

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

ROBERT K. MASUDA
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DEPUTY DIRECTOR - WATER

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committee on
WATER AND LAND

Monday, February 7, 2022
1:00 PM

State Capitol, Via Videoconference, Conference Room 229,

In consideration of
SENATE BILL 3134
RELATING TO THE PAYMENT OF DEBT SERVICE
ON THE TURTLE BAY REIMBURSABLE GENERAL OBLIGATION BONDS

Senate Bill 3134 proposes to streamline the process for the Department of Land and Natural Resources to complete required annual payments of debt service on the reimbursable general obligation bonds for Turtle Bay. **The Department of Land and Natural Resources (Department) strongly supports this Administration measure that would free up resources in the Legacy Land Conservation Program (LLCP) and enhance the LLCP's performance of its other functions and duties.**

Section 173A-13, Hawaii Revised Statutes (HRS), now requires that the LLCP complete a cumbersome and prolonged annual grant application and award process before the Department can make an annual debt service payment that is required by this statute's parent authority (Act 121, Session Laws of Hawaii 2005) and sibling statutes (Sections 171-171 and 171-172, HRS). The existing process requires extensive and non-essential effort by the LLCP and its private and public partners, including multiple steps with participants from:

- the Department (several organizational units);
- Department of Agriculture;
- Agribusiness Development Corporation;
- Legacy Land Conservation Commission (Commission);
- the nonprofit land conservation organization that fulfills the existing statutory requirement for filing an application on behalf of the Department and that organizes, with private partners, a field visit by a permitted interaction group from the Commission;
- general public (for public meetings of the Commission);

- Department of Budget and Finance; and
- Office of the Governor.

This proposed measure would provide statutory authority for the Department to simply process the required annual payment from the Land Conservation Fund to the Turtle Bay Conservation Easement Special Fund without intervening and costly bureaucratic steps that provide no return on investment to the LLCP and to other Department units that have primary management responsibilities for State interests at Turtle Bay. Streamlining the payment process as a strictly fiscal transaction would fulfill the purpose of Act 121 "to establish a method to use . . . moneys from the land conservation fund to reimburse the general fund for debt service . . ." and the foundational, minimum requirements of Sections 171-171 and 171-172, HRS, as follows:

The reimbursable general obligation bonds issued to acquire the conservation easement and other real property interests shall be payable . . . from moneys from the land conservation fund.

Section 171-171(c)

[M]oneys from the land conservation fund shall be deposited into the [Turtle Bay conservation easement] special fund.

Section 171-172(b)

Our State would benefit from the enactment of this bill because the Department (particularly the Legacy Land Conservation Program and the Legacy Land Conservation Commission), other consulting and approving agencies, and the nonprofit land conservation organization that files the application would be relieved of their obligations for completing the grant application and award process, thus freeing up more time and resources for performing their other important activities and functions.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
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HAWAII



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