

Kaka'ako makai public oceanfront lands are not the right place to build 400 ft private residences. They should, at the very least, be limited to the current 65 feet. We have many more of these tall highrise buildings than we need in Honolulu and now is the time to limit the heights and not grant some special allowance just because it is to make this more lucrative to OHA's plan.

This entire area has contaminated soil. Special care needs to be taken to preserve and clear the space. Kaka`ako is in a known area subject to sea level rise and is within a tsunami inundation zone.

Last of all, but surely not least, we need to absolutely protect FREE AND CLEAR OCEAN ACCESS!

Mahalo nui loa from a VERY concerned citizen of many decades.

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:48:51 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ian Custino	Individual	Support	No

Comments:

Aloha mai kākou,

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.** For these reasons, I humbly request that this measure is passed out of your committees.

Me ka ha'aha'a,

Ian Custino

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:50:47 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jun Jo	Individual	Oppose	No

Comments:

I Jun Jo strongly oppose SB1334, which would enable and encourage the use of public waterfront land (one of the few areas left of its kind) for private development of high-rise condos. I strongly oppose the increase of height limits, as well as lifting the ban on residential development of Kaka'ako Makai. As a regular bodysurfer of Point Panic, this is the only area (HAR 13-254) we have in the STATE to practice our kaha nalu (bodysurfing). Therefore, it is the only place where bodysurfers convene regularly. While the Point Panic parcel is not currently targeted for residential development by OHA, this law followed by sale of the Point Panic parcel with another height exception, would allow that part of the city park to be sold and developed as a 400ft residential building. Please recognize that the collective voice of the people do not want more residential buildings in this area.



**SB-1334-SD-1**

Submitted on: 3/2/2021 8:51:31 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Lees	Individual	Support	No

Comments:

Aloha & mahalo legislators for your work & efforts to lead Hawai'i to a better future!

I grew up near Kaka'ako & have spent hours/days/months at the Waterfront Park swimming, picnicing, skateboarding and even just riding my moped throughout the area as far back as the 1990's before JABSM was built. I always thought "Wow...what a waste of space".

And now look at Kaka'ako across the street with Salt, the Collection & the other modern upscale developments taking place.

OHA is just trying to maximize their capacity to serve their community, and create the same success that Kamehameha Schools did across the street. What a windfall developing residential units can be for Native Hawaiians in Kaka'ako Makai. Revenues that are generated on the land goes back into the kanaka maoli community, and allowing residential units to be built not only provides MORE revenue, but assists all of Hawai'i with our housing crisis.

Full disclosure, while I am testifying on my own PERSONAL behalf, I created this video that is being circulated throughout the community as an OHA employee:

<https://kawaiola.news/cover/oha-moves-forward-with-kakaako-makai/>

I JUMPED at the opportunity to create this video because of my piliiana (connection) to Kaka'ako Makai. In some ways I knew Kaka'ako more than those who tasked me to create it. I worked many late nights & weekends on the video despite being a dad & husband, to tell this story the best I could in the short amount of time that we had.

I'm also of the belief that if private & even foreign investors are allowed to develop merely right across the street, isn't it fair that Native Hawaiians are also allowed to do so? There's an argument that "Native Hawaiians need to lift themselves up", but when presented with a gleaming opportunity like Kaka'ako Makai, they are hindered & handicapped by more powerful entities.

I fully support allowing OHA to develop residential units on Kaka'ako Makai. No one "plays" at the waterfronts/coastlines that they have proposed building residential at.

OHA CANNOT block access to the wai with these developments, despite the opposition falsely claiming that they can & might.

Aloha nui & MAHALO NUI!!!

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:52:57 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kona Flanagan	Individual	Oppose	No

Comments:

My name is Kona. I am 12 years old. I am keiki o ka aina and a keiki o ke kai. I am opposed to the bill because I do not want to see buildings, I want the ocean to be available and I believe that Point Panic should stay the same. Thank you. --Kona Kawenaokeanukea Flanagan, 7th grader

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:52:56 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
BRIAN SLABAUGH	Individual	Oppose	No

Comments:

March 2, 2021

Aloha,

As a person of Polynesian, Asian and Caucasian ancestry, I try my best to understand all sides of an issue. That being said I feel like we the people are constantly left to deal with broken promises from our representatives.

The only reason I can see for a residential or commercial development on the makai side of Ala Moana Blvd is to make money. There are countless examples in these Hawaiian Islands of the once pristine land of these rare jewels of the Pacific Ocean being marred by the ugliness of development. It has been proven over and over that once the door is opened the rest is history.

Why not focus on conservation of the shoreline for its rare beauty and access for all of Hawaii's people. Not just those who can afford it, which we know will be wealthy, non-resident investors.

I continue to oppose developing the land makai of Ala Moana Blvd for anything other than cultural preservation for future generations who may never know what it was like to enjoy the beaches and ocean, free of high rises and strip malls.

Respectfully,

Brian Kauhane-Slabaugh

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:56:53 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Donohoe	Individual	Oppose	No

Comments:

I strongly OPPOSE SB1334, which would enable and encourage the use of public waterfront land for private development of high-rise condos. I strongly OPPOSE the increase of height limits, as well as lifting the ban on residential development of Kaka'ako Makai.

Urban areas require green space to maintain balance for the residents of the area. Honolulu is already out of balance.

Please consider the trajectory of this decision. Building ocean-front high rises is not a "for the people" decision for "public good." What is the point of designating a place as "public land" if this same fight needs to be fought every time the right person comes in with a enough money and a plan to develop to make money for the right people? At what cost? At what point can we rest assured that lands designated as public will remain public?

