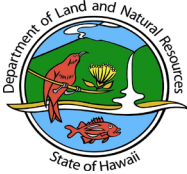


DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committees on  
WAYS AND MEANS  
and  
JUDICIARY**

**Wednesday, March 2, 2022  
9:30 AM**

**State Capitol, Conference Room 211, Via Videoconference**

**In consideration of  
SENATE BILL 3133, SENATE DRAFT 1  
RELATING TO DISPOSITION OF PUBLIC LANDS BY NEGOTIATION**

Senate Bill 3133, Senate Draft 1 proposes to include leases for commercial, industrial and hotel or resort purposes eligible for disposition by negotiation pursuant to Section 171-59(b), Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) strongly supports this Administration measure.**

This bill proposes to include leases for commercial, industrial, and hotel or resort purposes to those eligible for direct negotiation pursuant to Section 171-59(b), HRS. The public auction process that is normally used to dispose of leases for these uses has become too protracted, cumbersome and uncertain to the extent that it has discouraged participation by potential lessees. This issue has been identified on multiple occasions by different parties including real estate consultants and potential lease applicants as a deterrent to leasing public lands. Interested parties would need to invest significant time and expense to comply with regulatory requirements such as Chapter 343, HRS without any expectation of receiving a lease. As a result, properties have remained vacant, generating no income and serving no public benefit, while in some cases incurring significant management costs for the Department.

For instances where the outcome of the public auction is antithetical to its intent, the Department should have the option of issuing a direct lease to meet its fiduciary obligations. This measure would serve to assist in expediting the leasing process, potentially making properties more attractive to prospective lessees. Under these circumstances, awarding a direct lease would result in the creation of long-term income stream to fund the Department's resource management and protection programs, as opposed to the alternative where no income is generated and additional

**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

costs consume the Department's limited operating funds. Conversely, by allowing direct leasing this measure would facilitate the productive use of public lands for commercial, industrial, hotel and resort use purposes to create additional jobs, economic development and growth.

The Department believes that there are sufficient statutory safeguards to ensure that the public interest is protected in the direct leasing process. Unlike standard leases with an initial term of up to 55 years, direct leases awarded pursuant to Section 171-59, HRS, are limited to a term of 35 years. Furthermore, the rent from these leases would be determined at fair market value, ensuring that the State receives appropriate compensation for these leases. Finally, any decision to award a direct lease would be transparent, subject to approval by the Board of Land and Natural Resources in an open, public meeting, providing the public, including any potential competing parties, with the identity of the lessee and an opportunity to review the proposed lease and provide testimony.

Thank you for the opportunity to comment on this measure.



# SIERRA CLUB OF HAWAI'I

## SENATE COMMITTEE ON WAYS AND MEANS SENATE COMMITTEE ON JUDICIARY

March 2, 2022

9:30 AM

Via Videoconference

**In OPPOSITION to SB3133 SD1:** Relating to Disposition of Public Lands by Negotiation

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Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Ways and Means and Judiciary Committees,

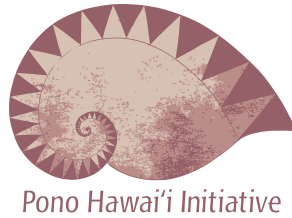
On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES SB3133 SD1**, which may foreclose significant revenue generating opportunities critical to the fulfillment of the Department of Land and Natural Resources' ("DLNR's") public trust duties.

Revenues generated from leases of public lands provide critical support to the DLNR, which is tasked with the stewardship of our public trust lands and waters as well as the protection of our conservation and watershed lands. Revenues may in some cases also be used to satisfy the state's obligation to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands, both of which also carry out stewardship and other activities that protect our islands' natural and cultural spaces. **The Sierra Club of Hawai'i and the public generally therefore have a significant interest in ensuring that the DLNR maximizes revenue generating opportunities from its most lucrative land holdings, including and in particular its industrial, resort, and commercial land portfolio.**

**This measure may foreclose, for decades, the exploration of land leasing approaches that could result in significantly increased revenues for the DLNR and the protection of our islands' lands and waters.** Notably, recent state audits have identified and recommended many ways that the DLNR's Land Division may be able to increase its lease revenues, including by developing and investing in a marketing plan, and ending its reliance on ground leases in favor of much more lucrative space and office leases. Unfortunately, the Land Division has appeared to reject these recommendations, and appears committed to maintaining its status quo approach to disposing of the revenue-generating public lands under its control. By authorizing the Land Division to directly negotiate leases for these lands, this measure would allow it to avoid adopting new leasing approaches that could enhance its lease revenues, and instead lock in low-revenue ground leases of our limited public land base with little to no oversight or accountability, for decades at a time.

