

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

CIARA W.K. KAHAHANE  
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 Senate Committee on  
WATER AND LAND

Wednesday, February 5, 2025  
1:00 PM

State Capitol, Conference Room 229 and Via Videoconference

In consideration of  
SENATE BILL 427  
RELATING TO LAND LEASES

Senate Bill 427 prohibits the State from leasing or extending leases for public lands, to any individual, corporation, or federal agency that is in arrears in the payment of certain moneys to the State, noncompliant with a consent decree or memoranda of agreement with the State that requires environmental maintenance or remediation with regard to the subject public lands, or convicted of a crime. Requires certification by the Office of the Governor before the issuance or extension of any federal lease that the individual, corporation, or federal agency is in good standing with the State. Provides that, if any existing lessee of public lands is found not to be in good standing with the State as of the effective date of this Act, the lessee shall have three years, or until the end of the lease term, whichever is sooner, to correct the violation or the lease shall be terminated. **The Department of Land and Natural Resources (Department) appreciates the intent of this measure and offers the following comments.**

The Department shares the Legislature's interest in ensuring responsible stewardship of public lands. However, the Department notes that existing practices and statutory provisions already provide a robust framework for lease compliance and enforcement.

Most leases issued by the Board of Land and Natural Resources (Board) contain provisions governing the lease default process as set forth by the Department of the Attorney General. Lessees are also required to comply with all applicable laws. Furthermore, section 171-20, Hawaii Revised Statutes (HRS), already empowers the Board to correct a lessee that may be noncompliant with the terms of its lease. This section provides a framework wherein the Department notifies the lessee of a default and allots a specific timeframe within which the lessee is required to cure or remedy the breach or default. The timeframes provided to cure lease breaches or defaults are generally no longer than sixty days and never

up to three years or until the end of the lease term as provided in this measure. Should the lessee fail to timely cure a default or breach, the Board can enforce the lease provisions governing defaults up to and including cancellation of a lease or permit for noncompliance.

Should the Board cancel a lease for noncompliance, section 171-13, HRS, provides that, no person shall be eligible to purchase or lease public lands, or to be granted a license, permit, or easement covering public lands, who has had during the five years preceding the date of disposition a previous sale, lease, license, permit, or easement covering public lands canceled for failure to satisfy the terms and conditions thereof.

Finally, when the Board is asked to consider land dispositions it is first informed of any concerns the Department may have regarding the potential good standing of an applicant. If an applicant is not in good standing, including payment of applicable taxes and current registration with the Department of Commerce and Consumer Affairs, the Board will not approve the disposition. As such, certification of good standing by the Office of the Governor is duplicative and unnecessary.

The Department believes that existing statutes provide ample means to ensure lease compliance, enforcement, and accountability. As such, the Department respectfully suggests that this measure may be unnecessary.

The Department is committed to working with the Legislature to address any specific concerns regarding lease compliance and enforcement but recommends that the Committee consider deferring this measure in light of existing statutory authority.

Mahalo for the opportunity to provide comments on this measure.

**LATE**

**SB-427**

Submitted on: 2/4/2025 2:14:37 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Russell Tsuji	Testifying for Department of Land and Natural Resources	Comments	Remotely Via Zoom

Comments:

DLNR testimony will be submitted on main account for SB427 - requesting a zoom link for staff to provide backup testimony at the hearing.



## Hawaii Legislative Council Members

Joell Edwards  
Wainiha Country Market  
Hanalei

Russell Ruderman  
Island Naturals  
Hilo/Kona

Dr. Andrew Johnson  
Niko Niko  
Family Dentistry  
Honolulu

Robert H. Pahia  
Hawaii Taro Farm  
Wailuku

Maile Meyer  
Na Mea Hawaii  
Honolulu

Tina Wildberger  
Kihei Ice  
Kihei

L. Malu Shizue Miki  
Abundant Life  
Natural Foods  
Hilo

Tanya Aynessazian  
Principal Contractor

Chamber of  
Sustainable Commerce  
808.445.7606  
P.O. Box 22394  
Honolulu, HI 96823

**Senator Lorraine Inouye, Chair**  
**Senator Brandon J.C. Elefante, Vice Chair**  
Committee on Water and Land

Wednesday, February 5, 2025  
1:00 PM Conference Room 229

RE: **SB 427** Leasing of Public Lands - **Strongly Support**

Dear Chair Inouye, Vice Chair Elefante, and Members of the Committee,

The Chamber of Sustainable Commerce represents over 450 small businesses and entrepreneurs across the state that strive for a triple bottom line: people, planet and prosperity.

