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MAILING ADDRESS

PO. Box 617
Honolulu
Hawai'i 96822

February 8, 2013

TO: Chair Cindy Evans, Vice Chair Nicole Lowen, Committee on Water and Land
Chair Roy Takumi, Vice Chair Takashi Ohno, Committee on Education
Chair Sylvia Luke, Vice Chairs Nishimoto and Johanson, Com. on Finance

FROM: Barbara Polk, Legislative Chair
Americans for Democratic Action/Hawaii

SUBJECT: **SUPPORT FOR HB 1133 and HB 589**
OPPOSITION TO HB 942, HB 219, HB 593, HB 1134, and HB 865

Americans for Democratic Action/Hawaii strongly objects to HRS 171C, under which control of public lands has been placed in the hands of an unelected five-person Public Lands Development Corporation, with the ability to exempt development from many of the rules and regulations that were designed to protect the environment, native Hawaiian rights, democratic process, health and safety, and consultative development planning. For that reason, we support HB 1133 and HB 589, both of which would abolish the Public Lands Development Corporation.

In a democratic representational system of governance, we elect representatives to whom we entrust major decisions for the benefit of the public. We do not expect or accept our representatives then passing that responsibility on to another body given broad authority with little accountability.

We are also amazed that legislators would so blithely ignore the work of their predecessors at the state and country levels in weighing issues and passing laws over the past half century! In our system of government, that which is not proscribed is legal. In recent years, there has been a sustained attack on "government regulation", as though regulations were put in place only to harass business and government agencies. In fact, each of the laws that regulate business and government has come into being because they have been violated at a time when that was not illegal. To ignore them now is to return to a free-for-all in which nepotism, corruption, environmental degradation, sloppy construction, dangerous work conditions, secrecy, bypassing of community input and random land use are all acceptable! Who would want that? Yet the PLDC was set up in such a way that all of these things would be legal.

It is not enough to tweak the statute here and there (HB 219 and HB 1134), nor is it enough to somewhat limit its scope and rename it (HB 942 and HB 1134). It is also not acceptable to pass certain of its responsibilities on to other existing entities (HB 865). In addition, a pilot project

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 11:19 AM
To: waltestimony
Cc: Scoleman@surfrider.org
Subject: Submitted testimony for HB942 on Feb 9, 2013 09:00AM

HB942

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Surfrider Foundation	Oppose	Yes

Comments: My name is Stuart Coleman, and I am the Hawaii Coordinator of the Surfrider Foundation, an environmental non-profit dedicated to the protection and enjoyment of the world's oceans, waves and beaches. Founded in 1984, the Surfrider Foundation has more than 250,000 supporters, activists and members across the country, with five chapters and over 5000 supporters in Hawaii. One of our top priorities this legislative session is the repeal of Act 55 and the PLDC. So we oppose HB 942 for the following reasons: 1. Our public lands and harbors are not for sale, and they belong to the people. The Harbors and Parks Development Authority (HPDA or PLDC Light) presumes our natural resources exist to create a profit, rather than being preserved for future generations. Most folks believe enough is enough already -- let's focus on enhancing and protecting what we've got, rather than figuring out ways to convert beaches and parks into more development. 2. Despite assurances to the contrary, the PLDC is exempt from all land use laws, including most laws that protect agriculture and conservation lands. Accordingly, the PLDC can develop important agricultural lands set aside for farming or our precious watersheds. This isn't smart planning, and could be quite harmful to Hawaii's longterm future. 3. Environmental and cultural regulations were enacted to protect the people and the land, but the PLDC is exempt from some of our important accountability laws.. Oversight laws were created to prevent abuse of power and preserve the land for the people. We should be cautious about giving control of millions of acres of land without these regulations. 4. The concept of the PLDC is broken and beyond repair, and so are the many other bills like this one trying to rebrand it. We need to start with a clean slate and then have a real discussion about the best ways to protect our communities. We are opposed to the PLDC and any attempt to bypass environmental, cultural and other regulations to fast-track development on public land. Mahalo for the opportunity to testify and share our support of these bills to repeal the PLDC. Aloha, Stuart Coleman Hawaii Coordinatoe The Surfrider Foundation