For the reasons described above, the Sierra Club of Hawai'i respectfully urges the Committees to **HOLD** this measure.

Mahalo nui for the opportunity to testify.



Monday, February 28, 2022

Relating to Disposition of Public Lands by Negotiation  
Testifying in Opposition

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) Opposes SB3133 SD1, Relating to Disposition of Public Lands by Negotiation.

This measure would allow DLNR to directly negotiate and issue commercial, industrial and resort leases for "ceded" lands without going through the public auction process.

By foregoing public auctions, DLNR is choosing the least competitive process and the public deserves more transparency not less.

For these reasons, we urge the Committee to defer this measure indefinitely.

Mahalo for the opportunity to testify,

Gary Hooser  
Executive Director  
Pono Hawai'i Initiative



**Senate Committee on Water & Means / Senate Committee on Judiciary**

**Hawai'i Alliance for Progressive Action (HAPA) Opposes: SB3133 SD1**

Wednesday, March 2nd, 2022 9:30 a.m. Conference Room 211

Aloha Chair Dela Cruz/Rhoads, Vice Chair Keith-Agaran/Keohokalole and Members of the Committees,

HAPA opposes SB3133 SD1, which proposes to include leases for commercial, industrial, and hotel or resort purposes eligible for disposition by negotiation pursuant to section 171-59(b), Hawaii Revised Statutes.

SB3133 SD1 would allow DLNR to directly negotiate and issue commercial, industrial, and resort leases for public (mostly ceded) lands, without going through the public auction process. This would lock the most potentially lucrative public, or ceded, lands for the betterment of "commercial, industrial, and hotel or resort(s)" for up to 65+ years at a time. The allocation of public lands should be aligned with the public good and requires the additional transparency and review provided by a public auction.

By authorizing the Land Division to directly negotiate leases for these lands, SB3133 SD1 would allow the Land Division to avoid adopting new leasing approaches that would instead increase its lease revenues, and instead lock in low-revenue ground leases of our limited public land base with little to no oversight or accountability, for generations to come.

Given the extreme value of these lands, lessees with considerable political and economic influence would be motivated to "negotiate" deals for leases that do not adequately protect the interests and rights of Native Hawaiians and the public in leased public and ceded lands; such leases would also limit or foreclose the use of the most lucrative and often cultural important lands to pursue reconciliation and justice with Native Hawaiians for the next two generations.

The public has significant interest in ensuring that the DLNR maximizes revenue generating opportunities from its most lucrative land holdings, including and in particular its industrial, resort, and commercial land portfolio. This measure may prevent the exploration of land leasing approaches that could result in significantly increased revenues for the DLNR and the protection of our lands and environments.

Unfortunately, the Land Division has appeared to reject recent recommendations from state audits, and seems committed to maintaining its status quo approach to disposing of the revenue-generating public lands it controls.

Please defer SB3133 SD1.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Anne Frederick". The signature is fluid and cursive, with a long horizontal stroke at the end.

Anne Frederick  
Executive Director

**Kūpuna for the Mo'opuna**  
*committed to the well-being of Hawai'i for the next generations to come*  
kupuna4moopuna@gmail.com



**SB 3133 SD1** – RELATING TO DISPOSITION OF PUBLIC LANDS BY NEGOTIATION.  
WAM/JDC 3/2/2022 @9:30 am

**STRONG OPPOSITION**

We are in **STRONG OPPOSITION** to **SB 3133 SD1** which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. **DO NOT PASS SB 3133!**

NO behind the scenes dealmaking for ceded land leases for commercial, industrial, and hotels/resorts. Our public lands and Hawaiian rights shall not be negotiated.

**We agree with Speaker Saiki. The legislature needs to ensure that the legislative process reflects the public interest, and not special interests.**

Hawaii News Now  
February 9, 2022

“Speaker Saiki condemns corruption, says ‘people of Hawaii deserve better from their elected officials’”

[Saiki] continued, “All of us in the Hawaii Legislature must take action to rebuild the public's confidence and trust. And we need to ensure that the legislative process reflects the public interest, and not special interests...I pledge to do everything in my power as Speaker of the House to rebuild integrity and trust in our legislative process.”

