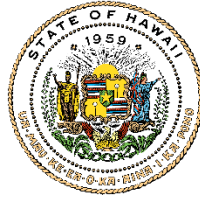


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
WATER & LAND

Tuesday, March 14, 2023
9:30 AM
State Capitol, Conference Room 430

In consideration of
SENATE BILL 1254, SENATE DRAFT 2
RELATING TO THE KAIWI COAST

Senate Bill 1254, Senate Draft 2 proposes to designate the Kaiwi State Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park; establish protection and guidance for land management; funds two full-time equivalent (2.0 FTE) positions within the Department of Land and Natural Resources (Department); and appropriates funds. **The Department supports this measure, but only with the prescribed attached amendments.**

The Department deeply appreciates this measure's support for safe public access and sufficient stewardship of the Kaiwi State Scenic Shoreline. The Department has been in contact with the introducer of Senate Bill 1254, Senate Draft 2 who has taken the time to propose amendments to Senate Draft 2 that address the Department's concerns. The Department is grateful for these proposed amendments to Senate Draft 2 which are attached, and supports the measure with the proposed amendments. The Department provides feedback below that explains the need for the proposed amendments.

Regarding the proposed name change, the Department points out that the current official name of this state park unit is Kaiwi State Scenic Shoreline (KSSS). In consultation with the introducer of the measure, the Department has indicated that the Board of Land and Natural Resources (Board) is responsible for the nomenclature of park units. As such, the Department has agreed to bring this proposed new park unit name before the Board for their consideration and for community stakeholders to testify on the change of the name. The Department does not take a position on the appropriate name for the state park unit. However, the current name has a nexus to the use of federal highway funds for acquisition of the parcels, so this element will need to be reconciled should the Board approve a name change.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
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

Regarding all land within the Kaiwi state scenic shoreline falling under the state conservation land use designation, the Department supports this. The Department welcomes assistance from the community who worked with the state to protect Kaiwi in seeking a change to the state conservation land use designation. The Department agrees that the lands within the Kaiwi state scenic shoreline are of great intrinsic open space value and complementary to the adjacent Maunalua-Makapu‘u Scenic Byway. Maintaining the land in its current undeveloped and natural state, other than a proposed future vault toilet comfort station, and measures to support the native ecosystem such as removal of invasive species and planting of appropriate native coastal species is the goal of the Department. Additionally, funding from the Land and Water Conservation Fund (LWCF), a federal fund administered by the National Park Service, was used in conjunction with CIP to assist with the renovation of the Makapu‘u Trail. With the completion of the project in 2017, the entirety of the Kaiwi State Scenic Shoreline (346 acres) became a LWCF property. LWCF requires that any property acquired or developed with LWCF assistance shall be retained and used for public outdoor recreation in perpetuity (LWCF Act of 1965). Any non-recreation use of any portion of the property will trigger a conversion that requires equivalent public recreational property be provided.

Due to the land tenure along the Kaiwi shoreline, the City and County of Honolulu also must be included planning on the creation of a proposed bicycle and pedestrian pathway adjacent to the Maunalua-Makapu‘u Scenic Byway.

The amount of CIP funding needed to implement the planning, design and construction for the proposed bicycle and pedestrian pathway still needs to be determined. The Department is appreciative of the consideration of funds for the establishment, planning, and design of the park and suggests One Million Dollars (\$1,000,000.00) to enact parts of this endeavor.

With the attached amendments, the Department supports the passage of Senate Bill 1254, Senate Draft 2 as a Senate Draft 2, House Draft 1.

Mahalo for the opportunity to provide testimony in support of an amended version of this measure.

RELATING TO THE KAIWI COAST.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the lands of the Kaiwi coast are an invaluable natural asset for the people of Hawaii. Numerous community members and organizations have fought long and hard over many decades to protect and preserve this unspoiled area for future generations, including preserving land and working together to establish the Maunalua-Makapuu scenic byway.

The legislature further finds that a growing interest in this area of Oahu has brought a rapid increase in visitors to the Kaiwi coast. Dangerous conflict between vehicles, pedestrians, and people on bicycles along the highway is increasing the risk of regular injury and death.

Collaboration between community organizations and government agencies is necessary to address myriad issues, such as ensuring safety, managing human impacts, preventing invasive species, and restoring the local ecosystem.

Accordingly, the purpose of this Act is to enhance the Maunalua-Makapuu scenic byway and protect and preserve the lands of the Kaiwi coast in perpetuity by establishing the Kaiwi coast state park so the area can be properly protected and managed for the benefit of residents and future generations.