As small business owners who believe we can strengthen Hawaii's economy without hurting workers, consumers, communities or the environment, we urge this committee to vote in favor of passing SB427, which prohibits the state from leasing any public lands, or extending the lease of any public lands, to any individual, corporation, or federal agency that is in arrears in the payment of certain moneys to the State and/or is noncompliant with a consent decree or agreement that requires environmental remediation or maintenance (in other words, "cleanup") of the subject public lands.

State actors with a fiduciary duty to care for the State's precious natural resources should not lease lands to tenants who illegally contaminate our land and water; if a tenant has a memoranda of agreement or understanding to clean past contamination, but decades later have not yet completed the clean up, the tenant should not be allowed to sign new leases for the same or additional state lands.

Furthermore, we strongly support SB427 in that any individual, corporation or federal agency that continues to misuse and/or mismanage leased land and natural resources, or circumvent or break laws protecting the safety of workers, residents, critical habitats and cultural preservation shall have three years, or until the end of the lease term, whichever is sooner, to correct the violation, including carrying out any required environmental remediation cleanup, or the lease shall be terminated.

Simply put: do right by Hawaii and her people. Our health and wealth depend on responsible stewardship of public lands. Please pass SB427. Thank you.

**LATE**

**SB-427**

Submitted on: 2/4/2025 6:50:05 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sylvia Dolena	Testifying for Kulia I Ka nu'u Outreach Services	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I strongly support SB427, a necessary and long-overdue measure to ensure accountability in the management of Hawai'i's public lands. This bill prohibits the State from leasing or extending the lease of any public lands to entities, including the military and hotel resorts, that have failed to comply with environmental maintenance or remediation agreements.

Hawai'i's lands are sacred, and their protection is a kuleana we must uphold. Yet, history has shown us that entities leasing public lands—particularly the U.S. military and resort industries—have repeatedly mismanaged and desecrated these lands without proper oversight or remediation.

I urge you to pass SB427 to uphold our responsibility to protect Hawai'i's public lands. Entities that fail to meet their obligations to care for and restore our 'āina should not be entrusted with its use. The time for action is now.

Sylvia Dolena, Pahoa, HI 96778  
 Owner, Pele Lani Farm LLC  
 Owner, Winning Edge Women's Leadership  
 Director, Puna Rising Entrepreneur Hub  
 Co-founder, Aloha Animal Advocates, HI Domestic non-profit  
 Director, Malama O'Puna. 501c3  
 President, Aloha Lokahi Association, 501c3  
 President, Kulia I Ka Nu'u Outreach Services  
 Vice President, Love Those Dog Paws, 501c3  
 Executive Coach, Hewlett-Packard Enterprises

**SB-427**

Submitted on: 2/4/2025 8:17:20 PM

Testimony for WTL on 2/5/2025 1:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Nancy Redfeather	Testifying for Ka Ohana O Na Pua	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I strongly support SB427, a necessary and long-overdue measure to ensure accountability in the management of Hawai‘i’s public lands. This bill prohibits the State from leasing or extending the lease of any public lands to entities, including the military and hotel resorts, that have failed to comply with environmental maintenance or remediation agreements.

Hawai‘i’s lands are sacred, and their protection is a kuleana we must uphold. Yet, history has shown us that entities leasing public lands—particularly the U.S. military and resort industries—have repeatedly mismanaged and desecrated these lands without proper oversight or remediation.

The Pōhakuloa Training Area is a glaring example of this failure. Since 1964, the U.S. Army has leased 23,000 acres of public lands for military training, firing millions of live rounds annually. In the 1960s, rounds containing Depleted Uranium (DU)—a toxic and radioactive material with a half-life of 4.5 billion years—were fired at Pōhakuloa, contaminating the land and posing ongoing health risks.