**SB 3133 does not rebuild integrity and trust in our legislative process. DO NOT PASS.**

Kūpuna for the Mo'opuna  
Pana'ewa, Hawai'i



**STOP LEGAL THIEVERY**

*Ua mau ke ea o ka 'āina i ka pono!*





**LATE**

*Eric W. Gill, Financial Secretary-Treasurer*

*Gemma G. Weinstein, President*

*Godfrey Maeshiro, Senior Vice President*

March 1, 2022

Committee on Ways and Means  
Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

### **Testimony in opposition to SB 3133**

Chair Dela Cruz, Chair Rhoads, Vice-Chair Keith-Agaran, Vice Chair Keohokalole and Members of the Committee:

UNITE HERE Local 5 is **opposed to SB 3133**.

This bill would change the rules for leasing public land for hotel, commercial and industrial purposes.

DLNR can lease public land for various purposes. HRS §171-59 allows for land lease agreements by negotiation rather than competitive bidding if the BLNR finds that the public interest demands it.

Per our understanding of this bill, for hotels, commercial and industrial uses, SB3133 would exempt such negotiated land leases from: 1) public notice requirements; 2) allowing all interested parties to apply to negotiate; 3) establishing reasonable criteria for the selection of the lessee; 4) selecting the highest bidder that meets those criteria; and 5) upon selection of one lessee, notifying all applicants of the determination and allowing losing applicants to see the reasoning and challenge it.

We feel this is not in the public interest. It would remove transparency from the process by which our public lands are leased to developers. Further, it is anti-competitive, and we do not understand how it would serve the best interests of the state to not analyze competing proposals - especially when leasing land for revenue-generating purposes, and especially in the three sectors addressed by this bill.

Please oppose this measure.

Thank you.

**SB-3133-SD-1**

Submitted on: 2/27/2022 7:33:21 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Naomi Tachera	Individual	Oppose	No

Comments:

*Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,*

***I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD** SB3133.*

*Mahalo nui,*

*Naomi Tachera*

**SB-3133-SD-1**

Submitted on: 2/27/2022 8:18:48 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Patricia Blair	Individual	Oppose	No

Comments:

Bad Bill.

**SB-3133-SD-1**

Submitted on: 2/27/2022 10:32:37 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Cory Harden	Individual	Oppose	No

Comments:

Aloha legislators,

Please vote down this bill.

Public land leases provide critical funds for the DLNR to steward our lands and waters, and a percentage of certain lease revenues should also be set aside and transferred to OHA and DHHL for public land trust and former sugarcane lands, respectively. Direct negotiation authority for 55+ year leases could lock in low lease revenues from our most lucrative public lands for generations at a time, undermining the protection of our ‘āina and our obligations to the Hawaiian community.

Notably, a [2019 audit](#) highlighted ways that the Land Division would be able to maximize its revenues from commercial leases, including by increasing its marketing capacity and expertise, and moving away from ground leases and using space leases instead. This measure would potentially let the Land Division stick to the status quo (as it says it prefers to do) rather than seek ways to improve their approach to leasing public lands, compromising the DLNR’s ability to care for our environment and undermining the state’s obligation to the Hawaiian community.

Mahalo.

**SB-3133-SD-1**

Submitted on: 2/27/2022 10:54:20 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Sharde Freitas	Individual	Oppose	No

Comments:

OPPOSE

**SB-3133-SD-1**

Submitted on: 2/28/2022 6:43:31 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Nanea Lo	Individual	Oppose	No

Comments:

Hello Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I strongly OPPOSE SB3133 SD1, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to HOLD SB3133.

me ke aloha 'āina,

Nanea Lo

**SB-3133-SD-1**

Submitted on: 2/28/2022 8:38:24 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mara Davis	Individual	Oppose	No

Comments:

*I strongly **OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD SB3133**.*

*Mara Davis*

**SB-3133-SD-1**

Submitted on: 2/28/2022 9:13:02 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kaleiheana-a-Pohaku Stormcrow	Individual	Oppose	No

Comments:

*Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,*

***I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD SB3133**.*

*Mahalo nui,*

*Kaleiheana Stormcrow*



**SB-3133-SD-1**

Submitted on: 2/28/2022 12:35:15 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Will Caron	Individual	Oppose	No

Comments:

I strongly oppose this bill. Mahalo.