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 7:41 AM
To: waltestimony
Cc: darakawa@lurf.org
Subject: Submitted testimony for HB942 on Feb 9, 2013 09:00AM
Attachments: 130208 HB 942 PLDC - Harbors & Parks Development (WAL-FIN)(wmy-dza).pdf

HB942

Submitted on: 2/9/2013

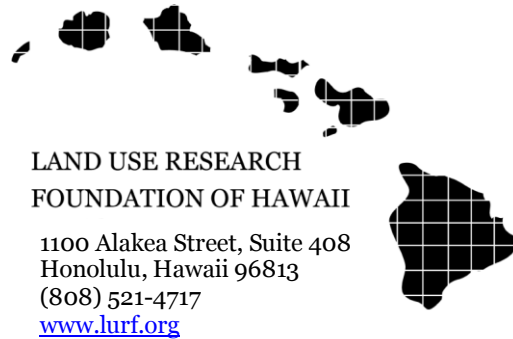
Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
David Arakawa	Land Use Research Foundation	Comments Only	No

Comments: LURF supports of the intent of HB 942, HD1, however, we have serious concerns regarding its current form, its deletion of exemptions from duplicative requirements and proposed 5-year sunset provisions, which may not encourage public-private partnerships, and may frustrate efforts to implement and achieve the worthy goals of Chapter 171C, Hawaii Revised Statutes ("HRS"). LURF understands and shares the concerns of members of the public, organizations and legislators relating to the powers and exemptions under Chapter 171C, HRS. However, rather than passing this bill, which repeals most of Chapter 171C, HRS, and tries to put "lipstick" on it by changing its name to the "Harbors and Parks Development Authority," LURF recommends making sensible and reasonable amendments to Chapter 171C, HRS (possibly limiting it to pilot projects just for harbors, parks and 21st Century Schools), to achieve the intent and purpose of the law – which was to create a public corporation to administer an appropriate and culturally-sensitive public land development program to make optimal use of public land for the economic, environmental, and social benefit of the people of Hawaii, while ensuring that the public land is maintained for the people of Hawaii. Please see LURF's written testimony.

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LAND USE RESEARCH
FOUNDATION OF HAWAII

1100 Alakea Street, Suite 408
Honolulu, Hawaii 96813
(808) 521-4717
www.lurf.org

February 8, 2012

Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair
House Committee on Water & Land

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair

Support for, and Suggested Amendments to HB 942, HD1 Relating to Harbors and Parks Development (Establishes the Harbors and Parks Development Authority to coordinate and administer programs to make optimal use of harbors and park lands, while ensuring that the public lands are maintained for the people of Hawaii.)

Saturday, February 9, 2013, 9:00 a.m. in State Capitol Auditorium

The Land Use Research Foundation of Hawaii (LURF), is a state-wide private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation, and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

LURF's Position. LURF supports of the intent of HB 942, HD1, however, we have serious concerns regarding its current form, its deletion of exemptions from duplicative requirements and proposed 5-year sunset provisions, which may not encourage public-private partnerships, and may frustrate efforts to implement and achieve the worthy goals of Chapter 171C, Hawaii Revised Statutes ("HRS").

LURF understands and shares the concerns of members of the public, organizations and legislators relating to the powers and exemptions under Chapter 171C, HRS. However, **rather than passing this bill, which repeals most of Chapter 171C, HRS, and tries to put "lipstick" on it by changing its name to the "Harbors and Parks Development Authority," LURF recommends making sensible and reasonable amendments to Chapter 171C, HRS (possibly limiting it to pilot projects just for harbors, parks and 21st Century Schools), to achieve the intent and purpose of the law** – which was to create a public corporation to administer an appropriate and culturally-sensitive public land development program to make optimal use of public land for the economic, environmental, and social benefit of the people of Hawaii, while ensuring that the public land is maintained for the people of Hawaii.