Despite Judge Chang’s 2018 ruling, which called out the State’s failure to mālama ‘āina and ordered the development of a management plan for Pōhakuloa, the degradation continues. In 2008, Hawai‘i County Resolution 639-08 called for an immediate halt to B-2 bombing missions and all live-fire exercises until DU contamination was assessed and cleaned up. Yet, the military has ignored these mandates, and live-fire training continues, further polluting and endangering this fragile ecosystem.

Similarly, large hotel resorts have a history of misusing leased public lands and exploiting resources without regard for environmental sustainability. Over-extraction of water, coastal erosion, and desecration of cultural sites have been well-documented, yet lease renewals persist without stringent accountability measures.

HB491 provides a critical safeguard—ensuring that any entity leasing Hawai‘i’s public lands is held accountable for their environmental responsibilities. This bill is particularly urgent as the military’s lease of Pōhakuloa expires in 2029. Without HB491, there is little to prevent the continuation of destructive practices that threaten the health of our land, water, and future generations.

I urge you to pass SB427 to uphold our responsibility to protect Hawai'i's public lands. Entities that fail to meet their obligations to care for and restore our 'āina should not be entrusted with its use. The time for action is now.

Mahalo for your time and consideration.

Aloha,

Nancy Redfeather

Kawanui, Hawai'i

**LATE**

**SB-427**

Submitted on: 2/5/2025 6:47:27 AM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
HN Warrington	Testifying for Kupuna for the Moopuna	Support	Written Testimony Only

Comments:

Kūpuna for the Mo‘opuna is in **STRONG SUPPORT of SB427.**

The State of Hawaii, as the trustee of our public lands, has a legal obligation to manage these lands for the benefit of Native Hawaiians and the general public.

The State must not lease out public lands or extend the lease of any public lands to any individual, corporation, or federal agency that is in arrears in the payment of certain moneys to the State and/or is noncompliant with a consent decree or memoranda of agreement with the State. Mahalo.

SB427

Companion: [HB491](#)

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 SUPPORT for SB427

It holds **corporations, individuals, and federal agencies** accountable for how they use public lands, ensuring that their actions align with the values and interests of the State and its citizens.

Since **federal agencies** are also subject to these requirements, this provision ensures that even entities from the federal government must meet State expectations before securing leases. This establishes a more balanced and accountable relationship between state and federal entities in land use.

In essence, this provision protects public lands by ensuring they are leased to responsible parties who follow financial, environmental, and legal rules. It holds both private and public entities accountable, promoting sustainability, ethical practices, and proper management of valuable natural resources.

Mahalo,

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

**SB-427**

Submitted on: 2/3/2025 2:03:56 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia Greene	Individual	Oppose	Remotely Via Zoom

Comments:

NO LEASE RENEWALS TO POHAKULOA EVER.

**SB-427**

Submitted on: 2/4/2025 12:01:30 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dave Mulinix	Testifying for Greenpeace Hawaii	Support	Remotely Via Zoom

Comments:

Aloha WTL Chair, Vice Chair & Committee Members,

On behalf of Greenpeace Hawaii's thousands of members and supporters in Hawaii we Stand in STRONG SUPPORT of SB427 that Prohibits the State from leasing any public lands, or extending the lease of any public lands, to any individual, corporation, or federal agency that is in arrears in the payment of certain moneys to the State, noncompliant with a consent decree or memoranda of agreement with the State that requires environmental maintenance or remediation with regard to the subject public lands, or convicted of a crime. Requires certification by the Office of the Governor before the issuance or extension of any federal lease that the individual, corporation, or federal agency is in good standing with the State. Provides that, if any existing lessee of public lands is found not to be in good standing with the State as of the effective date of this Act, the lessee shall have three years, or until the end of the lease term, whichever is sooner, to correct the violation or the lease shall be terminated.

SB427 is just plain common sense.

Please pass SB427.