**SB-3133-SD-1**

Submitted on: 2/28/2022 1:50:25 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Barbara Penn	Individual	Oppose	No

Comments:

Bad bill for the people of Hawaii.

**SB-3133-SD-1**

Submitted on: 2/28/2022 4:02:47 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Makanoe Hufana	Individual	Oppose	No

Comments:

*Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,*

***I strongly OPPOSE SB3133 SD1, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time.***

*Accordingly, I respectfully urge your Committees to **HOLD** SB3133.*

*Mahalo nui,*

*Makanoe Hufana*

**SB-3133-SD-1**

Submitted on: 2/28/2022 7:14:10 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Peter Koulogeorge	Individual	Oppose	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I am writing today to voice my **strong opposition to SB 3133 SD1** due to the threat it poses to our public lands which are vital resources for ecological and cultural functions. Furthermore, any attempts to undermine the state's obligation to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act should be completely off the table. We cannot allow for private and commercial interests win out and profit off of lands which are as sacred as they are instrumental.

I respectfully urge your Committees to **HOLD** SB3133

Please listen to the voices of the people who are coming together and urging you to do the right thing on this measure. Thank you for your consideration,

Peter Koulogeorge

**SB-3133-SD-1**

Submitted on: 2/28/2022 8:09:43 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
JarraeTehani Manasas	Individual	Oppose	No

Comments:

I strongly OPPOSE SB3133 SD1, which would undermine the DLNR's ability to steward our public lands and natural resources and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the DLNR for long-term commercial, industrial or resort leases without the public transparency or accountability required under current appraisal and public action requirements.

Please HOLD SB3133.

Mahalo JarraeTehani Manasas

**SB-3133-SD-1**

Submitted on: 3/1/2022 7:35:30 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Clemens Mayer	Individual	Oppose	No

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

**I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD** SB3133.

Mahalo nui,

Clemens Mayer

**SB-3133-SD-1**

Submitted on: 3/1/2022 8:19:14 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jessica Sobocinski	Individual	Oppose	No

Comments:

Aloha Kākou,

I strongly oppose SB3133 SD1. Allowing private interests to bypass public auction requirements further disenfranchises families, public entities, and smaller, locally-owned businesses and nonprofits from gaining access to lands zones for commercial and industrial use. This bill would further erode attempts to address the inequity that exists in our communities' struggle for land access and give larger enterprises more opportunities to further profit from Hawai'i's lands with little to no accountability for the impact of their actions on local communities. Selling Hawai'i to the highest bidder is not going to solve our economic struggles; investing in our local communities, businesses, and organizations is the only way Hawai'i can thrive and survive in a rapidly changing world. Even in the tourism and agricultural industries, there is increased demand for authentic, ethically-sourced goods and experiences. Indonesia has interesting models for a locally-managed, locally-driven tourism economy that I encourage this body to look into.

Mahalo,

Jess

**SB-3133-SD-1**

Submitted on: 3/1/2022 8:41:56 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lorraine Waianuhea	Individual	Oppose	No

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I strongly **OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD SB3133**.

Mahalo nui,

Lorraine Waianuhea



**SB-3133-SD-1**

Submitted on: 3/1/2022 8:58:14 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
cheryl B.	Individual	Oppose	No

Comments:

Oppose and ask that you hold on this measure.

I believe that it will directly impact our islands in ways that will cause issues for our water and land.

It's time that the legislators who introduce and support these bills find a lens that helps them look at things in a way that is different than they have always done.

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 10:56:34 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jason Mark Alexander	Individual	Oppose	No

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

**I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD** SB3133.

Mahalo nui,

Jason Mark Alexander

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 3:19:24 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Diana Garcia	Individual	Oppose	No

Comments:

*Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,*

***I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD** SB3133.*

*Mahalo nui,*

*Diana Garcia*

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 3:19:30 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Honu Nichols	Testifying for Uprooted and Rising	Oppose	No

Comments:

*Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,*

***I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD** SB3133.*

*Mahalo nui,*

*Honu'āina Nichols*

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 3:20:44 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Dante Gonzales	Individual	Oppose	No

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

**I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to HOLD SB3133.

Mahalo nui,

Dante Gonzales

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 3:26:25 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rachel Huang	Individual	Oppose	No

Comments:

*Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,*

*Hopeful for a brighter future.*

*I am testifying in **OPPOSITION** to SB3133 SD1, which would reduce the state's ability to ensure appropriate management for tens of thousands of acres of public lands that may host important ecological and cultural resources and sites and that may also be critical to watershed integrity and our islands' water security.*