HB 942, HD1. This bill proposes to amend Chapter 171C, Hawaii Revised Statutes (“HRS”) by establishing the Harbors and Parks Development Authority (“Authority”) to coordinate and administer programs to make optimal use of harbors and park lands, while ensuring that the public lands are maintained for the people of Hawaii, by, among other things,

- Deletion of all references to the Public Land Development Corporation, and replacing those references with the “Authority”;
- Repeal of §171C-17.5, relating to the Stadium Facilities Special Fund;
- Repeal of §171C-19, relating to exemptions from certain requirements;
- Repeals of §171C-21, relating to the School Facilities Special Fund;
- Repeal of Act 282, Session Laws of Hawaii 2012, relating to the transfer of development rights of parcels of land under the Division of Boating and Ocean Recreation

The House Committee on Transportation amended the original measure in a House Draft 1 version by: (1) Increasing the number of voting members of the Authority from five to seven voting members; (2) Replacing the Director of Finance with the Administrator of the Office of Hawaiian Affairs as members on the board of directors; (3) Requiring that two of the seven voting members on the board represent community organizations relating to the environment and be appointed by the Governor; (4) Changing the effective date to July 1, 3000, to promote further discussion; (5) Adding a five-year sunset provision; and (6) Making technical, nonsubstantive amendments for style, clarity, and consistency.

Background Facts. The following are some relevant facts relating to Chapter 171C, HRS:

- **Lack of funding and resources for the DLNR to repair, maintain and improve public lands.** According to DLNR, it is “responsible for managing approximately 1.3 million acres of State-owned lands and the State’s natural, cultural and recreational resources, including the State’s small boat harbors and parks. These recreational facilities are enjoyed by both the people of Hawaii as well as our visitors.

“Many of these facilities, however, are in dire need of repairs and improvements and have fallen into a shameful state of disrepair due to the lack of funding and resources. Some of those facilities are located on or in the immediate vicinity of public lands that are not being utilized effectively.

“Those public lands and facilities can, and should, be maintained and improved in a manner that will be sensitive to the intrinsic cultural and natural values of the area, while preserving and protecting traditional Native Hawaiian rights and practices.”

LURF believes that the assistance provided by Chapter 171C, HRS, would enable the DLNR to do exactly that, while simultaneously addressing the long overdue repairs, maintenance and improvements to the State’s lands and recreational facilities in a timely manner, while also creating revenue opportunities to help fund such improvements, and sustaining DLNR’s operational mandates.

- **Chapter 171C, HRS.** This law, which was enacted in 2011, created a public Corporation to administer an appropriate and culturally-sensitive public land development program to make optimal use of public land for the economic, environmental, and social benefit of the people of Hawaii, while ensuring that the public land is maintained for the people of Hawaii. By enacting Chapter 171C, HRS, the

Legislature recognized that the state's public lands were not being properly repaired, maintained, improved and were not being used effectively and concurred that such underutilized public lands could provide opportunities for developing high quality recreational and leisure centers and generating revenue for the benefit the people of Hawaii. The PLDC was created to pursue such opportunities.

- **Legislative findings and purpose of Chapter 171C, HRS.** In adopting this law, the legislature specifically found that certain public lands under the jurisdiction of DLNR were not used effectively, and that public lands in certain areas may serve the State and its people better if managed and developed into suitable recreational and leisure centers where the public can congregate and where visitors can enjoy their holiday experience. The Legislature noted, however, that DLNR is hamstrung by its limited mission; and that creating a development arm of DLNR, similar to the Agribusiness Development Corporation, and placing appropriate public lands into the new corporation's jurisdiction, may help to create these recreation and leisure areas, while also creating revenue-generating opportunities for the new corporation. In turn, revenues generated may be used to offset the regulatory functions of DLNR.

The purpose of Chapter 171C, HRS is to create a vehicle and process to make optimal use of public land for the economic, environmental, and social benefit of the people of Hawaii. This chapter established a public corporation to administer an appropriate and culturally-sensitive public land development program. The Corporation was created to coordinate and administer programs to make optimal use of public land, while ensuring that the public land is maintained for the people of Hawaii. The duties of the Corporation are to identify the public lands that are suitable for development under this chapter, carry on marketing analysis to determine the best revenue-generating programs for the public lands identified, enter into public-private agreements to appropriately develop the public lands identified, and provide the leadership for the development, financing, improvement, or enhancement of the selected development opportunities.

