# TESTIMONY

## <u>HB1133</u>

Measure Title:	RELATING TO PUBLIC LAND.
Report Title:	Public Land Development Corporation
Description:	Repeals the Public Land Development Corporation. Transfers certain assets to the Department of Land and Natural Resources.
Companion:	
Package:	None
Current Referral:	WTL, WAM
Introducer(s):	EVANS, AWANA, BROWER, CHEAPE, COFFMAN, FALE, FUKUMOTO, HANOHANO, HASHEM, ING, JOHANSON, C. LEE, MCDERMOTT, MCKELVEY, MIZUNO, MORIKAWA, SAIKI, TAKUMI, THIELEN, Aquino, Cachola, Nishimoto

<u>Sort by</u> Date		Status Text
2/15/2013	S	Received from House (Hse. Com. No. 20).
2/15/2013	S	Passed First Reading.
2/28/2013	S	Referred to WTL, WAM.
3/12/2013	S	The committee(s) on WTL has scheduled a public hearing on 03-19-13 1:20PM in conference room 225.

NEIL ABERCROMBIE GOVERNOR OF HAWAII





WILLIAM J. AILA, JR. CHAIRPERSON BOARD OF LAND AND NATURAL RESOURCES COMMISSION ON WATER RESOURCE MANAGEMENT

> ESTHER KIA'AINA FIRST DEPUTY

WILLIAM M. TAM DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES BOATING AND OCEAN RECREATION BUREAU OF CONVEYANCES COMMISSION ON WATER RESOURCE MANAGEMENT CONSERVATION AND RESOURCES ENFORCEMENT ENGINEERING FORESTRY AND WILDLIFE HISTORIC PRESERVATION KAHOOLAWE ISLAND RESERVE COMMISSION LAND STATE PARKS

#### STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621 HONOLULU, HAWAII 96809

Testimony of WILLIAM J. AILA, JR Chairperson

#### Before the Senate Committee on WATER AND LAND

Tuesday, March 19, 2013 1:20 pm State Capitol, Conference Room 225

#### In consideration of HOUSE BILL 1133 RELATING TO PUBLIC LAND

House Bill 1133 proposes to repeal Chapter 171C, Hawaii Revised Statutes, and abolish the Public Land Development Corporation (the "PLDC"). The measure also transfers certain assets to the Department of Land and Natural Resources ("Department"). **The Department offers the following amendment to this measure for the purpose of ensuring that all current officers and employees of the PLDC are transferred to the Department to utilize fully the expertise and skills of these officers and employees to fulfill its mission.** 

SECTION \_. All officers and employees hired for purposes of Act 55, Session Laws of Hawaii 2011, shall be transferred to the department of land and natural resources without loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

From:	mailinglist@capitol.hawaii.gov
То:	WTLTestimony
Cc:	sterlingw@oha.org
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Thursday, March 14, 2013 1:33:18 PM
Attachments:	HB1133 WTL Testimony 031913 FINAL.pdf

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	l estifier Position	Present at Hearing
Office of Hawaiian Affairs	Office of Hawaiian Affairs	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.



#### Testimony to the Senate Committee on Water and Land Tuesday, March 19, 2013 1:20 pm State Capitol – Room 225

#### **<u>RE:</u>** HOUSE BILL NO. 1133 RELATING TO THE PUBLIC LAND DEVELOPMENT <u>CORPORATION</u>

Chair Solomon, Vice Chair Shimabukuro, and members of the committee:

H.B. 1133 proposes to repeal the Public Land Development Corporation and transfer certain assets to the Department of Land and Natural Resources.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber supports the overall intent and concept of the Public Land Development Corporation as we believe there needs to be a clear focus on creating opportunities for private investment in development opportunities on the underutilized public land assets in the State.

There is no question that the implementation of Act 55 could have been done with more clarity and focus to address the broad powers of the PLDC. At this point, it is prudent to reconsider Act 55 in light of the concerns raised and perhaps, amend the law to provide more specific guidance in the implementation such as developing a process that is open, competitive and transparent in how lands are selected and subsequently on how developers are selected.