Point Panic is a gathering place for a multi-generational Kaha nalu crew. From every walk of life people gather in the parking lot or at the tree to talk story and watch the waves. It's a vibrant community committed to their home zone; maintaining the space, cooking out, and of course bodysurfing as much as possible.

Point Panic is also a Mecca for a worldwide network of bodysurfers. It's not just a tiny local crew practicing a nearly unknown form of wave riding. Bodysurfing is the most popular, most accessible form of wave riding there is. You need access to a wave and that's it, no purchase necessary.

The eyes of this global community are constantly fixed on the progression coming out of that zone. Largely from the next generation of bodysurfers who have learned from the uncles and aunties and are taking the sport beyond what anyone ever knew was possible without a board.

Building on top of that tree will stomp out an entire community. Maybe that's the point. Too many citizens enjoying their public lands. Time to squeeze them out...



**SB-1334-SD-1**

Submitted on: 3/2/2021 8:57:33 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaimakana Flanagan	Individual	Oppose	No

Comments:

Hi my name is Kai and I oppose the bill that will turn Point Panic into buildings because I think that is a special place for many people and putting buildings along there would not only be bad for the land and ocean there but would disrespect a sacred and special place that has been close to many people's hearts for a long time. Thank you. --Kai, age 15, sophomore

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:58:42 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Taylor Niimoto	Individual	Oppose	No

Comments:

Point Panic Bodysurfing Break at Kaka'ako Makai is an invaluable source of culture, identity, and community for the young and old water-men and water-women of our ocean-centric island. It is a place that teaches us how to be safe and strong in the water, how to look out for one another, and how to care for a place that outsiders may see as insignificant. This perceived insignificance is the problem. Public land such as Point Panic, and the culture it cultivates, is not a commodity to be sold for greed for it will soon leave those who develop it simply wanting more. Culture, identity, the ocean, physical health, and fun, however, continue to fruit and do not pull on strings of greed. Please DO NOT jeopardize these invaluable resources to our people.



**SB-1334-SD-1**

Submitted on: 3/2/2021 9:13:53 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dawn K. Sang	Individual	Support	No

Comments:

As a beneficiary of the OHA Trust, I am submitting testimony in support of SB 1334 SD1 which would lift any restrictions on the parcel(s) of property transmitted to the Office of Hawaiian Affairs.

Since the illegal overthrow of Queen Lili'uokalani and forward, the intention of the American businessman has set the culture of the current political current at the Hawai'i State Capitol and in State administration. In its inoa and as a state agency, the Office of Hawaiian Affairs has an inseparable duty to 'Ä• ina and must be allowed to assert its full authority to protect Hawai'i's most precious resources.

Hawaiian community based leadership continues to be strengthened by the individual and collective will of the lahui to to ensure sustainability and the protection of its most precious resources. Some examples of the will of the people to preserve and protect resources include the protection of sacred Maunakea on Hawai'i island, the return of the wai to its natural throughfares on the island of Maui, and the closing of local fishing communities to tourists on the island of Kaua'i. To these ends such as these and In this way, the Office of Hawaiian Affairs becomes a representative agent of the will of the people.

The current culture of government, built on the will of the American businessman would say that if money is to be made, then let us make sure the pathway to realizing that goal in clear. If it is the culture of this State to ensure that economic dealings be prioritized for private business, then it should also be the case that this State agency is also provided with that clear same clear path in order to fulfill its trust obligations.

The passage of SB 1334 SD1 would remove any discriminatory speed bumps and provide relief to the Office of Hawaiian Affairs to asserts its authority based on the will of the people to protect Hawai'i's natural resources and ensure a sustainable for the generations to come.

Mahalo nui ka ho'omanawanui me ka ho'oku'u 'ana mai i ku'u wahi ma luna o nÄ•ia hanana politika 'o Hawai'i Aupuni.

Na'u nÄ• ,

Kau'i Sang

**SB-1334-SD-1**

Submitted on: 3/2/2021 9:17:05 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kuulei Ho	Individual	Support	No

Comments:

Aloha,

I strongly support SB1334.

I have full confidence in CEO Sylvia Hussey, that OHA will do what is pono for our Native Hawaiian community.

Ka Wai Ola Malaki 2021 issue (OHA's March 2021 newspaper) contains several very informative articles, easy to understand, which helped me decide to submit this testimony IN SUPPORT OF SB1334.

Mahalo nui, Aloha Ke Akua,

Kuulei Ho

**SB-1334-SD-1**

Submitted on: 3/2/2021 9:29:33 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Kioni Dudley	Individual	Support	No

Comments:

I strongly support this Bill. Kaka'ako Makai is a disgrace. It is ugly. It had no purpose. Hawaiians got screwed in taking this land for a settlement. They deserve the right to develop it. If Hawaiians can't develop it right, who can?

Dr. Kioni Dudley (one 100% haole boy)

**SB1334**

Relating to Hawaii Community Development Authority

March 3, 2021 – 10:30 a.m.

Aloha Kākou,

My name is Lehua Itokazu and I am a resident from Aiea, Hawai'i. I strongly SUPPORT SB1334. This bill allows Native Hawaiians the opportunity to display what self determination can look like. This land offers our lāhui the chance to build and create a place to gather, to thrive, and a place for future generations.