LURF's Position. LURF is in supports the reasonable amendment of Chapter 171C, HRS (not necessarily all of the amendments proposed by this bill), for the following reasons:

- **Chapter 171C, HRS, and its mission and objectives will create public-private partnerships which benefit the State and are sensitive to its cultural, historical and natural resources.** Contrary to the questionable and unsubstantiated position taken by proponents of this bill to repeal Chapter 171C, HRS, LURF commends the mission, objectives and priorities of Chapter 171C, HRS, which are to create partnerships between state and county agencies, departments, businesses, non-profits and community groups, to improve our communities, create jobs and support development that is sensitive to the cultural, historical and natural resources of the State of Hawaii. As such, LURF supports the efforts, under Chapter 171C, HRS, to partner with members of the public and to assist state and county agencies to increase public benefit by reinvesting and enhancing state assets such as parks and schools, as well as the draft Strategic Master Plan and draft Administrative Rules which will establish operating procedures for the Corporation; set forth a process by which Chapter 171C, HRS may be used to initiate or enter into cooperative agreements for the development or financing of projects; and institute a procedure for undertaking and financing any project facility as part of a project.

- **Premature repeal of key provisions of Chapter 171C, HRS would destroy significant opportunities to optimize use of public land and generate state revenues.** Because the Corporation is now in the process of completing a public comment process by which it is addressing questions and misconceptions expressed at community meetings held statewide, LURF believes it would be premature for this Legislature to intervene in this process by the consideration and passage of the portions of this bill that repeal key provisions of Chapter 171C, HRS, thereby hampering the chance for stakeholders and interested parties to provide further invaluable input regarding this significant opportunity through which private entities will be able to enter into agreements and partnerships for the development and financing of projects that will make optimal use of public land, generate revenues for the State, and in turn, economically and environmentally benefit the people of Hawaii, including all of the counties.
- **Many areas in the State may realize substantial economic benefits from Chapter 171C, HRS, due to State land and assets in each county.** As State land and assets are available in all of the Hawaii's counties, LURF strongly believes (contrary to the sentiment held by supporters of this repeal bill) that the Legislature's continued support of Chapter 171C, HRS and public initiated projects would result in substantial, positive economic impacts and benefits for the various counties and for the State.
- **Revisions, clarifications and amendments to Chapter 171C, HRS and the Draft Strategic Master Plan and Draft Administrative Rules can allay concerns relating to the environment and potential circumvention of existing laws, including those relating to zoning and subdivision.** LURF, too, understands the concerns of the public and this Legislature relating to the environment and what may appear to be an opportunity for potential circumvention of existing zoning and subdivision laws. LURF has therefore conducted a detailed review of the draft Strategic Master Plan and draft Administrative Rules for Chapter 171C, HRS, and has offered, for the Corporation's consideration; suggestions and clarifications which LURF believes address the above concerns and are consistent with the intent and purpose of the legislation underlying the creation of Chapter 171C, HRS. These recommendations include, amongst other things, clarification that Chapter 171C, HRS is subject to Chapter 343 (Environmental Impact Statements), Chapter 6E (Hawaii Historic Preservation), Chapter 92 (Public Agency Meetings and Records – "Sunshine Law"), Chapter 104 (Wages and Hours of Employees on Public Works) and Chapter 171 (Management and Disposition of Public Lands – prohibition of the sale of ceded lands); confirmation that the public land planning activities under Chapter 171C, HRS "shall be coordinated with the county planning departments and the county land use plans, policies, and ordinances"; and assurance that the proposed procedural rules which seek to provide for public input, transparency and an efficient process for the Corporation's proceedings and determinations are consistent with applicable rules of other similar agencies.
- **Concerns are best addressed through the independent review of, and amendments to the draft Strategic Master Plan, draft Administrative Rules and/or amendment of Chapter 171C, HRS and by identifying specific pilot projects such as those proposed by this bill.** LURF respectfully suggests that in lieu of the repeal contemplated by this bill, the applicable Legislative committees should consider conducting either their own independent review, or a review by the State Auditor of Chapter 171C, HRS, as well as the draft Strategic Master Plan and draft Administrative Rules, to ensure thorough understanding of the actual intent and purpose

of Chapter 171C, HRS and, to propose, if necessary, their own clarifications and revisions to the pending Strategic Master Plan, Administrative Rules and any other necessary statutory amendments. Limiting the initial projects to pilot projects relating to parks, harbors and 21st Century schools are also reasonable amendments.