We believe that further discussion should focus on a process to select and develop underutilized public assets before considering repeal of Act 55.

Thank you for this opportunity to express our views.



#### "Building Better Communities"

#### 2013 Officers

President Greg Thielen Complete Construction Services Corp.

President-Elect Brian Adachi BKA Builders, Inc.

Vice President Sunny Walsh Hunt Building Company, Ltd.

**Treasurer Guy J. Shindo** First Hawaiian Bank

Secretary Richard Hobson, Jr. Gentry Homes, Ltd.

Special Appointee-Builder Paul D. Silen Hawaiian Dredging Construction Co., Inc.

Special Appointee-Associate Craig Washofsky Servco Home & Appliance Distribution

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Dean Uchida SSFM International, Inc.

Evan Fujimoto Graham Builders, Inc.

Gary T. Okimoto Honolulu Wood Treating

Mark Kennedy HASEKO Construction Kamakana, LLC

Marshall Hickox Homeworks Construction, Inc.

Michael Watanabe JW, Inc.

Ryan Engle Bays Lung Rose & Holma

Scotty Anderson Pacific Rim Partners

W. Bruce Barrett Castle & Cooke Homes Hawaii, Inc. Testimony to the Senate Committee on Water and Land Tuesday, March 19, 2013 1:20 pm State Capitol – Room 225

#### RE: H.B. 1133, RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION

Dear Chair Solomon, Vice-Chair Shimabukuro, and members of the committee:

My name is Gladys Marrone, Government Relations Director for the Building Industry Association of Hawaii (BIA-Hawaii), the voice of the construction industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, affiliated with the National Association of Home Builders.

H.B. 1133 proposes to repeal the Public Land Development Corporation (PLDC) and transfer certain assets to the Department of Land and Natural Resources.

BIA-Hawaii supports the overall intent and concept of the PLDC as we believe there needs to be a clear focus on creating opportunities for private investment in development opportunities on the underutilized public land assets in the State.

There is no question that the implementation of Act 55 could have been done with more clarity and focus to address the broad powers of the PLDC. At this point, however, it is prudent to reconsider Act 55 in light of the concerns raised and, perhaps, amend the existing law to provide more specific guidance in the implementation such as developing a process that is open, competitive, and transparent in how lands are selected and, subsequently, on how developers are selected.

We believe that further discussion should focus on a process to select and develop underutilized public assets before considering repeal of Act 55.

Thank you for this opportunity to express our views.

From:	mailinglist@capitol.hawaii.gov
То:	WTLTestimony
Cc:	bishopstephen@inclusiveorthodox.org
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Thursday, March 14, 2013 9:37:59 PM
Attachments:	Testimony HB1133 20130314.pdf

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Randolph Sykes	The Interfaith Alliance Hawaii	Support	No

Comments: We are hopeful to have a board member at the hearing but cannot confirm at this time.

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From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	kat.caphi@gmail.com
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Friday, March 15, 2013 10:14:52 AM
Attachments:	3.19.13 WTL HB 1133 Testimony.docx

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Community Alliance on Prisons	Support	Yes

Comments:

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Aloha, re HB 1133, set for eharing 3/19 at 1.20p, I want to thank you for moving forward a clean repeal bill, without any changes.

#### Warmest Mahalo and Aloha!

Susan Douglas Healthy Life Coach Temple of the Spirit Kihei, Maui, HI 96753 808 879 1112 (24/7) sd3@hawaii.rr.com



Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Withington	Kamakani O Kohala Ohana Kako'o	Support	No

Comments: We are a non-profit community group in North Kohala and have been working for over 20 years to preserve the open space, historical sites and pristine environment of the North Kohala coastline. We strongly oppose the PLDC and urge you to support this measure to repeal the PLDC. It was a bad law drawn up without proper public venting and needs to be repealed. Malama na Lihikai o Kohalanei

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### HB1133 Testimoney

My name is Richard Hoeppner from Kaua'i. I am Chairman of a group called People for the Preservation of Kaua'i, but I am here as a private concerned citizen, about House Bill 1133.