So many developers and foreigners have been able to create and build beautiful buildings through out our islands. It is our turn to show everyone what a Native Hawaiian entity can do for our people and for all of Hawai'i. The revenue from these lands will assist OHA with programs and grants that they provide. The idea here is for OHA to become sustainable.

With new leadership at OHA and the support of the lāhui, the land at Kaka'ako will have a chance to see their full potential.

Mahalo nui for your time,

Lehua Itokazu

**SUBJECT: Testimony in STRONG SUPPORT to SB1334**

Aloha Senators,

**PLEASE VOTE YES TO SB 1334**

My name is Germaine Meyers. I'm an OHA beneficiary for beneficiary advocacy and empowerment. I'm also a Nanakuli Hawaiian Homestead Lessee.

Senators I support SB1334 because I feel OHA needs to bring forth the \$200 million settlement of debt given to us by Governor Abercrombie. Civil Beat published an article on April 12, 2012 titled "**OHA-Kakaako Deal A Victory for Abercrombie.**"

I share verbatim a paragraph from the article:

"Quoting U.S. Senator Daniel Akaka, who sat in the front row of the bill-signing ceremony Wednesday at Washington Place, Abercrombie said, "It's important to do things right...In Hawaiian we call it **pono.**"

Senators, the **Friends of Kewalos** submitted testimony in strong opposition to SB1334. What I saw in their testimony is a pilau message saying 'KAPU, Hawaiians keep out! This is our home, our hale! Stay out of my front yard!'

I saw this message when I read their testimony, that I read for you now in verbatim:

We are not against all development. We understand the people need housing, but ask yourselves "**Is this the right place?**" We need to preserve for the People what little oceanfront land we have left, not only in Kakaako Makai, but the entire State. We support "smart development" that puts emphasis on People first over profit.

Senators, that is convenient for them to say, NOW. Now that they have their housing in their high rises, and their developers who surely put profit over people because many of us cannot afford the housing in their high rises.

Senators, hell yeah "THIS IS THE RIGHT PLACE!" This is our place. Our \$200 million settlement place.

Are they shame of Native Hawaiians?

Hawaiians are ocean people. Hokuleia ocean people.

I ask myself, as native Hawaiians, do we have easy access to beaches in Kailua, in Hawaii Kai, in Waikiki, in Haleiwa, in Waialua, in lands occupied by Military bases such as Pearl Harbor, Kaneohe Marine Base, Hickam, Barber's Point, Ford Island, Iroquois in Ewa Beach?

Hawaiians are ocean people. Hokuleia ocean people. We belong in Kakaako Makai.

Is this the right place? Yes, Hawaiians belong everywhere on the lands of Hawaii nei.

We belong.

Ke Akua Pu,

Germaine Meyers

OHA Beneficiary for Beneficiary Advocacy and Empowerment

Nanakuli Hawaiian Homestead Lessee

[808hikino@gmail.com](mailto:808hikino@gmail.com)

**SB-1334-SD-1**

Submitted on: 3/2/2021 9:46:28 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jon Herbert	Individual	Oppose	No

Comments:

**I am submitting this testimony to adamantly OPPOSE SB 1334**

**Growing up in Honolulu, I've seen large development sweep over large swaths of what little space we have left. Honolulu is congested and hectic at times-- our lives weave in and out of traffic and through building corridors on a daily basis. The thing that is valued most here is *space*. Room to breathe, a place to go, a spot to take in the surroundings and have a moment to unwind from this crazy world. To townies, surfers, everyone, Kakaako Makai is one of those places, to intrude upon that with capatalistic intent and hand over these spaces to the highest bidder no matter how true their intentions seem (it's always going to be about making money) is to jeopardize what little serenity and space is left available for the people to access without the reminder of what the luxury condos of Kakaako represent.. Being pushed out.**

**My reasons**

1. To Protect Hawaii's Shorelines and what little we have left in town.
2. Kaka'ako Makai public oceanfront lands is not the right place to build 400 ft private residences.  
Contaminated soil, sea level rise, tsunami inundation zone.
3. Protect free and clear ocean access.



**SB-1334-SD-1**

Submitted on: 3/2/2021 10:02:52 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dawne Matsushima	Individual	Oppose	No

Comments:

As a born and raised resident of Oahu, I adamantly oppose SB1334.

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:09:57 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chayse Hew-Len	Individual	Oppose	No

Comments:

I am a native Hawaiian resident of Hawai'i and I strongly oppose the SB1334 bill. Please consider listening to the people and leaving the land near Kewalo's Basin/Point Panic to be used and enjoyed by the public.

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:14:40 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dylan Tamaribuchi	Individual	Oppose	No

Comments:

Strongly disagree with this bill. We must look elsewhere to develop in order to keep our shoreline areas as least developed as we can for our Ohana for many generations to come.

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:17:35 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Conrad Morgan	Individual	Oppose	No

Comments:

I strongly oopose SB1334. I stronlgy oppose the increase oh height limits, as well as lifting the ban on residnetial development of Kaka'ako Makai.

I have been born and raised on Oahu and have been bodysurfing for over 6 years. As a bodysurfer Point Panic has become an almost sacred place to me as it has for many others. Point Panic is the only area (HAR 13-254), in the entire state, where we are able to practice kaha nalu (bodysurfing). It has become a gathering place for the bodysurfing community and without it, we would lose much more than just public land, we would lose a pinnacle part of our community.

While the Point Panic parcel is not currently targeted for residendtiaal development by OHA, this law followed by the sale of the Point Panic parcel with another height exception, would allow that part of the city park to be sold and developed as a 400 foot residential building.

