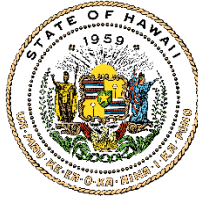


**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**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  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of**  
**DAWN N. S. CHANG**  
**Chairperson**

**Before the House Committee on**  
**TRANSPORTATION**

**Thursday, February 1, 2024**  
**10:00 AM**

**State Capitol, Conference Room 312 & Videoconference**

**In consideration of**  
**HOUSE BILL 1932**  
**RELATING TO THE DEPARTMENT OF TRANSPORTATION**

House Bill 1932 authorizes the Department of Transportation (DOT) to acquire, hold, and dispose of land, and exempt lands to which DOT holds title from the definition of public lands under Section 171-2, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) offers the following comments and suggested amendment.**

The Department does not object to DOT being empowered to acquire, hold, and dispose of land provided that the Board of Land and Natural Resources will not need to hold title to those lands without the opportunity to conduct due diligence. Furthermore, the Department does not object to exempting lands held by DOT from the definition of public lands. However, the Department does suggest that DOT develop and implement a due diligence policy to inform and protect DOT's interests in any future acquisitions.

As written, the proposed measure empowers DOT to acquire lands through condemnation, including land already devoted to public use. This provision would seem to include lands held by the Department or set aside to other agencies for public purposes. The Department objects to DOT being given authority to condemn lands held by the Department or set aside via executive order to other agencies and would request that such lands be excluded from DOT's condemnation powers. Accordingly, the Department suggests amending subsection (f) as follows:

(f) Notwithstanding any law to the contrary, the department of transportation may acquire, or contract to acquire, by grant or purchase any real, personal, or mixed property or any interest therein for immediate or future use for the purposes of this section or title 15; own, hold, improve, and rehabilitate any real, personal, or mixed property acquired pursuant to this subsection; and sell, assign, exchange, transfer, convey, lease or otherwise dispose of, or encumber any real, personal, or mixed property acquired pursuant to this subsection. Upon making a finding that it is necessary to acquire any real property for immediate or future use for the purposes of this section or title 15, the department of transportation may acquire the property by condemnation pursuant to chapter 101, [including property already devoted to a public use,] provided that the property shall not thereafter be acquired for any other public use without the consent of the department of transportation.

Mahalo for the opportunity to comment on this measure.

**HB-1932**

Submitted on: 1/30/2024 4:55:59 PM

Testimony for TRN on 2/1/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin Moore	Department of Land and Natural Resources	Comments	Remotely Via Zoom

Comments:

Duplicate testimony from DLNR (previously submitted on another Capitol account). Request for second Zoom link for additional staff who will be at the hearing for HB1932 to present remotely.

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



**TESTIMONY BY:**  
EDWIN H. SNIFFEN  
DIRECTOR  
KA LUNA HO'OKELE  
  
Deputy Directors  
Nā Hope Luna Ho'okele  
DREANALEE K. KALILI  
TAMMY L. LEE  
ROBIN K. SHISHIDO

**STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I**  
**DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 1, 2024  
10:00 a.m.  
State Capitol, Conference Room 312

**H.B. 1932**  
**RELATING TO THE DEPARTMENT OF TRANSPORTATION**

House Committee on Transportation

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The Department of Transportation (DOT) **supports H.B. 1932**, which authorizes the DOT to directly acquire and hold title to real property for its purposes.

DOT supports this effort to reduce delays and expedite the acquisition process in order to provide a safe, efficient, accessible, and sustainable transportation system.

DOT further supports this effort to expedite project delivery and provide improvements to benefit the public.

DOT requests deferring the effective date until January 1, 2025, in order to develop and implement the acquisition process.

Thank you for the opportunity to provide testimony.



Representative Chris Todd, Chair  
Representative Darius K. Kila, Vice Chair  
Committee on Transportation

Signature Aviation  
Sabrina V. Taylor  
Vice President, Airport Relations & Strategic Programs  
407-595-2001  
98 Kapalulu Place  
Honolulu, Hawaii 96819

Tuesday, January 30, 2024

Support for H.B. 1932, Relating to DOT's Leasing of Public Lands

I am writing on behalf of Signature Aviation, a prominent commercial aeronautical tenant of the State of Hawaii's (State's) Department of Transportation (DOT) at six State-owned airports and at over 200 worldwide airports, to express our strong support for H.B. 1932. This crucial legislation seeks to streamline the process for reviewing and approving the leasing of land to which the DOT holds title at Hawaii airports.

Currently, the leasing process involves the Department of Land and Natural Resources (DLNR), which, while adept in its areas of responsibility, may not possess the specialized knowledge necessary for handling DOT airport leases. This bill proposes that the DOT, with its direct involvement and expertise in airport operations and land management, be the sole authority for reviewing and approving these public land leases. Such a change would not only align more closely with the operational realities of airport management but also ensure compliance with the State's obligations to the Federal Aviation Administration (FAA) related to Airport Improvement Program grants.

The benefits of this bill extend beyond administrative efficiency. By enabling quicker lease approvals, it opens the door for accelerated capital investment by airport tenants like ourselves. This, in turn, will spur the generation of direct revenues for the State through increased land rents and fees. Moreover, it will boost the State's economy by creating jobs and enhancing tourism, thereby contributing to Hawaii's overall economic vitality.

Signature Aviation, as a committed partner in Hawaii's aviation sector, understands the importance of efficient and effective airport management. The proposed changes in H.B. 1932 will facilitate a more responsive and agile airport lease management system, which is essential for the continued growth and development of Hawaii's airports and, by extension, its economy.

We urge the Hawaii State Legislature to pass this bill, recognizing its potential to significantly benefit the State's airports, its economy, and the myriad businesses and individuals who rely on them.

Thank you for considering our perspective on this important matter.

Sincerely,

A handwritten signature in cursive script that reads "Sabrina Taylor".



**SIGNATURE AVIATION CORPORATE HEADQUARTERS**  
13485 VETERANS WAY, SUITE 600  
ORLANDO, FL 32827

**HB-1932**

Submitted on: 1/31/2024 5:08:22 PM

Testimony for TRN on 2/1/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
clara loprinzi	Na Iwi Kupuna	Oppose	Written Testimony Only

Comments:

the problem is the leases...this is not acceptable...opens up too many possibilities of losing the land. This is an old story, shameful. This violates the constitution, already won by Sierra Club in the Hawaii Supreme Court, based on common law , the attorney general doctrine.

January 31, 2024

Testimony for HB 1932 Related to Department of Transportation

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.

I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I'm in OPPOSITION in HB1932 for the following reasons:

Public Trust Doctrine which is found primarily in state common law, requires states to manage certain natural resources for the benefit of the public. See HAW. CONST. art. XI, § 1

Therefore some of the verbiage needs to be change to show the Public Trust Doctrine.

Mahalo,

\_\_\_\_/s/\_\_\_\_  
Cindy Freitas