Section 5 of HB1133, subsections (8), (9), and (10), has the following Statutory material: "The authority may: (8)Acquire, reacquire, or contract to acquire or reacquire by grant or purchase real, personal, or mixed property or any interest therein; to own, hold, clear, improve, and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same; (9) Acquire or reacquire by condemnation real, personal, or mixed property or any interest therein for public facilities, including but not limited to streets, sidewalks, parks, school, and other public improvements; (10) By itself, or in partnership with qualified persons, acquire, reacquire, construct, reconstruct, rehabilitate, improve, alter or repair or provide for the construction, reconstruction, improvement, alteration, or repair of any project: own, hold, sell, assign, transfer, convey, exchange, lease, or otherwise dispose of or encumber any project, and in the case of the sale of any project, accept a purchase money mortgage in connection therewith; and repurchase or otherwise acquire any project which the authority has theretofore sold or otherwise conveyed, transferred, or disposed of;"

Section 7 of HB1133 states: "All appropriations, records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired, or held by the public land development corporation shall be transferred to the department of land and natural resources." A Governor's reappointment of the Project Manager and Project Specialist from PLDC to DLNR, as proposed in SB707, would complete the nearly identical authority found in Act 55, Section 4, subsections (8), (9), and (10), with the same potential damage to occur to all State Public Lands and Crown Lands. Words mean something, and there are other legislative actions pending which would complete the unacceptable authority that Act 55 proposed.

House Bill 1133 is not as one Senator classified it, a complete repeal of HRS 171C, A complete repeal would have been a bill with just seven words, exclusive of all other statutory material, as found in Section 6 of HB1133, and I quote, "Chapter 171C, Hawaii Revised Statutes, is Repealed".

The Hawaii Legislature has embarrassed itself historically with the passage of the unconstitutional Act II, and the unacceptable Act 55. Please avoid any further embarrassment by passing into law another unlimited, unregulated, unaccountable Act, HB1133., stop it here.

Hawaiin Land and Crown Lands are Sacred, not a commodity.

**Rich Hoeppner** 

Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Puanani Rogers	Ho`okipa Network - Kauai	Support	No

Comments: I testify in strong support of HB 1133 with no amendments. Mahalo a nui, Puanani Rogers

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From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	jeffy3@earthlink.net
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Monday, March 18, 2013 9:30:09 AM
Attachments:	Testimony HB1133 - 3-19-13 Senate WTL Hearing.doc

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Parker	Tropical Orchid Farm, Inc.	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	osorio@hawaii.edu
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Monday, March 18, 2013 6:29:56 AM
Attachments:	HB 1133 Testimony in Support WAL.docx

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Osorio	KAHEA: The Hawaiian- Environmental Alliance	Support	No

Comments:

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March 17, 2013

- TO: Chair Malama Solomon, Vice Chair Maile Shimabukuro and Members of the Senate Committee on Water and Land
- FROM: Barbara Polk, Legislative Chair Americans for Democratic Action/Hawaii

#### SUBJECT: SUPPORT FOR HB 1133

Americans for Democratic Action/Hawaii strongly supports HB 1133 to repeal the Public Lands Development Corporation. We object to HRS 171C, under which control of public lands has been placed in the hands of an unelected five-person board, 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, as well as the ability to alienate public lands from public use.

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 do not understand why legislators would 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 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 freefor-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.

We ask that you repeal the PLDC by passing HB 1133 HD 2 unamended.