I recently turned 20, and in those years I have seen my city and much of the island change as development has continued to increase. I beleive there are spaces on the island that serve crutial roles to the community that should not have to undergo the development that we've seen expand across our island. I beleive that the area of Kaka'ako Makai is one of those spaces.

Please recognize that the collect voice of the people do not want more reidential buildings in this area.

Aloha, and God Bless.

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:20:55 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Luukia Archer	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:24:50 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisette Akamine	Individual	Support	No

Comments:

**Aloha mai kā• kou. I am testifying in SUPPORT of SB1334 SD1.**

The current residential prohibition on OHA's lands at Kaka'ako Makai undermines the value of settlement that the state made with OHA in 2012.

For 32 years the state failed to provide OHA with its fair share of Public Land Trust (PLT) revenues. In those three decades, the debt accrued and (by 2012) was estimated to be about \$200 million. The land at Kaka'ako Makai, valued at the time by the state's appraisers at about \$198 million, was conveyed to settle the 32-year-old debt. It is worth noting that, since 2012, additional debt to Native Hawaiians has accrued since the PLT revenues issue remains unresolved.

Regardless, the state's appraisers arrived at the \$198 million valuation assuming there would be residential development on the land. Thus, conveyance of Kaka'ako Makai to OHA without lifting the residential prohibition in the subsequent nine years was tantamount to a "bait and switch" move because without allowing for residential use, the actual value and earning power of the land does not come close to satisfying the state's debt to OHA and, as such, is an offense against the Native Hawaiian community.

The United Nations' Declaration on the Rights of Indigenous Peoples adopted on Sept. 13, 2007 states (in part):

"Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." (Article 3)

"Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired." (Article 26.2)

"Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources." (Article 32.1)

When Kaka'ako Makai was conveyed to OHA in 2012, they became NATIVE HAWAIIAN TRUST LANDS. It is Indigenous land. Therefore, the current residential prohibition imposed by the state on this land stands in the way of Native Hawaiian self-determination.

To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while allowing non-local entities to develop luxury highrises just across the street that are unaffordable to the majority of local people – both Hawaiian and non-Hawaiian - is an affront to the entire Native Hawaiian community.

I believe that OHA will manage these lands conscientiously with concern for our people, our culture, and our land at the forefront of its decision-making with regard to the development of Kaka'ako Makai.

To disallow Native Hawaiians from participating in, and benefiting from, the development of our trust lands in urban Honolulu is not only unfair, it is also oppressive and, ultimately, detrimental to our people.

It is time to make a choice that will help, in a small way, towards restoring pono for the Hawaiian people.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.** I humbly request that this measure is passed out of your committees.

Testimony of John D. Waihee III, former Governor of the State of Hawaii

**Date:** March 3, 2021

**Subject:** SB1334 SD1

**To:** Karl Rhoads, Chair of the Senate Committee on Judiciary  
Donavan M. Dela Cruz, Chair of the Senate Committee on Ways and Means  
Lorraine R. Inouye, Chair of the Senate Committee on Water and Land

I write in **STRONG SUPPORT** of SB1334 SD1, which would grant OHA the ability to develop housing on six of the 10 parcels the State of Hawaii conveyed to the agency to clear a more than 30-year debt, valued at \$200 million, that the State owed to the Native Hawaiian people.

Allowing Native Hawaiians greater freedom to decide how to manage their own lands to meet the needs of their people furthers the principle of indigenous self-determination first envisioned when we created OHA four decades ago.

When Hawaii joined the Union in 1959, we did so with a promise to Native Hawaiians that their ancestral lands, which were stolen at gunpoint, would be administered in such a way that specifically benefited them. Unfortunately, the history of the state implementing this legal obligation to Native Hawaiians is a long series of broken promises - despite numerous efforts over the years to rectify the issue.

Nearly 20 years into statehood, my colleagues and I at the Constitutional Convention realized that up until that point in 1978, Native Hawaiians had seen scant funds the state was generating from use of their ancestral lands, the vast majority of which were placed in the Public Land Trust. To remedy this, we decided to set aside a portion of the Public Land Trust just for Native Hawaiians. The concept for OHA was simple: Native Hawaiians know what their needs are and therefore would be best positioned to manage their own resources to help their people. There was great hope that OHA would be a vehicle for Native Hawaiian self-determination.

Forty years later, this vision for self-determination has become just another broken promise to the Native Hawaiian people. Despite clear obligations to the Native Hawaiian people articulated in the federal Admission Act and the state Constitution, the state still refuses to provide OHA with its fair share of revenues from the Public Land Trust. The \$15.1 million a year in Public Land Trust revenues OHA currently receives is half of what they should be getting and is almost the same amount the state was conveying to OHA when I was governor 30 years ago.

What's worse, the 30-year old Public Land Trust debt the state paid to OHA (which the state refused to pay interest on) through the transfer of the Kakaako Makai lands, contains restrictions that will ensure that OHA would not enjoy the full benefits of the \$200 million it was owed. Prohibiting natives from building housing on their ancestral lands is an affront to the very principle of indigenous self-determination. SB1334 would correct this by removing the residential prohibition on some of OHA's parcels.



It's time for the state to start honoring its promises to Native Hawaiians. Give Native Hawaiians what they rightfully are owed from their ancestral lands. Provide them the full value of the Kakaako Makai settlement. Moreover, let them determine for themselves how to manage their lands.

In closing, I urge the Committees to PASS SB1334 SD1. Mahalo for the opportunity to testify.