SECTION 2. **Kaiwi coast state park.** (a) The department of land and natural resources shall petition the board of land and natural resources to designate the following tax map key members as a state park under the name "Kaiwi coast state park":

- (1) (1)3-9-11:002; and

(2) (1)3-9-11:007.

The department of land and natural resources shall administer lands designated as a state park by the board of land and natural resources pursuant to this section.

(b) This Act shall be exempt from the requirements of section 171-64.7, Hawaii Revised Statutes, and the boundary amendment requirements of chapter 205, Hawaii Revised Statutes.

(c) Conditions and obligations related to federal funds previously expended on lands pursuant to (a) shall be observed unless otherwise authorized by the federal government.

SECTION 3. (a) All land within or added to the Kaiwi coast state park shall be considered for designation as conservation land.

(b) Land in the Kaiwi coast state park shall be preserved in perpetuity primarily in its wild and natural state.

(c) Any land added to the Kaiwi coast state park shall be subject to this section."

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____ or so much thereof as may be necessary for fiscal year 2023-2024 and the same sum or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment, planning, and design of the Kaiwi coast state park and Maunaloa-Makapuu scenic byway improvements, including safe pedestrian and bicycle connectivity; provided that planning and design shall:

- (1) Build upon and reflect the direction of recent work for the Maunaloa-Makapuu scenic byway and Kaiwi state scenic shoreline master plans; and
- (2) Include the department of transportation, department of

land and natural resources, city and county of Honolulu, stakeholders who assisted in the creation of the Maunalua-Makapuu scenic byway and Kaiwi state scenic shoreline master plans, and local community members who are dedicated to the preservation of the lands of the Kaiwi coast state scenic shoreline.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 5. This Act shall take effect on July 1, 2050.

Report Title:

Kaiwi Coast State Park; Department of Land and Natural Resources; Appropriations

Description:

Designates the Kaiwi Coast Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park. Establishes protection and guidance for land management. Appropriates funds. Effective 7/1/2050. (SD1)



*Dedicated to the conservation of coastal and marine environments,
emphasizing stewardship of the natural resources of Hanauma Bay*

Committee on Water and Land (WAL)
Representative Linda Ichiyama, Chair
Representative Mahina Poepoe, Vice Chair

NOTICE OF HEARING

DATE:	Tuesday, March 14, 2023
TIME:	9:30 a.m.
PLACE:	VIA VIDEOCONFERENCE Conference Room 430

Re: **Strong Support for SB1254**

Aloha Chair Ichiyama, Vice Chair Poepoe, and WAL Committee Members,

Thank you for allowing Friends of Hanauma Bay to testify in **strong support of SB1254** which would designate the Kaiwi Coast Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park. It would also establish protection and directions for land management, and positions, within the Department of Land and Natural Resources for this new State Park.



*Friends of Hanauma Bay is a Section 501(c)(3) not-for-profit charitable organization
Federal Tax Identification Number 99-0285649*



*Dedicated to the conservation of coastal and marine environments,
emphasizing stewardship of the natural resources of Hanauma Bay*

The lands of the Ka Iwi coast extending from Hawaii Kai to Waimanalo for almost seven miles are an invaluable natural asset for the people of Hawaii. Framed by dramatic mauka-to-makai views and natural landscapes; cultural and historic features; popular recreational areas; and landmarks such as Koko Crater, Hanauma Bay, Makapu'u Lighthouse, and the lava tube known as Halona Blowhole, Kaiwi comprises the last wild and undeveloped coastal lands in east Oahu.

Designating the Kaiwi Coast Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park is a culmination of an extraordinary and unwavering decades-long commitment by the entire East Honolulu Community to protect and preserve this last undeveloped acreage in east Oahu in perpetuity.

Our children and grandchildren thank you in advance for passing SB1254!

With Aloha,

Lisa Bishop
President
Friends of Hanauma Bay

SB-1254-SD-2

Submitted on: 3/11/2023 4:26:06 PM

Testimony for WAL on 3/14/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Hawaii Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

SUPPORT



2023
Board of
Directors

Elizabeth Reilly
President

Allen Tateishi
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Community Outreach

Dylan Ramos
Communications &
Operations

Website

www.hawaiiikaihui.org
www.kaiwicoast.org

Like us on Facebook
Livable Hawaii Kai Hui
Aloha Aina O Kamilo Nui
Ka Iwi Coast

Livable Hawaii Kai Hui is a 501(c)(3) non-profit, community organization serving East Honolulu since 2004. We strive to promote sensible growth, respect for cultural & natural resources, and upholding the integrity of the East Honolulu Sustainable Communities Plan.