Mahalo for your kind attention, Dave Mulinix, CoFounder & Hawaii State Representative  
Greenpeace Hawaii

**LATE**

**SB-427**

Submitted on: 2/4/2025 2:56:16 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melinda Healani Sonoda-Pale	Testifying for Ka Lahui Hawai'i	Support	Remotely Via Zoom

Comments:

**TESTIMONY IN SUPPORT OF HB491 WITH AMENDMENTS**

**COMMITTEE ON WATER AND LAND Senator Lorraine R. Inouye, Chair Senator Brandon J.C. Elefante, Vice Chair**

**NOTICE OF HEARING**

**DATE:** Wednesday, February 5, 2025 **TIME:** 1:00 PM **PLACE:** Conference Room 229 & Videoconference State Capitol 415 South Beretania Street **Hearing Date: Wednesday, February 5, 2025 Chair Representative Mark Hashem, Vice Chair Representative Rachele Lamosao, and Members of the Committee:**

**Aloha,**

Ka Lāhui Hawai'i strongly supports **HB491**, which seeks to ensure that public lands—**Ceded Lands** (stolen Hawaiian Kingdom Crown and Government lands)—are leased only to entities in good standing with the State. This legislation is crucial in upholding responsible stewardship of Hawai'i's lands and ensuring accountability for those benefiting from stolen Hawaiian lands and resources. Additionally, we propose a critical amendment to keep the bill's focus on environmental responsibility.

**The Urgency of HB491: Lessons from Pōhakuloa**

One of the most glaring examples of the State's failure to mālama 'āina is the ongoing military desecration of **Pōhakuloa Training Area (PTA)**. At **133,000 acres**, it is the **largest military installation in Hawai'i**, situated in the fragile sub-alpine environment between Mauna Kea, Mauna Loa, and Hualālai. **PTA, which sits on Ceded Lands, was leased to the U.S. Army for just one dollar in 1964 for a term of 65 years. That lease expires in 2029.**

For over **75 years**, Pōhakuloa has been subjected to relentless bombing, including the use of **live ammunition, rockets, missiles, and depleted uranium (DU) munitions**. This has left behind **toxic waste, unexploded ordnance, and environmental degradation**, directly violating **Hawai'i's constitutional duty to protect natural resources under the Public Trust Doctrine (Article XI, Section 1) and the trust obligations under the Admissions Act and Hawai'i's Constitution (Article XII, Section 4).**

In **Ching v. Case (2018)**, the Circuit Court ruled that **DLNR violated its trust responsibilities by failing to enforce lease conditions at Pōhakuloa**. The ruling emphasized that the State has an affirmative duty to **protect and restore trust lands**, yet the destruction at Pōhakuloa continues **unchecked**.

HB491 is an **opportunity to prevent history from repeating itself**. Without this bill, entities like the U.S. military—despite their record of environmental violations—could continue leasing and desecrating public lands without consequence. With the **Army lease set to expire in 2029**, this bill is critical to ensuring that a new lease is not granted without full compliance with environmental restoration and trust obligations.

## **How HB491 Ensures Accountability and Environmental Protection**

### **1. Holding Lessees Accountable**

- HB491 mandates that lessees **must be in good financial standing and meet all legal and environmental obligations** before securing a lease renewal.
- This would **prevent the Army from renewing the Pōhakuloa lease in 2029 unless it fully complies with cleanup efforts** and mitigates the **irreparable harm** caused to the land.

### **2. Strengthening Oversight of Ceded Lands**

- The **Ching v. Case** ruling confirmed that **the State has a duty to mālama ‘āina at Pōhakuloa**.
- HB491 provides the legal framework to **enforce compliance before issuing any lease renewal**, ensuring that **Ceded Lands are managed responsibly and for the benefit of Native Hawaiians**.

### **3. Protecting Conservation Lands from Military Abuse**

- Pōhakuloa is home to **rare and endangered species, sacred cultural sites, and Hawai‘i’s last sub-alpine tropical dryland ecosystem**.
- HB491 ensures that lands designated for **conservation are not handed over to entities with a track record of environmental destruction**.

## **Suggested Amendment**

Ka Lāhui Hawai‘i requests an amendment to **strike Section C**, which:

- Disqualifies individuals convicted of any crime.
- Requires certification by the Governor for lease approval.

These provisions **distract from the bill’s core purpose**—ensuring land stewardship and environmental responsibility. The bill’s emphasis must remain on **holding lessees accountable for their legal and environmental obligations**, rather than imposing broad and unrelated disqualification criteria.

## **Conclusion:**

**HB491 is a necessary measure to ensure that Ceded Lands like Pōhakuloa are not continually leased to entities that desecrate and exploit them. Without this bill, the Army could renew its lease in 2029 without being held accountable for decades of destruction.**

By enforcing **financial, legal, and environmental responsibilities**, HB491 protects **Hawai'i's natural resources, public funds, and the integrity of land management policies**. Removing **Section C** will maintain the bill's focus on **conservation and accountability**.