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:27:26 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Audrey Lee	Individual	Oppose	No

Comments:

SB1334 asks that a law made to protect Hawaii and it's people be changed to help OHA which says that it will help Hawaiians by changing it. How? By taking away protections from development of lands makai of Ala Moana Blvd., allowing 200 ft building restrictions to be raised to 400 ft, and by allowing the sale of these public lands that were given to OHA as a settlement gift. If such a law was allowed to circumvent these protections wisely put in place, there will be no end to the precedent it sets. The lands mauka of Ala Moana Blvd. were not protected and now the lands makai are in great danger of losing that protection as well. This is a line in the sand. Someday, that line will be in the water due to the flood zone it's in and sea level rise. If OHA wanted to build affordable housing for Hawaiians or create profitable ventures in those Kaka'ako makai parcels, it most certainly would have done something before this. However, it waited 15 years or so and has continued to press for the changes in SB1334. Why? It is attempting to do what no developer or group of developers could do, make Kaka'ako Makai the second Waikiki and with that precedent, create a free for all for developers and others wanting to build on lands heretofore restricted. OHA says this bill is in the interest of the Hawaiian people. Yet, many Hawaiian and other local residents living in Hawaii feel that it is not a good thing because there is a bigger picture. One of the points OHA keeps bringing up is that non-Hawaiians were allowed to build mauka of Ala Moana, so OHA should be able to build 400 ft buildings also. This is not about quid quo pro reasoning. If OHA can build 200 ft buildings without a law, why don't they? Why do they have to sell it to a 3rd party? It makes one wonder about the internal finances of such a wealthy trust if they say they need money to help the Hawaiian people. Of course, audits of OHA are not available, are they? Please vote NO on SB1334. Thank you!



**LATE**

Luna O Nā Papa Alaka'i

**Pelekikena**

Anthony Makana Paris

**Hope Pelekikena 'Ekahi**

Randi Fernandez

**Hope Pelekikena 'Elua**

K ā'eo Kealoha Lindsey

**Pu'ukū**

Leilani Williams-  
Solomon

**Kākau 'Ōlelo Ho'opa'a**

Sai Furukawa

**Kākau 'Ōlelo Palapala**

Kamuela Werner

**Pelekikena Hala Koke**

Yvonne 'PeeWee' Ryan

**Nā Luna Alaka'i**

Alan Akao  
Kuni Agard  
Puamana Crabbe  
Kanani Pali  
Marlene Sai  
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*Founded in 1964  
by Lili'uokalani  
Kawānanakoa Morris*

Senate Committee on Judiciary  
Senate Committee on Ways and Means  
Senate Committee on Water and Land

Wednesday, March 3, 2021

Via Videoconference

State Capitol

415 South Beretania Street

Re: SB1334 SD1 – RELATING TO THE HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY

*Aloha* Chairs, Vice-Chairs and members of the Senate committees:

The Prince Kūhiō Hawaiian Civic Club **SUPPORTS** SB1334 SD1. This bill if passed would allow the raising of the building height limit for two of the six parcels owned by the office of Hawaiian affairs in the Kakaako Makai area to four hundred feet, lift the current restriction against residential development in Kakaako Makai to allow residential development by the OHA or by third parties to which OHA conveys the parcel.

Native Hawaiians enjoy a trust relationship with the State. OHA is the entity in which Native Hawaiians as trust beneficiaries are able to access their trust resources in the form of grants, services, programs, scholarships, and loans. This bill will help the State better fulfill its trust responsibilities to the Native Hawaiian community, by enabling OHA to enhance its revenue generating capacity of parcels transferred to it through Act 15 (2012) in line with that partial settlement of the overdue Public Land Trust revenues owed to the Native Hawaiian people.

The Club's mission is to promote the education and social welfare of people of Hawaiian ancestry and objectives include supporting high ethical standards in business, industry, and the professional fields of enterprise. PKHCC urges the committee to PASS SB1334 SD1.

*Me ke aloha,*

A. Makana Paris  
Pelekikena  
[president@pkhcc.org](mailto:president@pkhcc.org)

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:57:17 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaitlyn Jacobs	Testifying for Surfrider Foundation O'ahu	Oppose	No

Comments:

Surfrider Foundation strongly opposes this bill, as it will have serious and direct impacts on the public's beach access. The majority of Honolulu is already burdened with tall buildings and beach access issues, and to continue to decrease rules on this type of building further burdens locals hoping to use this area. Thank you for the opportunity to testify.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:31:21 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaleimakaalii Luat	Individual	Oppose	No

Comments:

Public lands should be for public use, not for the monetary gain of private companies. Destroying what makes Hawaii special just so you can make more money.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:42:50 AM  
Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony Makana Paris	Individual	Support	No

Comments:

Aloha Senators:

I support the intent of SB1334 SD1 and ensuring that state fulfills its trust obligations to Native Hawaiians by allowing them the means to practice self-determination and by providing them and their trust institutions the means to generate revenues.

Mahalo,

Anthony Makana Paris

Kapolei, O'ahu

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:44:22 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melvin Paris	Individual	Support	No

Comments:

Aloha Senators:

Please give Native Hawaiians what is rightfully theirs through their trustee OHA.  
Mahalo.

Melvin Paris

Kapolei, O'ahu

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:45:38 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Henrietta Paris	Individual	Support	No

Comments:

Aloha Senators:

Please give Native Hawaiians with is rightfully theirs. Mahalo for your kind consideration and have a blessed day.