*The tens of thousands of acres of public lands that would be transferred under this bill are crucial watershed lands that have been used on a temporary basis for cattle grazing. If transferred to the Department of Agriculture, these public lands could be opened to ranching activities including unrestricted grazing and clear cutting of forests, and access for hiking, hunting, and cultural traditions would be jeopardized. It is appropriate for the agency responsible for managing the state's watersheds, native species habitat, cultural sites, and other public trust values in our public lands to maintain its management responsibility over these high-value lands.*

*Therefore, I respectfully urge the Committees to **HOLD** this measure.*

*Mahalo nui,*

Rachel

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 3:32:03 PM  
Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gabriela Silva	Individual	Oppose	No

Comments:

**I strongly OPPOSE SB3133 SD1, which would undermine the Department of Land and Natural Resources’ ability to steward our public lands and natural and cultural resources, as well as the state’s obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR’s ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to HOLD SB3133.**

**Mahalo nui,**

**Gabriela Silva**

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 6:17:49 PM  
Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cassandra Chee	Individual	Oppose	No

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

My apologies for the timing of my testimony. ***I strongly OPPOSE SB3133 SD1, which would undermine the Department of Land and Natural Resources’ ability to steward our public lands and natural and cultural resources, as well as the state’s obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the DLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR’s ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to HOLD SB3133.***

Mahalo nui,

Cassandra Chee



**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 8:06:48 PM  
Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kapulei Flores	Individual	Oppose	No

Comments:

Aloha,

I strongly **OPPOSE SB3133 SD1** which would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. This is trying to cut out the public opinion on issues and management of our natural resources and land. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR’s ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Preserving our land, water, and resources needs to be our main priority that we need the right management that includes the public as well as checks and balances.

Mahalo

**LATE**

**SB-3133-SD-1**

Submitted on: 3/1/2022 11:26:46 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Chariya Terlep-Cabatbat	Individual	Oppose	No

Comments:

*Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,*

***I strongly OPPOSE SB3133 SD1**, which would undermine the Department of Land and Natural Resources' ability to steward our public lands and natural and cultural resources, as well as the state's obligations to the Hawaiian community under the public land trust and the Hawaiian Homes Commission Act. This measure would allow politically and financially powerful entities to negotiate directly with the BLNR for long-term commercial, industrial, or resort leases, without the public transparency or accountability required under current appraisal and public auction requirements. As a result, leases may fail to sufficiently generate much-needed revenues from our most lucrative public lands, impacting the DLNR's ability to manage and protect our watersheds, streams, cultural sites, and other public trust resources, and reducing the amount of pro-rata funds that would otherwise be transferred to the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands – for generations at a time. Accordingly, I respectfully urge your Committees to **HOLD** SB3133.*

*Mahalo piha,*

*Chariya Terlep-Cabatbat*

**LATE**

**SB-3133-SD-1**

Submitted on: 3/2/2022 6:09:25 AM  
Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
melissa tomlinson	Individual	Oppose	No

Comments:

Aloha Kakahiaka. Please oppose this bill. These lands must be protected in their current state! We have already seen the corruption of turning land designations into agriculture lands only to be purchased by wealthy elite that intend to turn them into residential lands using and taking advantage of the government system inappropriately to benefit them and not the public at large. These bills suggesting redesignations of protected lands is not a good idea and is not helpful for the economy. Supporting Kānaka Maoli is the best way to care for all Hawai‘i and all of Hawai‘i’s people.

**LATE**

**SB-3133-SD-1**

Submitted on: 3/2/2022 8:30:33 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Wailani Stoner	Individual	Oppose	No

Comments:

I oppose this bill because it is ridiculous to put the needs of tourism and profit before our native Hawaiian community. While greed continues to grow so does our homeless population. Think about our people. Our families. The land we live on. Think about our future generations and what we are leaving for them.

**LATE**

**SB-3133-SD-1**

Submitted on: 3/2/2022 9:35:29 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Bronson Azama	Individual	Oppose	No

Comments:

This type of bill is extremely scary as its proposed impacts would negatively affect the Public Land Trust, which are held in Trust for the people of Hawai'i and Hawaiian people. These actions should not continue to move forward and further the list of ongoing crimes at the legislature. Is this a public government or a corporation? That is the question I ask with bills like this being pushed forward.