#### Testimony of Robert Loy Director of Environmental Programs The Outdoor Circle

#### HB 1133 Committee on Water and Land March 19, 2013 1:20 PM Rm. 225

The Outdoor Circle strongly supports this legislation to repeal the Public Land Development Corporation

We have long held that the legislation that created the PLDC is fatally flawed and that the entity--the Public Lands Development Corporation is a destructive and divisive government agency that must be dissolved. We are most concerned about:

- The undemocratic manner in which Act 55 was passed by the 2011 legislature
- The senseless exemptions the PLDC was granted from the very laws designed to protect the environment of our state in development decisions
- The removal of PLDC lands from the definition of "public land" and the inevitable commercialization of public land for the exclusive financial benefit of developers
- The manipulative public hearing process used for creating PLDC Administrative Rules
- The disrespectful manner in which its supporters denigrated PLDC opponents and worked to stifle public discussion

The Outdoor Circle believes in protecting the constitutional right of Hawai'i residents to live in a healthy environment. We support the prudent use of our lands for the benefit of all people. We staunchly defend state and county environmental reviews that require careful study and public input before project approvals. We encourage permitting and zoning that hold developers to agreed-upon standards that ensure projects can proceed while protecting Hawai'i's natural beauty and environment. These most basic principles are compromised by the PLDC.

The only way to address the threat to Hawai`i posed by the PLDC is by wiping the slate absolutely clean. No amount of tinkering or massaging will ever make the PLDC an entity that has the trust of the people of Hawai`i.

If we are to engage in the kind of partnerships envisioned by the architects of the PLDC, then we must begin anew with a completely transparent process that includes all of the stakeholders. Only then can we build a new, better law that addresses the many concerns expressed statewide about the PLDC and the manner in which it was created.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Vince Kana`i Dodge	`Ai Pohaku- the Stone Eaters	Support	No

Comments: Aloha senators, representatives of the people. We strongly support HB 1133 without amendments. The PLDC is terribly designed and needs to be totally repealed. Enough said. mahalo nui, vince Kana`i Dodge

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Submitted on: 3/18/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Elijah Frank	Ohana O Kaua'i	Support	No

Comments: We at Ohana O Kauai strongly support complete repeal of any and all PLDC related legislation. Nothing less than a complete repeal and elimination of PLDC or versions of PLDC will be acceptable. The people are not blind to what the governor and senators are attempting to do. We can follow the money and votes to see who they are truly representing. Please realize that the future of Hawaii is in your hands and you have the ability to do what is right by the people. Mahalo, Elijah Frank Ohana O Kaua'i

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25 Maluniu Ave., Suite 102., PMB 282 • Kailua, HI 96734 • Phone/Fax: (808) 262-0682 E-mail: htf@lava.net

#### February 19, 2013

#### <u>COMMITTEE ON WATER & LAND</u> Senator Malama Solomon, Chair Senator Maile S.L. Shimabukuro, Vice Chair

#### HB 1133 RELATING TO PUBLIC LAND

Committee Chairs and members:

Hawaii's Thousand Friends, a statewide non-profit land and water advocacy organization, **supports** HB 1133 that repeals HRS 171C Public Land Development Corporation.

Hawaii's public lands are public resources and their utilization must comply with the State Constitution. The Constitution adopted in 1978 restricts the development of public lands to certain specified public purposes.

The Constitution Article XI Conservation, Control and Development of Resources Section 1 states:

For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State.

All public natural resources are held in trust by the State for the benefit of the people.

Act 55, passed in 2011, Section 1 Findings and Purpose states:

The purpose of this chapter 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.

Act 55 Section 4(b) appears to protect public trust land, but this section finishes with the words "except as expressly provided in this chapter" and the chapter expressly gives

the PLDC Board almost unlimited powers to develop public trust lands for what they deem private benefit at public expense.

Article XI Section 1 requires public lands trustees to "promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State." But Act 55 turns the words "conservation" and "furtherance of self-sufficiency" on their heads when it allows "optimization projects" to use public lands to create revenue-generating centers or to exploit local, national and international markets.

Under Act 55 the public trust mandated by the Hawaii Constitution has morphed into a developers' business plan, replete with uncontrolled opportunities to spend state funds and dispose of public land primarily for the benefit of private entities.

To help restore the public's faith in the legislative process and their elected officials Hawaii's Thousand Friends urges you to pass HB 1133.