Henrietta Paris

Kapolei, O'ahu



**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 11:03:19 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kanani laea	Individual	Support	No

Comments:

Aloha,

Thank you for the opportunity to provide my voice in support of this bill, SB1334.

It is with much aloha for this place, Hawaii and for it people that I support this bill. I ask that you as our legislators do what is right and pono and pass this bill. History proves that all too often, these very people have been suppressed; have had what was rightfully theirs, wrongfully taken, no, stolen from them! But, history is history, it is the past. Yet, here we are, in the present, the year of 2021, and once again in a situation where the Hawaiian people have to "ASK" to utilize the land that is theirs in the manner in which they would like to use it. What is WRONG with this picture??? Here is an opportunity for the Hawaiian people to rise up- a bit, to provide housing, education, economic stability, and malama the aina and wai; but once again they face much resistance and opposition! It is not just the beauty of the aina, but also the people and the culture that have attracted so many to its shores creating the foundation of Hawaii's economy and a comfortable lifestyle for so many from abroad. It is finally time to take care and malama the Hawaiian people by passing this bill to create a comfortable lifestyle for them and for generations to come. This is one way to right all of the wrongs of the past. Mahalo nui.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 10:52:33 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amber Kalua	Individual	Support	No

Comments:

I am writing in strong support of SB1334. Many Hawaii families (Native Hawaiians and non-Native Hawaiians) are being forced to move to the U.S. continent due the high cost of living and the lack of affordable housing which has only gotten worse with the pandemic. SB1334 is a solution to help with the housing crisis and will give our Hawaii families an opportunity to continue to live and raise there families here in Hawaii. OHA's vision of Kakaako Makai is much needed during these times because it represents hope. A place for all to come enjoy and thrive. A true Hawaiian sense of place.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 11:16:20 AM  
Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
tlaloc tokuda	Individual	Support	No

Comments:

Aloha all,

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA’s Kaka’ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka’ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka’ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai’i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka’ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.**

For these reasons, I humbly request that this measure is passed out of your committees.

Mahalo for your consideration,

Tlaloc Tokuda

Kailua Kona, HI 96740

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 11:30:59 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jason timm	Individual	Oppose	No

Comments:

I oppose this bill 100%. I along with many other member of the community oppose this bill. If buildings are constructed in the proposed locations it will restrict community use of the ocean. This project would affect many members of the community in a very negative way. It will remove recreational areas such as parks that are used by all ages - young and old. This proposed projects also wouldn't help our housing situation because it's waterfront and we all know that waterfront properties aren't affordable - It will be solely for wealthy people. We as a community want our parks and beaches to remain undeveloped so we can continue to use them. Many community activities like, bbq parties, birthday parties, surfing, fishing or general leisurely use of the parks will be hampered due to this project. I oppose this project to the fullest extent. Please stop over development of our waterfront on this tiny and already overdeveloped island.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 11:55:48 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cody kia	Individual	Oppose	No

Comments:

Hello,

Growing up on Oahu as not only a Native Hawaiian but also as someone who is active in the ocean, passing SB1334 would be an absolute terrible blow to those who enjoy Point Panic's. More overpriced residential development will only hurt the land, the people, and push out Native Hawaiians even more. Furthermore, destroying the only spot that is bodysurfing only would do nothing but hurt those who enjoy the space and volentarily clean up the area.

What is left to be said when everything has been sold and developed. We will be left with nothing for the next generations.

Mahalo,

Cody Kia

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 11:38:13 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
colin kippen	Individual	Support	No

Comments:

Aloha Senators:

I am writing in strong support of SB 1334 SD1 which would enable the Office of Hawaiian Affairs to develop its Kaka'ako Makai properties by being allowed to build residential housing that is now available on the other side of Ala Moana Boulevard, and to be able to build to 400 feet on its two of its lots located on Ala Moana boulevard, just as landowners on the opposite side of Ala Moana are now able to do, and already have done.

Pass this bill and enable OHA the opportunity to build a "Hawaiian Sense of Place" in Kaka'ako Makai infused with the culture and traditions of Hawaiians, a place that celebrates Hawaiians love of and connection to the ocean, while providing OHA with the economic means to care for its Hawaiian beneficiaries in perpetuity by the revenues it will be able to generate.

Please pass and support SB 1334 SD1.

Sincerely,

Colin Kippen

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 12:21:36 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin Kekoa	Individual	Support	No

Comments:

Given the real estate developments in the Kaka'ako area surrounding this parcel, it's only fair, balanced and equitable to allow the Hawaiian community similar construction allowances including building height. Please pass SB1334.

**LATE**

**SENATE COMMITTEE ON JUDICIARY  
SENATE COMMITTEE ON WAYS AND MEANS  
SENTE COMMITTEE ON WATER AND LAND**

**Wednesday, March 3, 2021**

**10:30AM**

**Senate Bill 1334**

**Relating to the Hawaii Community Development Authority (HCDA)**

Aloha Sente Committee Co-Chairs and Committee Members:

**Testimony in Strong Opposition to SB 1334 that would allow residential development in Kaka'ako Makai.**

My name is Jason Okuhama, I am a resident of Kaka'ako and I reside at the One Waterfront Towers condominium project. My opposition to SB 1334 has nothing to do with NIMBY since the One Waterfront Towers project is not impacted by the development of the OHA lands. However, SB 1334 impacts what happens in Kaka'ako Makai which must remain pristine and devoid of high-rise development.