Thank you for the opportunity to express our support of the intent of HB 942, comments, and suggested revisions regarding this proposed measure.

(HB 593) would be equally subject to the abuses enumerated above. We are not opposed to public-private partnerships, but we believe that it is the legislature and the county councils who have the responsibility for final approval of such partnerships, not an unelected, private corporation.

HB 1134 remedies some of the issues in the current statute. However, it still supercedes “county land use plans, policies and ordinances,” requiring only “coordination” with the counties, but still exempting PLDC projects from county requirements and approval procedures. In addition, this bill retains the powers of the PLDC to:

“Acquire or contract to acquire by grant or purchase:

(A) All privately owned real property or any interest therein and the improvements thereon, if any, that are determined by the corporation to be necessary or appropriate for its purposes under this chapter, including real property together with improvements, if any, in excess of that needed for such use in cases where small remnants would otherwise be left or where other justifiable cause necessitates the acquisition to protect and preserve the contemplated improvements, or public policy demands the acquisition in connection with such improvements;”

And to:

Own, hold, improve, and rehabilitate any real, personal, or mixed property acquired; and sell, assign, exchange, transfer, convey, lease, or otherwise dispose of, or encumber the same;

Grant options to purchase any project or to renew any lease entered into by the corporation in connection with any of its projects, on the terms and conditions it deems advisable;

These are appropriate functions of government that cannot reasonably be delegated to another entity. Furthermore, HB 1134 proposes a pilot project, though it is unclear what the purpose of such a project is. The fact that a pilot project could be carried out in a reasonable manner does not in any way change the scope of the “Public-Private Development Corporation” and its potential for future abuses.

Finally, HB 865 simply sounds like a raid on our public parks and school playgrounds. Despite the fine words, what seems to be intended is to build old-fashioned multi-storied buildings to house children so that the land that is saved can be used for---well, who knows what? And once again, this bill attempts to put major decision-making responsibility into the hands of a private entity, in this case, the Hawaii Community Development Authority.

In summary, Americans for Democratic Action/Hawaii supports the deletion of HRS 171C and all statutory references to the Public Land Development Corporation, as spelled out in HB. 589 and 1133. We do not support renaming or revising the statute or a pilot project as advocated in the other bills before this committee today.

We urge you to pass HB 589 or HB 1133.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 8:10 AM
To: waltestimony
Cc: tambry@hawaii.rr.com
Subject: Submitted testimony for HB942 on Feb 9, 2013 09:00AM

HB942

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
tambry R. Young	Citizens for Equal Rights	Oppose	No

Comments: CITIZENS FOR EQUAL RIGHTS ONLY SUPPORTS THE FULL REPEAL OF THE PLDC, any other measure would NOT be in the best interest for the people of Hawaii. Thank You, Tambry R. Young President - Citizens For Equal Rights

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Environmental Caucus of the Democratic Party of Hawai'i

State Democratic Headquarters ♦ 1050 Ala Moana Boulevard, Ste 221 ♦ Honolulu, Hawai'i, 96814
(808) 596-2980 ♦ <http://EnvironmentalCaucusoftheDemocraticPartyofHawaii.com>

February 9, 2013

Testimony in Opposition of House Bill 942 HD1

**Aloha mai kakou Chairs and Vice Chairs and members of the House Committees of
Transportation, Water & Land and Finance,**

**My name is Mrs. Juanita Brown Kawamoto, Subcommittee Chair of Food and
Farm Sustainability of the Environmental Caucus of the Democratic Party of
Hawaii, Executive Board member at Large and a Native Hawaiian citizen advocate.**

**We are in strong opposition to HB942 HD1 relating to Harbors and Parks
development.**

**Opposition to this kind of legislation is the only recourse of the people of Hawaii to
protect their rights and the 'aina we treasure and aloha. The parks and harbors
have been able to exist for our community without the worry of unwanted
development and we must protect these liberties for the future of Hawaii's coming
generations. The lack of respect and inclusive consideration to our community
belittles the integrity of what should be the people's government.**

**Opposition by the entire House and Senate of Hawaii and the demand for repeal of
the PLDC is the only way the State can redeem itself for allowing such a terrible
injustice of the rights entitled to the people of Hawaii.**

**The Environmental Caucus of the Democratic Party of Hawaii strongly opposes HB
942 HD1.**

Mahalo for the opportunity to provide testimony.