From:	mailinglist@capitol.hawaii.gov
То:	WTLTestimony
Cc:	henry.lifeoftheland@gmail.com
Subject:	*Submitted testimony for HB1133 on Mar 19, 2013 13:20PM*
Date:	Monday, March 18, 2013 9:16:05 AM

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Henry Curtis	Life of the Land	Support	No

Comments:

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*League of Women Voters of Hawaii* 49 South Hotel Street, Room 314 | Honolulu, HI 96813 www.lwv-hawaii.com | 808.531.7488 | voters@lwvhawaii.com

#### SENATE WATER AND LAND COMMITTEE Senator Malama Solomon, Chair

Tuesday, March 19, 2013, 1:20 PM, Conference Room 225 HB 1133, Relating to Public Land

TESTIMONY Janet Mason, Legislative Committee Member, League of Women Voters of Hawaii

Chair Solomon and Members of the Water and Land Committee:

## The League of Women Voters of Hawaii supports HB 1133, which fully repeals the Public Land Development Corporation.

We thank the members of the Senate Committee on Water and Land for their efforts in considering the repeal of the Public Lands Development Corporation. We actively encourage your support of HB 1133, a clean repeal. This version better addresses the elimination of potential overlaps in jurisdiction that may exist with other bills relating to public-private corporations and pilot projects that are still under consideration.

We urge you to pass this bill. Thank you for the opportunity to submit testimony.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Felicia Cowden	Individual	Support	No

Comments: We need to completely repeal ACT 55, the Public Land Development Corporation entirely. Mahalo.

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Fern Rosenstiel	Individual	Support	No

Comments:

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Frances Britten	Individual	Support	No

Comments: Please pass this bill on without any amendments. The PLDC should be repealed in its entirety.

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Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Gerald Taber	Individual	Support	No

Comments: I urge the Senate Committee on Water and Land to pass HB 1133 without amendments so as to fully and permanently Repeal all previous acts of the PLDC. You must know that I strongly support HB 1133, without amendments at the hearing this Tuesday, March 19, 2013, at 1:20 pm, Room 225, so please do what the public is asking and repeal the PLDC and any or all variations and I ask that you please prevent any last minute treachery from occurring against the people and nation of Hawaii on this matter. Thank you.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
G.M.K. Williams	Individual	Support	No

Comments: I believe the construction and presence of a new 30-meter telescope would greatly degrade the environment at the Mauna Kea summit as well as diminish even more a significant Hawaiian spiritual site.

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Submitted By	Organization	Testifier Position	Present at Hearing
Graceson Ghen	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Graham Ellis		Support	No

Comments:

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Submitted By	Organization	Testifier Position	Present at Hearing
Gregg Haines	Individual	Support	No

Comments: I am a resident on the island of Maui and I am writing to urge your support for HB 1133, to repeal the PLDC. No entity, public or private, should be exempt from environmental laws and land use statutes meant to protect public interest. Please pass HB 1133 in its current form. Mahalo!

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Gregory Paul	Individual	Support	No

Comments: The strong public opposition to PLDC is clearly evident. Anything short of repealing ACT 55 is unacceptable! If by chance Malama Solomon kills HB1133 then I suggest we do some exploratory drilling for geothermal in her front yard. If that doesn't work then perhaps she will have committed a war crime and charges can be filed accordingly. In short; this is a really good time to listen to your constituency!

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Submitted By	Organization	Testifier Position	Present at Hearing
Hanalei Fergerstrom	Na Kupuna Moku O Keawe	Support	No

Comments: While we were under the impression that the PLDC had already been repealed...we now understand that there is one more step. We ask that you support the full repeal of the PLDC. Hanalei Fergerstrom Na Kupna Moku O Keawe

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Submitted By	Organization	Testifier Position	Present at Hearing
Harlan Hughes	Individual	Support	No

Comments:

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Harriet Witt	Individual	Support	No

Comments: I support full repeal of the PLDC.