In 2006, the battle was fought on residential development in the Kaka'ako Makai area which resulted in HB 2555 that prohibited the HCDA from any residential planning in Kaka'ako Makai and prohibited the sale of State land in the Kaka'ako District. Then in 2011, the Community Planning Advisory Council (CPAC) presented the Kaka'ako Makai Master Plan to the HCDA Board that was unanimously approved. During the CPAC Kaka'ako Makai Master Plan process, surveys of participants always placed residential development low on the list of uses and current 2021 polling shows the majority of respondents are against residential use and favors low-rise development.

There are a host of reasons to prohibit residential development in Kaka'ako Makai and below are a few of these reasons:

- 1) Being an island state, sea level rise is of great concern to the expected flooding of the Honolulu shoreline areas which, in itself, should be the reason you do not approve residential development in Kaka'ako Makai.
- 2) There is contamination in Kaka'ako Makai and disturbing the ground may cause damage from the toxic substrata. From the Environmental Impact Statement report, the toxic elements consisting of lead, arsenic and PBC in the substrata has leached into the soil after decades of tide flows. Construction may displace these hazardous materials and cause contamination to be released.
- 3) Highrise development in Kaka'ako Makai should never be allowed and we must leave the Makai area unblemished of 400-foot towers. Howard Hughes Corporation is creating a Kaka'ako Mauka high-rise skyline in a condensed area that has begun to resemble mainland and international cities. There are four high-rise towers that have been completed; 1 tower near completion; 1 under construction; construction on another tower to start in 2021; and two other proposed high-rise developments being submitted to HCDA. There are many more towers planned for their properties with a total of 18 condominium towers in their master plan.



- 4) Kamehameha Schools Bishop Estate has come out with their revised master plan that consists of five high-rise residential towers on five blocks in Kaka'ako Mauka. These high-rise towers are located adjacent to the Kaka'ako Waterfront Parks and the subject OHA lands.

Kaka'ako Mauka is already being inundated with high-rise developments and all future high-rise development should be restricted to Kaka'ako Mauka. We must not jeopardize the last remaining shoreline areas in Kaka'ako that is free of high-rise development. We must ensure that Kaka'ako Makai continues the shoreline "lei of green" with scenic beauty, connects panoramic vistas from Mauka to Makai, and encourages ecological integrity of land, air and sea.

We cannot afford to set precedence and open the door to developments by OHA and other landowners and be at a point of no return.

Thank you for the opportunity to testify.

Respectfully,

Jason T. Okuhama  
Kaka'ako Resident

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 1:48:32 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephanie Steinlein-Balding	Individual	Support	No

Comments:

These shorelines should be remained for us all and the future generations. They provide us to access to the ocean for swimming, surfing and many mores.

The developments will not be good for everyone, our keiki included.

Please keep the shorelines for us all.

Mahalo

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 12:45:24 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Shorba	Individual	Support	No

Comments:

Aloha!

I support the intent of this bill and hope that OHA will be able to assist Native Hawaiians in accessing much-needed housing, which this bill intends to do. The design they propose does not appear to be a "high-rise" eye-sore like many of the high-rise structures on the mauka side of Ala Moana Blvd., which already make Kaka'ako look like a concrete jungle. According to information I read, "OHA plans to transform its underutilized lands at Kaka'ako Makai into a vibrant development of homes and businesses that will balance commerce with culture and complement the existing and planned development mauka of Ala Moana Boulevard."

I support a project that will respect the land, while offering Native Hawaiians opportunity to secure housing they CAN afford. I do support the intent of SB1334.

Mahalo for the opportunity to testify on this matter.

Malama pono,

Lisa Shorba

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 3:24:20 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Noalani Nakasone	Individual	Support	No

Comments:

Aloha Senate Committees JDC/WAM/WTL,

Please find my attached testimony on SB1334. OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past-due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands caps their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community while generating revenues to help Native Hawaiians.

For these reasons, I humbly and respectfully request that this measure be PASSED through your committees.

#SupportSB1334 #KakaakoMakai

Mahalo nui for your support.

MÄ• Iama Pono.

Noalani Nakasone

Kaua`i, Resident

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 4:18:15 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cleota Brown	Individual	Support	No

Comments:

In 2012 the State of Hawaii transferred 30 acres, valued at \$200 M in Kaka'ako Makai to settle debts owed by the State of Hawaii to the Native Hawaiian people. Although I haven't read the settlement agreement, it's almost certain that the State did not disclose the 2006 law that prohibits the development of housing on the makai side of Ala Moana Blvd., (I will be searching for it to satisfy my curiosity).

I support and believe these lands are dedicated to the indigenous rights of self-determination for the Native Hawaiian People who have the right to use these lands for the betterment of its people.

I am not a Native Hawaiian but I cherish my life in these islands and their culture I believe is taken advantage of for economic benefits now being denied to the people who the State benefits from.

Please correct this wrong and pass SB1334 for the benefit of Hawaii's indigenous people.