For these reasons, Ka Lāhui Hawai'i **strongly supports HB491 with the proposed amendment** and urges the committee to pass this bill to safeguard Hawai'i's public lands from further destruction and military abuse.

**Mahalo for the opportunity to testify.**

**Respectfully submitted,  
Healani Sonoda-Pale  
Spokesperson, Ka Lāhui Hawai'i**

**SB-427**

Submitted on: 2/4/2025 6:04:13 PM

Testimony for WTL on 2/5/2025 1:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Susan Gorman-Chang	Individual	Support	Remotely Via Zoom

Comments:

Susan Gorman-Chang

SB 427: Support

February 4, 2025

Aloha Chair and Committee Members and mahalo for taking my testimony. I am in support of SB 427.

If an individual were to lease a house from a lessor, destroy the property and leave a bomb inside at the end of the lease there would surely be legal consequences to such action! Yet, we have allowed the military to perform such actions tenfold.

This is a bill that codifies a set of factors already in place for all other lessor/lessee relationships and responsibilities as set forth under the law. Somehow and somewhere along the line the Hawaii state government chose to exempt and/or turn a blind eye to these basic common law tenants between a lessor and a lessee. There is substantial evidence for, included in records kept even by the military, that show leased land is being desecrated, bombed, polluted with lead and chemicals found when weapons are discharged on and some land contains unexploded ordinances. That is why it is important for the military to be specifically mentioned in a law that they have standards to uphold as a lessee on the land of a lessor in this case the state of Hawaii. SB 427 should act to rectify this oversight that allows the military to act in ways no other lessee would be allowed to act, without having their lease terminated under the law. SB 427 calls, with its common sense approach, for all military lessors be held to the same standards are as any other lessee of land, and that the lessor as owner of that land has the same rights as all other lessors. The act also calls for the lessee, the military, to provide environmental maintenance and environmental remediation of the land and this too is common sense.

One amendment I would like to see, please, is to strike some of Section (C) , the part which calls for anyone who has committed a crime to be disqualified as well as requiring certification by the Governor. The phrase “committed a crime” is too vague and could be used to continue the institutional racism at work in our current justice system. From the Office of Hawaiian Affairs: *“The disparate impact of the criminal justice system on Native Hawaiians is apparent*

*at every stage of the criminal justice system, starting from arrest and continuing through parole. Disproportionate representation at entry into the system is exacerbated by pretrial detention, which has been found to relate to an increased likelihood of incarceration; subsequently, time spent away from community and family while in prison can make transition back to the community difficult, potentially increasing the likelihood of returning to prison. The cycle repeats itself and notably, negative cyclical effects are concentrated on Native Hawaiian communities.”* How ironic that a blind eye is given to the original sin of breaking international law in the stealing of Native Hawaiian lands by white settlers on one hand while enforcing what has proven to be an unjust and unequal criminal justice system upon Native Hawaiians on the other.

I would also like the “certification by the office of the governor” to be struck as this brings the lease decision into the realm of Hawaii’s Executive Branch where it does not belong. The land the military leased from the state should go back to Native Hawaiians and not be further blocked by one more authority where there is one final chance for those in power to retain this land under the status quo. The certification by the office of the governor is one more barrier to returning the land to its rightful owner.

**SB-427**

Submitted on: 2/1/2025 9:22:43 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Keoni Shizuma	Individual	Support	Written Testimony Only

Comments:

**Aloha committee members of the House Committee on Water and Land,**

**I am testifying in support of this bill.**

**Lessees should be treated the same, regardless of the entity of the lessor, be it public, private, or governmental department. Especially in the case that the lessee has a history of not maintaining environmental conditions, and/or not providing the required remediation that may be need to restore the land back to the condition that it was in when the lease first began.**

**Please consider supporting this bill.**

**Mahalo for your consideration.**

**SB-427**

Submitted on: 2/3/2025 11:28:03 AM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
H. Doug Matsuoka	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is H. Doug Matsuoka, a life-long (72 years) resident of Hawaii. I am a director of Kokua Council, and founding member of Hawaii Guerrilla Video Hui. This is my own personal testimony.