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Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Arkin	Individual	Support	No

Comments: I strongly supports HB 1133, without amendments . We support the complete repeal of the Public Land Development Corporation (PLDC), with no strings attached. Please pass HB 1133 unamended. The PLDC is not an appropriate management solution. Instead, it takes us backwards because it circumvents the legal protections the public fought to establish de cades ago -- protections meant to strike a sustainable balance between exploitation and preservation of our resources. The PLDC removes public participation from the process of striking this balance, demonstrating the government's stunted faith in Hawai'i's communities – the very communities this Legislature represents. It restores the archaic notion that our land is something that we can possess and destroy for short-term benefit without consideration of the impact that will have for the future. We need a way to achieve abundance from Hawai'i's land, but the PLDC is not the way. The PLDC heralds a new low in the state's approach to stewarding Hawai'i's public trust by treating our most valuable shared resources as develop-able financial assets instead of what they are – the sacred la nds, waters, and environment we call home. Not only does the PLDC have the extraordinary and dangerous power to exempt itself from the laws meant to ensure safe and responsible use of our shared resources - including our land use law, coastal zone management law, county zoning ordinances, the state building code, fire code, and other laws in place to protect our resources and human safety - it could have the effect of eroding the constitutional right of Native Hawaiians to access, gather, and engage in other cultural practices on currently undeveloped state land. The PLDC is not necessary to make good projects happen on our public lands. Farming to feed ou rselves and public education are some of the highest and best uses of these lands. The PLDC and its barrage of exemptions is not necessary for the government to carry out its vital functions. Please carry out your fiduciary duty to your constituents, as beneficiaries of the public land trust, and pass HB 1133 unamended

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.
Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Hugh Starr	Individual	Support	No

Comments: Aloha Chair Solomon and Members of the Senate Water and Land Committee: I write in support HB1133 which, as submitted to your Water and Land Committee, providesfor the unequivocal repeal of ACT 55(PLDC). I respectfully urge your committee to pass HB1133 as submitted and unchanged. Thank you, Hugh Starr Makawao, Maui

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ian Maioho	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	J & T Hedgecock
To:	WTLTestimony
Subject:	Testimony on HB 1133
Date:	Sunday, March 17, 2013 5:42:14 PM

We are testifying in support of HB 1133, the repeal of the PLDC. Please ensure that this bill passes without changes on March 19th.

Mahalo, James & Tracy Hedgecock Pahoa, Hi.



Testimony to the WTL Committee <u>COMMITTEE ON WATER AND LAND</u> Senator Malama Solomon, Chair Senator Maile S.L. Shimabukuro, Vice Chair

DATE: Tuesday, March 19, 2013 TIME: 1:20 PLACE: Conference Room 225

# Speaking in Support of HB 1133 With No Changes

RE: HB 1133

Chair Senator Solomon, Vice Chair Senator Shimabukuro and Members of the Committee on Water and Land:

My name is James E. Coon, President of the Ocean Tourism Coalition (OTC) Hawaii's State-wide organization. We represent the 300 Small Commercial Passenger Vessels operating out of State Harbor facilities. We speak in **Support of HB 1133 with No Changes.** 

I humbly ask you to support HB 1133 and pass this worthy bill just as it stands.

Thank you for the opportunity to submit testimony. If you have any questions, please contact me at 808-870-9115.

Sincerely,

James E. Coon, President Ocean Tourism Coalition 808-870-9115 <u>captcoon@gmail.com</u>

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
james crowe	Individual	Support	No

Comments: Repealing PLDC is the sensible and right thing to do.

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Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
James McPherson	Individual	Support	No

Comments: the PLDC must have rules and regulations, checks and balances to keep public lands a finite resource safe from corporate take over it is unconstitutional to bypass laws and regulations to development corporations.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jamie Schwartz	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Austin Van Heusen	Individual	Support	No

Comments:

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Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
B. Halani Berard	Individual	Support	No

Comments: I urge you to support this bill in it's entirety. We must safeguard the lands of Hawaii nei from the ravages of destruction from developers who have no regard for the responsible use of our lands. The iwi of our kupuna must be a top priority from desecration and our wahi pana (legendary sites) must be preserved for the generations. Mahalo for supporting the repeal of the PLDC law in it's entirety. Kupuna Halani Berard

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
B.A. McClintock	Individual	Support	No

Comments: Please support this bill and repeal the PLDC.

