

DAVID Y. IGE  
GOVERNOR



DENISE ISERI-MATSUBARA  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM  
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION  
677 QUEEN STREET, SUITE 300  
HONOLULU, HAWAII 96813  
FAX: (808) 587-0600

IN REPLY REFER TO:

Statement of  
**DENISE ISERI-MATSUBARA**  
Hawaii Housing Finance and Development Corporation  
Before the

**HOUSE COMMITTEE ON HOUSING  
AND  
HOUSE COMMITTEE ON WATER AND LAND**

March 17, 2022 at 11:00 a.m.  
State Capitol, Room 423

In consideration of  
**S.B. 2583 SD2**  
**RELATING TO PUBLIC LANDS.**

HHFDC ***supports*** S.B. 2583 SD2, which exempts non-ceded lands set aside by the Governor to the Hawaii Housing and Finance Development Corporation from classification as public lands subject to Department of Land and Natural Resources management.

[Chapter 171](#) of the Hawaii Revised Statutes already exempts lands that HHFDC holds title to from the definition of public lands. If this definition were broadened to include non-ceded lands set aside to HHFDC, then the agency would be able to treat all non-ceded lands under its control in a consistent manner. This action would streamline the approval process and facilitate the delivery of affordable housing on state-owned lands.

Thank you for the opportunity to testify.

**SB-2583-SD-2**

Submitted on: 3/15/2022 6:38:25 PM

Testimony for HSG on 3/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin Moore	DLNR	Comments	Remotely Via Zoom

Comments:

I am available for questions to DLNR. Please allow me Zoom access.

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

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

**Thursday, March 17, 2022  
11:00 AM**

**State Capitol, Conference Room 423 and Via Videoconference**

**In consideration of  
SENATE BILL 2583, SENATE DRAFT 2  
RELATING TO PUBLIC LANDS**

Senate Bill 2583, Senate Draft 2, proposes to clarify that non-ceded lands set aside to the Hawaii Housing Finance and Development Corporation (HHFDC) by the Governor are exempt from the definition of “public lands”. Senate Draft 2 changed the effective date to July 1, 2050, to facilitate further discussion on the measure and technical non-substantive amendments for purposes of clarity, consistency, and style. **The Department of Land and Natural Resources (Department) has no objection to the measure as amended and offers the following comments.**

The bill proposes to exempt non-ceded lands set aside to HHFDC from the definition of public lands under Section 171-2, Hawaii Revised Statutes (HRS), and require legislative approval of any sale of said non-ceded lands under Section 171-64.7, HRS. Lands to which the HHFDC in its corporate capacity holds title are already exempt under Section 171-2, HRS. As a result, if Senate Bill 2583, Senate Draft 2, were to become law, HHFDC would no longer need to secure the approval of the Board of Land and Natural Resources for land dispositions or projects on non-ceded lands set aside to HHFDC under Section 171-11, HRS.

Senate Bill 2583, Senate Draft 2, provides any non-ceded lands no longer needed for housing, finance, and development purposes shall be returned to the public trust administered by the agency from which they were obtained. The Department has no objection to the bill as presently worded.

Thank you for the opportunity to comment on this measure.

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

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

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



**Ka Leo O Nā 'Ōpio &  
Jr. Ko'olaupoko Hawaiian Civic Club  
JOINT TESTIMONY of OPPOSITION  
SB2583**



**To The Honorable Members & Chairs of the Housing, Water & Land Committee:**

Both the Jr. Ko'olaupoko Hawaiian Civic Club & Ka Leo O Nā 'Ōpio submit opposition to SB2583. These exemptions are dangerous to the Public Lands Trust (PLT) and risk further mismanagement. Even with the language regarding ceded lands, it does not change the fact that much of the language in the bill is still contradictory to the definition of what is public lands, much of which stems from the lie of annexation.

This bill has the potential impact of disposition to private interests without proper public notice as lands that were previously within the PLT. At least under DLNR, there is much more opportunity and some transparency regarding public input. Exemptions of the classification will nearly alienate the public from having greater input on future land use, not to mention put further authority within the Executive Branch. This brings to question, who does the government work for?

Such land transfers if intended to benefit the public should not alter it's classification. Former classifications under DLNR jurisdiction were for the purpose of holding such land in trust for Native Hawaiians, who have never relinquished their right to sovereignty or self-determination. Yet this bill ignores such claims, as it undermines the native right of self-determination over their ancestral lands. Continued degradation of such lands without consent is not just a war crime but undermines Hawai'i's long-term capacity.

Overall this bill sets a dangerous precedent on the future of the Public Lands Trust, further alienating Public Lands to serve more authoritarian forms of so-called "democracy" that may benefit private interests over the general public. We are opening another door for further deals that risk the disposition and privatization of land that often result in so-called "affordable" housing projects falling into the hands of those who jack up the pricing of the real estate market. Amid numerous investigations into the affairs of the County and State, these bills reflect our lack of faith in our officials and possibly call for further investigations.

Mahalo,

Bronson Azama  
**Steering Committee Member, Ka Leo O Nā 'Ōpio  
President, Jr. Ko'olaupoko Hawaiian Civic Club**