**Mrs. Juanita Brown Kawamoto
Subcommittee Chair
Environmental Caucus of the Democratic Party of Hawaii**

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 9:02 PM
To: waltestimony
Cc: barleigh2@yahoo.com
Subject: *Submitted testimony for HB942 on Feb 9, 2013 09:00AM*

HB942

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Cooney	Individual	Oppose	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 3:28 PM
To: waltestimony
Cc: inunyabus@gmail.com
Subject: *Submitted testimony for HB942 on Feb 9, 2013 09:00AM*

HB942

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine D.	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 8:37 PM
To: waltestimony
Cc: jeannine@hawaii.rr.com
Subject: Submitted testimony for HB942 on Feb 9, 2013 09:00AM

HB942

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Oppose	No

Comments: As a Hawaiian whose ancestors were lawai'a (fishermen) and kālai wa'a (canoe-builders) from Kapāilua since 1777, I strongly oppose HB 865, HB 942, HD1, HB 219, HB 593, and HB 1134. The Public Land Development Corporation (PLDC) should never have been given unlimited power to develop public lands placed under the PLDC jurisdiction, including but not limited to existing open shoreline areas, conservation lands, agricultural lands, ceded lands owned by the Hawaiian people and held in trust by the state government and small boat harbors, for commercial purposes to generate revenue for the DLNR/State of Hawai'i. The PLDC should never have been made, as it had been amended with only two hours before its hearing to allow it to be exempt from all statutes, ordinances, charter provisions, and rules of government agencies relating to special improvement district assessments or requirements; land use, zoning, and construction standards for subdivisions, development, and improvement of land; and the construction, improvement, and sale of homes thereon for development of public lands to generate revenues. This deception violated the Hawai'i State Constitution and angered the public so much that they came out in droves to testify against it at administrative rules hearings all over the State. Ke Akua pū me kākou, i pono ke ea o ka 'āina. (May God be with us always that the life of the land will be pono).

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 9:21 PM
To: waltestimony
Cc: michaelbroady@gmail.com
Subject: *Submitted testimony for HB942 on Feb 9, 2013 09:00AM*

HB942

Submitted on: 2/8/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Broady Jr.	Individual	Oppose	Yes

Comments:

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lowen1-Kyli

From: pauline mac neil [dearpauline@hotmail.com]
Sent: Friday, February 08, 2013 10:04 PM
To: waltestimony; EDNtestimony; FINTestimony
Subject: Testimony in Opposition to HB942, HB219, HB593 and HB1134

I oppose HB942, HB219, HB593 and HB1134 because they muddy the waters by trying to fix the PLDC.

There is a lack of confidence in the process and I can not be certain these bill adaptations will have a beneficial effect on either our economy or our environment.

Please kill these bills and support HB1133 and HB589.

Mahalo,
Pauline Mac Neil
112 Haokea Drive
Kailua, HI 96734

lowen1-Kyli

From: Stephanie Chen [steph.m.chen@gmail.com]
Sent: Friday, February 08, 2013 10:49 PM
To: waltestimony
Subject: testimony in support of HB 1133 and HB 589 and in opposition to HB 942, HB 219, HB 593, and HB 1134

Aloha:

Please accept this email as testimony in support of HB 1113 and HB 589 which would repeal the PLDC. This testimony also serves as opposition to HB 942, HB 219, HB 593, and HB 1134, which would not repeal the PLDC.

The PLDC should be repealed for a multitude of reasons, namely that the PLDC is completely anachronistic to the purpose of public lands where our natural resources will be used to make a profit for private companies. In land-limited Hawai'i, we need to focus on protecting what little undeveloped land we have rather than figuring out ways to convert beaches and parks into development.