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
barb Cuttance	Individual	Support	No

Comments: Aloha Senators, I am writing seeking your support in approving HB 1133 without any amendments. The people have spoken loudly regarding requiring the PLDC to be repealed. Please hear the people throughout Hawaii and pass HB1133 as is. Kindly Barb Cuttance 14/266 Papaya Farms Road Kapoho Hawaii 96778

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Borgnino	Individual	Support	No

Comments: I support this bill to repeal the PLDC. The PLDC is not good for Hawaii

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Childers	Individual	Support	No

Comments:

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Kahn-Langer	Individual	Support	No

Comments: Honorable Legislators, My husband, James W. Brown, and I SUPPORT the REPEAL of the ill advised PLDC, and SUPPORT the transfer of all PLDC assets to the Dept. of Natural Resources. Mahalo, Barbara Kahn-Langer James W. Brown Hawaiian Paradise Park Hawai'i

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Benjamin Guerrero	Individual	Support	No

Comments: If this is good for Hawai'i, it's time to start over with community input first!

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Pang	Individual	Support	No

Comments: I strongly support without amendments.

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Beverly Kalena Lanuza	Individual	Support	No

Comments: I support the bill unammended- mahalo.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Smith	Individual	Support	No

Comments: Only a full repeal will restore public trust that is broken when laws like Act 55 are passed.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
bobbie becker	Individual	Comments Only	No

Comments: I support approval of HB 1133 with NO any amendments. I support a full repeal of the Public Lands Development Corporation for all of the many reasons that have been previously submitted; including the lack of County input and exemption from all zoning and environmental regulations. I support approval of HB 1133 with NO any amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Thank-you Senators for moving forward to REPEAL HB1133, the PLDC bill.

While I strongly support the goal of raising funds for the Department of Land and Natural Resources, this bill was very poorly conceived.

There is NO WAY that I, as a resident and land owner on Maui can support a bill which would give authority for future development projects to just FIVE people whose actions would be exempt from County planning, zoning and environmental regulations.

I urge you, I am requesting of you, to immediately repeal this entire bill with NO CHANGES......

Mahalo for listening to your constituents.

Bobbie Becker 185 Mahiai Place Makawao, HI 96768

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Parsons	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Emmons	Individual	Support	No

Comments: The PLDC is not an appropriate management solution. Instead, it takes us backwards because it circumvents the legal protections the public fought to establish decades ago -- protections meant to strike a sustainable balance between exploitation and preservation of our resources. The PLDC removes public participation from the process of striking this balance, demonstrating the government's stunted faith in Hawai'i's communities – the very communities this Legislature represents. It restores the archaic notion that our land is something that we can possess and destroy for short-term benefit without consideration of the impact that will have for the future. We need a way to achieve abundance from Hawai'i's land, but the PLDC is not the way. The PLDC heralds a new low in the state's approach to stewarding Hawai'i's public trust by treating our most valuable shared resources as develop-able financial assets instead of what they are – the sacred lands, waters, and environment we call home. Please, pass HB 1133, without amendments.

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
brian Murphy	Individual	Support	No

Comments:

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brilana Troublefield	Individual	Support	No

Comments:

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bronson K. Silva	Individual	Support	No

Comments:

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Submitted on: 3/18/2013 Testimony for W/TL on Mar 19, 2013 13:20 PM in Cor

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
byron w.baker	Individual	Support	No

Comments: the PLDC has been thoroughly discredited. Please support HB 1133 to repeal the PLDC statute in its entirety.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
C. Kong	Individual	Support	No

