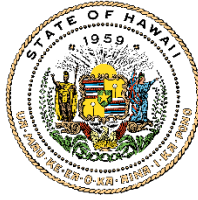


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

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

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING 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
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WATER AND LAND

Wednesday, February 7, 2024
1:00 PM

State Capitol, Conference Room 229 & Videoconference

In consideration of
SENATE BILL 2151
RELATING TO REVOCABLE PERMITS

Senate Bill 2151 requires the Department of Land and Natural Resources (Department) to obtain approval from the Board of Land and Natural Resources (Board) before taking any action on a revocable permit, requires a six-month notice for any actions taken that result in current tenant eviction, and prohibits tenant eviction in the year of renewal or during the renewed year. **The Department opposes this measure.**

The stated purpose of this bill is two-fold: (i) to require the Department to obtain Board approval before acting on a revocable permit; and (ii) prohibit any action that would result in tenant eviction before the year of renewal or during the renewed year. The Department already seeks Board approval before acting on renewable permits. Prohibiting any action that would result in tenant eviction before the year of renewal or during the renewed year essentially creates a vested right of tenancy for an entire year regardless of whether a permittee is in default. This would remove the Department's main remedy for permittees in default. A permittee could essentially not pay rent or comply with any other terms of a permit and the Department would have no mechanism to bring the permittee into compliance.

Additionally, this measure would convert a permit that is revocable with thirty-day notice to a minimum one-year term land disposition. If that is the Legislature's intent, it could create a new one-year direct land lease while maintaining the thirty-day revocable permit to support the

Department's short-term land management needs. The Department would support such an initiative.

Mahalo for the opportunity to testify in opposition to this measure.