Another major point of concern is that the PLDC is exempt from all land use laws that protect agriculture and conservation lands. Development of these lands could have serious impacts on our watersheds.

Government accountability is extremely important and was completely overlooked with the creation of the PLDC. It makes no sense to give the PLDC control over millions of acres of public lands, especially where there are no regulations in place.

There is no way to "fix" the PLDC; a total repeal is necessary. We can then begin an honest discussion about the best ways to protect and provide for our communities.

Mahalo,

Stephanie Chen

--

Stephanie M. Chen, Esq.
Adjunct Professor, Research Fellow
A'o Aku A'o Mai Initiative

Ka Huli Ao Center for Excellence in Native Hawaiian Law

William S. Richardson School of Law
University of Hawai'i at Mānoa
2515 Dole Street
Honolulu, Hawai'i 96822
phone: (808) 956-8411
email: aoakuaomai@gmail.com

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 09, 2013 8:53 AM
To: waltestimony
Cc: waynetakamine@hawaii.rr.com
Subject: Submitted testimony for HB942 on Feb 9, 2013 09:00AM

HB942

Submitted on: 2/9/2013

Testimony for WAL/FIN on Feb 9, 2013 09:00AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Takamine	Individual	Oppose	No

Comments: HOUSE OF REPRESENTATIVES THE TWENTY-SEVENTH LEGISLATURE REGULAR SESSION OF 2013 COMMITTEE ON WATER & LAND Rep. Cindy Evans, Chair Rep. Nicole E. Lowen, Vice Chair Rep. Denny Coffman, Rep. Chris Lee, Rep. Ty J.K. Cullen, Rep. Richard Lee Fale, Rep. Faye P. Hanohano, Rep. Cynthia Thielen, Rep. Derek S.K. Kawakami COMMITTEE ON EDUCATION Rep. Roy M. Takumi, Chair Rep. Takashi Ohno, Vice Chair Rep. Henry J.C. Aquino, Rep. Mark M. Nakashima, Rep. Isaac W. Choy, Rep. K. Mark Takai, Rep. Faye P. Hanohano, Rep. Lauren Kealohilani Cheape, Rep. Linda Ichiyama, Rep. Richard Lee Fale COMMITTEE ON FINANCE Rep. Sylvia Luke, Chair Rep. Scott Y. Nishimoto, Vice Chair Rep. Aaron Ling Johanson, Vice Chair Rep. Ty J.K. Cullen, Rep. Richard H.K. Onishi, Rep. Mark J. Hashem, Rep. Gregg Takayama, Rep. Kaniela Ing, Rep. James Kunane Tokioka, Rep. Jo Jordan, Rep. Justin H. Woodson, Rep. Bertrand Kobayashi, Rep. Kyle T. Yamashita, Rep. Nicole E. Lowen,,, Rep. Beth Fukumoto, Rep. Dee Morikawa, Rep. Gene Ward NOTICE OF HEARING DATE: Saturday, February 09, 2013 TIME: 9:00 AM PLACE: Auditorium State Capitol 415 South Beretania Street Aloha House Committee on Water and Land, Chair Cindy Evans, Vice Chair Nicole E. Lowen and Members, House Committee on Finance, Chair Sylvia Luke, Vice Chair Scott Y. Nishimoto, Vice Chair Aaron Ling Johanson and Members, Please accept this testimony in opposition to HB 942 HD1 RELATING TO HARBORS AND PARKS DEVELOPMENT. Establishes the Harbors and Parks Development Authority to coordinate and administer programs to make optimal use of harbors and park lands, while ensuring that the public lands are maintained for the people of Hawaii. Effective July 1, 3000. (HB942 HD1) This bill is very similar to the PLCD that has created too much public opposition. The PLDC Board has failed to create its rules and I believe they have lost the public's trust. HB942 HD1 has many elements similar to the PLDS law that lacks public input for decision making and includes to many exemptions to environmental laws that protects park and sensitive coastal areas. Please hold this HB942 HD1 Respectfully, Wayne Takamine Honolulu

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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