Sincerely yours,

Cleota G. Brown

47-413 Waihee Road

Kaneohe, Hi 96744

808-258-5874

cleota.brown@gmail.com

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 8:39:38 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristine Wallerius Chung	Individual	Oppose	No

Comments:

**Aloha honorable Senators,**

**I write on behalf of my Hawaiian husband and myself in STRONG OPPOSITION to SB1334. OHA does not represent or respect Hawaiian values in proposing this measure. My husband is a waterman who owns a surf school at the Ala Wai Boat harbor and who shares aloha every day on our precious, irreplaceable shoreline.**

**Kakaako Makai should be developed consistent with the master plan so thoughtfully created and already approved by HCDA and by Hawaii Statute.**

**What is the good in passing laws only to allow them to be usurped by those seeking a quick profit instead of thinking of the children of Hawaii?**

**Surfing is a Hawaiian sport- in addition to the Master Plan why not a world-class training center for our young surf athletes so they may excel at something truly Hawaiian? Not 400' high-rises to sell to foreign interests!**

**OHA has not fulfilled its mission- SB1334 is just another attempt to cash in without regard for preserving Hawaiian culture or protecting its unparalleled natural beauty.**

**Please, please don't let it happen on your watch-**

Respectfully,

Kristine and Kimo Chung

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 9:13:04 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenny Silbiger	Individual	Oppose	No

Comments:

Aloha,

Please do not build residential 400 ft structures at Kewalo Basin makai.

We need to protect Hawaii's shorelines and protect what little we have left in urban Honolulu. Kaka'ako Makai public oceanfront lands is not the right place to build 400 ft private residences. Please protect free and clear ocean access.

Thank you,

Jenny



**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 11:08:09 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Quan Tu Nguyen	Individual	Oppose	No

Comments:

Aloha,

I am writing today in opposition to SB1334 SD1. Language in this bill stipulates that the land trust provided to the Office of Hawaiian Affairs shall be rezoned for residential use and that the height limit will be raised to a maximum of 400 feet.

As an avid surfer, diver, and fisherman, I believe that I speak for many people who rely on the ocean for recreation, mental health, and to feed their families by insisting that public right of way and beach access be maintained in the Kaka'ako Makai area. This bill opens the door for the decline of public access to the ocean by allowing for construction of private residences and large high-rise buildings on Honolulu's waterfront. We have already seen the detrimental effects of private residences constructed on the state's waterfronts and how these have led to a drastic decline in accessible waters and natural shorelines. It is not in the public interest to allow for residential development along our waterfronts.

As a civil engineer, I would like to bring to light the environmental hazards imposed by the construction of such high rise structures. It is known that the soils in the land parcels are heavily contaminated. As high rise structures in the Honolulu area typically require the construction of deep foundations and large excavations, it is also apparent that a massive volume of these contaminated soils will be displaced. As the soils are possibly contaminated above the State of Hawaii's environmental action levels (EALs), they cannot be re-used elsewhere and must be disposed of. We know that O'ahu's landfills no longer have the capacity to handle excavated soils, let alone handle contaminated soils. Where will the contaminated soils be stored? The likelihood that these structures will be inundated by sea level rise in the future also means that such construction would be a costly mistake.

While we all recognize the need to remedy O'ahu's housing crisis, SB1334 SD1 needs amendment to restrict residential development to affordable housing. The median home price on O'ahu reached an all-time high in 2020, during an economic crisis where the state's unemployment rate also reached unprecedented levels. It should be no secret that new high-priced housing developments do not produce attainable housing for O'ahu residents, such residential units are generally purchased by investors from overseas or from the mainland, and generally remain unoccupied. This bill in its

current form opens the door for the continuation of such development and does not serve the public interest.

For the reasons stated above, I oppose SB1334 SD1. Thank you for your time and consideration.

Mahalo nui

**LATE**

**SB-1334-SD-1**

Submitted on: 3/2/2021 11:47:42 PM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Matthew Swalinkavich	Individual	Oppose	No

Comments:

Instead of "maximizing profits" for this state entity called OHA, house Hawaiians. This prostitution of our land has got to stop already. The more you folks approve bills like this, the more foreigners come in and jack the market up, displace kĀ• naka and locals further, and fail to achieve the insinuated goals. Enough- LAWA.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/3/2021 3:04:26 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lei K Ayat-Verdadero	Individual	Support	No

Comments:

**I STRONGLY SUPPORT SB1334 SD1** because the current residential prohibition on OHA's Kaka'ako Makai lands stands in the way of Native Hawaiian self-determination. The lands are Native Hawaiian trust lands. The ability of Native Hawaiians to determine how best to use their land resources to support their own people is a core tenet of Indigenous self-determination. To prohibit an Indigenous organization from building housing on Indigenous land that it rightfully reclaimed, while in the midst of a housing crisis and global pandemic, is an affront to the entire Native Hawaiian community.

OHA looks to steward its 30 acres in Kaka'ako Makai in a manner that is prudent and creates the greatest value for its beneficiaries. OHA originally received its Kaka'ako Makai parcels as compensation for \$200 million in past due income from Public Land Trust revenues owed by the State of Hawai'i to OHA and its beneficiaries. However, the residential prohibition on these lands cap their value far short of \$200 million. This bill would allow OHA to develop a project in Kaka'ako Makai that celebrates Native Hawaiian culture and creates economic opportunities for its beneficiaries and the broader community, while generating revenues to help Native Hawaiians.

**I support Hawaiian self-determination and Hawaiian management of Hawaiian lands.** For these reasons, I humbly request that this measure is passed out of your committees.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/3/2021 7:51:04 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Whispering Wind	Individual	Support	No

Comments:

Aloha Senators,

Please, **SUPPORT** this vital legislation in the spirit of Indigenous self-determination.

**LATE**

**SB-1334-SD-1**

Submitted on: 3/3/2021 7:52:18 AM

Testimony for JDC on 3/3/2021 10:30:00 AM

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

Comments:

Aloha Senators,

Please, **SUPPORT** this vital legislation in the spirit of Indigenous self-determination.