I am in strong support of HB491 Relating to Land Leases. Although there are many political, cultural, and social issues involved with the provisions in this bill, I ask consideration for something that may have a positive effect on the public good for people in Hawaii, the rest of the USA, and even the world.

This bill directly addresses the environmental damage caused by the military. The military use of land at various bases and training areas like Pohakuloa on Hawaii Island may be serious enough for the military to claim that the lands are beyond remediation. That may devolve the issue into politically rancorous and divisive name-calling.

But the reclamation of military lands would require the development of technology and systems that could be used elsewhere in the US. The remediation would cover the clearing of unexploded ordinance, lead and depleted uranium, toxic materials including chemicals such as PFAS, TCE, PCE, and benzene, and yes, jet fuel.

These environmental challenges are not limited to Hawaii. There is a long list of military sites in the US that could use any newly developed methods for land and water reclamation: There is Fort Sill and McAlester Army Ammunition Plant in Oklahoma, Loring Air Base in Maine, and sharing headlines with Red Hill, Camp Lejeune, as well as Adak Naval Air Station. And many more, of course. Land and water in large areas in Nevada are still seriously polluted from atomic testing.

Let this bill serve the public good by spurring the development of new technologies that could be applied to many other places in the US. Land reclamation and remediation systems would be paid for through the Department of Defense and follow the same procedures as the development of weapons systems: by proposals and bids by private contractors. This would allow the private developers to tap into a nearly \$1 trillion Defense Department budget that is likely only to increase.

Just as American weapon systems are sought after throughout the world, these land remediation systems will be as valued. Once a battle is won, who will be ready to reclaim land for civilian (and civil) purposes in places like Ukraine, Gaza, Iraq, Yemen, etc?

Let's be forward, pointed, and daring in our quest for the public good and Mālama 'Āina.

Mahalo for your time and attention,

H. Doug Matsuoka  
Alewa

**SB-427**

Submitted on: 2/3/2025 12:48:26 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dianne Deauna	Individual	Support	Written Testimony Only

Comments:

I support HB 491 - the State should not lease public lands to any entity that is non compliant with any order, consent decree, or memorandum of agreement that requires environmental maintenance or remediation. I also support amending the bill to remove Section C, which disqualifies anyone convicted of any crime and requires certification by the Office of the Governor to acquire a lease.

**SB-427**

Submitted on: 2/3/2025 9:48:34 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I strongly support SB427 that prohibits the State from leasing any public lands, or extending the lease of any public lands, to any individual, corporation, or federal agency that is in arrears in the payment of certain moneys to the State, noncompliant with a consent decree or memoranda of agreement with the State that requires environmental maintenance or remediation with regard to the subject public lands, or convicted of a crime. This measure requires certification by the Office of the Governor before the issuance or extension of any federal lease that the individual, corporation, or federal agency is in good standing with the State, and provides that, if any existing lessee of public lands is found not to be in good standing with the State as of the effective date of this Act, the lessee shall have three years, or until the end of the lease term, whichever is sooner, to correct the violation or the lease shall be terminated.

SB427 is essential to ensure a commitment to responsible land stewardship.

I urge you to pass this very important and critical measure.

Thank you for the opportunity to submit testimony.

**SB-427**

Submitted on: 2/4/2025 7:14:25 AM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Isis Usborne	Individual	Support	Written Testimony Only

Comments:

Aloha e,

Please support this vital bill to uphold the State Constitution's Public Trust & "Ceded" Lands provisions.

Mahalo,

Isis Usborne, 95815

2026 JD Candidate at William S. Richardson School of Law

**LATE**

**SB-427**

Submitted on: 2/4/2025 6:33:42 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I strongly support SB427, a necessary and long-overdue measure to ensure accountability in the management of Hawai‘i’s public lands. This bill prohibits the State from leasing or extending the lease of any public lands to entities, including the military and hotel resorts, that have failed to comply with environmental maintenance or remediation agreements.

Hawai‘i’s lands are sacred, and their protection is a kuleana we must uphold. Yet, history has shown us that entities leasing public lands—particularly the U.S. military and resort industries—have repeatedly mismanaged and desecrated these lands without proper oversight or remediation.