March 12, 2023

Hawai'i State House of Representatives
Committee on Water & Land
Meeting on March 14, 2023 at 9:30 a.m.
Conference Room 430 & Videoconference

RE: **Strong support and comments for SB1254 SD2, Kaiwi Coast State Park**

Aloha Chair Ichiyama, Vice Chair Poepoe, and WAL Committee Members,

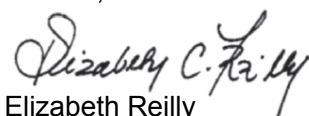
As an organizing member of the Ka Iwi Coalition and contributor to the Maunaloa-Makapu'u State Scenic Byway Corridor Management Plan, Livable Hawaii Kai Hui testifies in **strong support** of SB1254.

LHKH proudly stewards the Ka Iwi Coast Mauka Lands with the support of communities and individuals not only from East Honolulu, but across O'ahu and beyond. As such, we take particular interest in SB1254 and are eager to support what we hope is the final push to create the Kaiwi Coast State Park.

The Hui is excited to see the State taking up this initiative that aims to protect and preserve the cultural and natural resources of Kaiwi Coast in perpetuity, especially because it respectfully seeks to engage community members and stakeholders in the planning process. That said, while we are encouraged by such mindfulness, we hope this inclusivity and a commitment of adequate resources extend throughout the park's lifetime. Also, we hope that the 2050 effective date in SD2 is brought up to at least 2024.

We'd like to send a big mahalo to this Committee for hearing this measure and considering the decades of grassroots stewardship that brought us all to this momentous point. Special thanks to Senator Chris Lee, Senator Stanley Chang, Representative Gene Ward, Representative Mark Hashem, and all their teams for working with us on this effort for years. We look forward to the passage of SB1254 and our continued collaboration.

Mahalo,


Elizabeth Reilly
Founder/President


Dylan Ramos
Communications & Operations



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bicycle@hbl.org

HOUSE COMMITTEE ON WATER AND LAND
Tuesday, March 14, 2023 – 9:30am

Hawai'i Bicycling League Supports SB 1254 SD2, relating to the Kaiwi Coast

Aloha Chair Ichiyama, Vice Chair Poepoe, and Committee Members,

My name is Travis Counsell, and I am the Executive Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll.

Hawai'i Bicycling League strongly supports SB 1254 SD2, which designates the Kaiwi Coast Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park. It also establishes protection and guidance for land management and funds two positions within the Department of Land and Natural Resources.

The Kaiwi Coast Scenic Shoreline, which includes the Maunalua-Makapu'u scenic byway, is a space that deserves additional protection. It is also a very popular destination for recreational activities including biking, walking, hiking, and beach activities. This has resulted in an increase of roadway users, on a highway which lacks adequate infrastructure to safely protect all users. This bill emphasizes the need for roadway improvements that focus on the safety of people who walk and bike.

Hawai'i Bicycling League members participate in multiple weekly group bicycle rides along this area. Additionally, HBL's signature bicycling event, the Honolulu Century Ride, attracts over 2000 participants annually and proceeds along this shoreline with an aid station at Sandy Beach Park.

We strongly urge you to pass this legislation to protect this important shoreline and ultimately create a safer space for all to enjoy. Mahalo for the opportunity to submit this written testimony.

Ride Aloha,

Travis L. Counsell
Executive Director
Hawai'i Bicycling League



3/14/2023

WAL Committee
Hawaii State Capitol
Honolulu, Hawaii 96813

Dear Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee on Water and Land,

Position: Support SB1254 SD2

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

The Surfrider Foundation, Hawaii region, is testifying in **strong support of SB1254 SD2**, which would designate the Kaiwi Coast Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park.

Over the past few years, the Surfrider Foundation O'ahu Chapter was heavily involved in an effort to protect Wāwāmalu Beach from vehicular degradation, which resulted in the insertion of large boulders to prevent illegal off-roading vehicles from driving across the dunes. The stretch of coastline serves as a critical wildlife habitat and natural resource that includes native plants and endangered species, including Hawaiian monk seals and sea turtles, and the installation of these boulders was just the first step in protecting this habitat. On January 25, 2022, a representative from Surfrider O'ahu was present at the Wāwāmalu Beach blessing with Mayor Rick Blangiardi and other key leaders and volunteers who spearheaded the effort to celebrate this initial victory.

Designating the Kaiwi Coast as a state park is a critical next step to ensure this area is preserved in its "wild and natural state," as stated in the bill. This bill would further protect the species who live in and around this coastline, as well as preserve the area for recreation and use for generations to come. This designation would address a number of issues such as "managing human impacts, preventing invasive species, and restoring the local ecosystem," also as stated in the bill. The Surfrider Foundation O'ahu Chapter partnered with many organizations and community leaders to protect the Wāwāmalu Beach dunes, and we once again are eager to see this area further protected by being designated as a state park.