The Pōhakuloa Training Area is a glaring example of this failure. Since 1964, the U.S. Army has leased 23,000 acres of public lands for military training, firing millions of live rounds annually. In the 1960s, rounds containing Depleted Uranium (DU)—a toxic and radioactive material with a half-life of 4.5 billion years—were fired at Pōhakuloa, contaminating the land and posing ongoing health risks.

**Despite Judge Chang’s 2018 ruling**, which called out the State’s failure to mālama ‘āina and ordered the development of a management plan for Pōhakuloa, the degradation continues. In 2008, **Hawai‘i County Resolution 639-08** called for an immediate halt to B-2 bombing missions and all live-fire exercises until DU contamination was assessed and cleaned up. Yet, the military has ignored these mandates, and live-fire training continues, further polluting and endangering this fragile ecosystem.

Similarly, large hotel resorts have a history of misusing leased public lands and exploiting resources without regard for environmental sustainability. Over-extraction of water, coastal erosion, and desecration of cultural sites have been well-documented, yet lease renewals persist without stringent accountability measures.

SB4271 provides a critical safeguard—ensuring that any entity leasing Hawai‘i’s public lands is held accountable for their environmental responsibilities. This bill is particularly urgent as the military’s lease of Pōhakuloa expires in 2029. Without SB427, there is little to prevent the continuation of destructive practices that threaten the health of our land, water, and future generations.

I urge you to pass SB427 to uphold our responsibility to protect Hawai'i's public lands. Entities that fail to meet their obligations to care for and restore our 'āina should not be entrusted with its use. The time for action is now.

Mahalo for your time and consideration.

Maki Morinoue  
Holualoa, HI 96725

**SB-427**

Submitted on: 2/4/2025 6:40:43 PM

Testimony for WTL on 2/5/2025 1:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Robert Douglas	Individual	Support	Written Testimony Only

Comments:

*Aloha Chair and Members of the Committee,*

*I strongly support SB427, a necessary and long-overdue measure to ensure accountability in managing Hawai'i's public lands.*

*Robert Douglas, Hilo, Hawaii Island, 96720*

**LATE**

**SB-427**

Submitted on: 2/4/2025 9:25:36 PM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patrice Choy	Individual	Support	Written Testimony Only

Comments:

I support SB427.

Thank you.

**LATE**

**SB-427**

Submitted on: 2/5/2025 5:39:52 AM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Caroline Kunitake	Individual	Support	Written Testimony Only

Comments:

I support SB 427

**LATE**

**SB-427**

Submitted on: 2/5/2025 8:41:28 AM  
Testimony for WTL on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Inouye, Vice Chair Elefante, and Members of the Committee,

I am in strong support of SB427, which prohibits the state from leasing any public lands, or extending the lease of any public lands, to any individual, corporation, or federal agency that is in arrears in the payment of certain moneys to the State and/or is noncompliant with a consent decree or agreement that requires environmental remediation or maintenance (in other words, “cleanup”) of the subject public lands.

State actors with a fiduciary duty to care for the State’s precious natural resource should not lease lands to tenants who illegally contaminate our land and water; if a tenant has a memoranda of agreement or understanding to clean past contamination, but decades later have not yet completed the clean up, the tenant should not be allowed to sign new leases for the same or additional state lands. Furthermore, I strongly support SB427 in that any individual, corporation or federal agency that continues to misuse and/or mismanage leased land and natural resources, or circumvent or break laws protecting the safety of workers, residents, critical habitats and cultural preservation shall have three years, or until the end of the lease term, whichever is sooner, to correct the violation, including carrying out any required environmental remediation cleanup, or the lease shall be terminated.

Simply put: do right by Hawaii and her people. Our health and wealth depend on responsible stewardship of public lands. Please pass SB427.

Thank you,

Shannon M.

Hawai'i Island Resident

**LATE**

**SB-427**

Submitted on: 2/5/2025 9:31:31 AM

Testimony for WTL on 2/5/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Bambara	Individual	Support	Written Testimony Only

Comments:

*Aloha Chair and Members of the Committee,*

*I strongly support SB427, a necessary and long-overdue measure to ensure accountability in managing Hawai'i's public lands.*

*Thank you for you service to Hawaii nei and her peopeople.*

*Susan Bambara*

*Kurtistown*

96760