Thank you for your consideration of this testimony in support of SB1254 SD2, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawaii and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Camile Cleveland
Volunteer Policy Coordinator
Surfrider Foundation, O'ahu Chapter

Ka Iwi Coalition

Mauka to Makai



Committee on Water & Land
Rep. Linda Ichiyama, Chair
Rep. Mahina Poepoe Vice Chair

Committee Hearing
Tuesday, March 14, 2023
Conference Room 430, Hawai'i State Capitol & Videoconference
415 South Beretania Street

Re: Testimony In Support of SB 1254 - Relating to the Kaiwi Coast

Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee,

As advisors of the Ka Iwi Coalition, we are writing in support of SB 1254, which will keep the Kaiwi Coastline in its wild and natural state for future generations.

Our community has spent over 45 years across multiple generations to protect the Kaiwi Coastline mauka to makai. The Ka Iwi Coalition is part of the same group of community members who led the successful Save Sandy Beach Movement in the 1980s and fought to preserve the entire Maunaloa-Makapu'u corridor over the past 40 years. In 2017, the Ka Iwi Coalition received a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. We successfully led the successful grassroots fundraising campaign that garnered over 1,600 donors and nearly \$700,000 in three months to secure the conservation purchase. This history of community activism demonstrates strong public support for the continued stewardship of the Kaiwi Coastline. Also, we hope that the 2050 effective date in SD2 is brought up to at least 2024.

SB 1254 will address the challenges that the Department of Land & Natural Resources and community partners currently face in stewarding the Kaiwi Coastline. The bill will have the state park incorporate lands currently part of the Kaiwi state scenic shoreline and ensure consistency that all parcels across the Kaiwi Coastline receive the protections of a state park. SB 1254 will also appropriate adequate staffing to maintain the Kaiwi Coast state park.

Finally, SB 1254 dictates that future master planning of the Kaiwi Coast state park builds upon the vision of community partners and stakeholders who have fought for over 45 years to protect the coastline. As noted in the bill, we hope that the Department of Land & Natural Resources incorporates the Maunaloa-Makapu'u scenic byway plan, which was drafted by members of the Ka Iwi Coalition among a diverse group of stakeholders. SB 1254 will foster future collaboration between the State of Hawai'i and community partners to steward the Kaiwi Coast state park.

SB 1254 recognizes the many years of community activism spent to protect the Kaiwi Coastline from urban development, including hotel resorts, golf courses, and cabins. We urge you to pass SB 1254.

Thank you for giving us the opportunity to submit testimony in support of SB 1254.

Phil Estermann
Advisor

Gary Gill
Advisor

Kendrick S. Chang
Community Outreach



SIERRA CLUB OF HAWAI'I

HOUSE COMMITTEE ON WATER & LAND

March 14, 2023 9:30 AM Conference Room 430

In SUPPORT of SB1254 SD2: Relating to the Kaiwi Coast

Aloha Chair Ichiyama, Vice Poepoe, and Members of the Committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **supports SB1254 SD2**, which will help to facilitate the management and stewardship of O'ahu's long-cherished Kaiwi Coast.

Volunteers and members of the Sierra Club of Hawai'i have endeavored for decades to protect the natural and cultural integrity of the Kaiwi Coastline, helping to control invasive species, protect native species habitat, and maintain trails that allow residents and visitors to enjoy this area safely and with minimal impacts. Most recently, Sierra Club volunteers have successfully advocated for the installation of boulders and a designated parking area to prevent vehicular degradation of the sand dunes and adjacent coastal areas of Wāwāmalu.

By consolidating ownership and land use authority under the Department of Land and Natural Resources, and by providing resources needed to steward this special place, SB1254 SD1 will help to ensure that the ecological and cultural character of our Kaiwi Coast remains intact for current and future generations to steward, appreciate, and enjoy.

The Sierra Club does note that this measure does not contemplate the sale or gift of lands from the state to non-state agencies, and that HRS § 171-64.7 would therefore not be triggered by its provisions. See HRS §171-64.7(a), (f)(1). Accordingly, to avoid unnecessary confusion, the Sierra Club does recommend that the exemption to the requirements of HRS § 171-64.7 on page 3, lines 3-5 be deleted.

Accordingly, we respectfully urge the Committee to **PASS** SB1254 SD2.

Thank you very much for this opportunity to provide testimony.

SB-1254-SD-2

Submitted on: 3/10/2023 4:10:14 PM

Testimony for WAL on 3/14/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Support	Written Testimony Only

Comments:

I strongly support this Bill.