Comments: We, the public, SUPPORT HB1133 due to the IRREPARABLE HARM that the PLDC will inflict on the unique and fragile status of Hawaii's Land, Resources and quality of Life. We are also knowledgeable that the lands are not to be altered, disenfranchised, alienated or otherwise transformed because they are to be held in trust until the status of the Hawaiian Sovereignty is determined. In your deliberations, please keep in mind the following: STATE CONSTITUTION THE CONSTITUTION OF THE STATE OF HAWAII ARTICLE I BILL OF RIGHTS POLITICAL POWER Section 1. All political power of this State is inherent in the people and the responsibility for the exercise thereof rests with the people. All government is founded on this authority. [Am Const Con 1978 and election Nov 7, 1978]

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Eric Gill, Financial Secretary-Treasurer

Hernando Ramos Tan, President

Godfrey Maeshiro, Senior Vice-President

Monday, March 18, 2013

Senator Malama Solomon, Chair Senate Committee on Water & Land Hawaii State Legislature State Capitol 415 S. Beretania Street

#### RE: HB 1133 relating to Public Land

Chair Solomon, Vice Chair Shimabukuro and members:

UNITE HERE Local 5, a local labor organization representing nearly 10,000 hotel, health care and food service workers employed throughout the State, hereby registers our **strong support** for **House Bill 1133**, relating to Public Land.

As we have testified before the Legislature, your Committees and the PLDC Board - here on Oahu and on our neighbor islands - we see the PLDC as just one example of how broken our political system really is.

Only the full repeal of the PLDC can ensure our collective commitment towards full transparency.

As a union, we believe in democracy in practice. We also believe, like so many of you, that government should work on behalf of and in the interest of the people.

Over the last several months, we have spoken with thousands of people by going door-todoor in communities all across the State. The people are overwhelmingly opposed to attempts at "fast tracking development" projects and reducing public input. More to the point, people have become increasingly frustrated with an overall sense of powerlessness that persists in part because of laws like Act 55 and a perceived lack of representation by our elected leaders.

We applaud your Committees for hearing HB 1133 and we ask for your full support in repealing the PLDC in all forms.

Thank you.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	cwatanabe@unitehere5.org
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Monday, March 18, 2013 1:30:54 PM
Attachments:	HB 1133 Relating to Public Land - Senate WTL.pdf

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cade Watanabe	UNITE HERE Local 5	Support	Yes

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Knoll	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Knoll	Individual	Support	No

Comments: My support is for the bill without amendment.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Thank you for moving this bill forward without changes or amendments.

Please support this bill as it is.

--Thank you,

Carolyn Knoll Kaneohe, HI

#### "Life should NOT be a journey to the grave with the intention of arriving safely in an attractive and well-preserved body; instead to skid in sideways, chocolate and wine in one hand, body thoroughly used up, totally worn out and screaming WOO HOO What a ride!!"

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Caterina Desiato	Individual	Support	No
	, ,	, , , , , , , , , , , , , , , , , , ,	Submitted By Organization Position

Comments: I support HB 1133 without amendments in order to repeal PLDC, I strongly encourage a more participatory public land management, with input from as diverse as possible stakeholders from the actual public.

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Charlene Schulenburg	Individual	Support	No

Comments: I support the full repeal.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Lewin	Individual	Support	No

Comments: Please pass HB1133 to repeal the PLDC. I am a past and future resident of Maui and occasional visitor. The beauty and natural environment of Hawaii is what brings tourists, not development. I can get plenty development on the mainland. Mahalo! Charles Lewin

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl corbiell	Individual	Support	No

Comments: The PLDC is an inconceived piece of legislation that needs to be repealed. Then the citizens of Hawaii can be consulted about what is appropriate for Hawaii. Getting in bed with developers is not appropriate and the board members, bylaws, and other documents of the PLDC shout "inappropriate". Legislation should be in the sunshine and not behind doors and secretive. Repeal the PLDC. I support this bill.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.
From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	ChoonJamesHawaii@gmail.com
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Saturday, March 16, 2013 11:00:06 AM

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Choon James		Support	Yes

Comments: SUPPORT of HB 1133, without amendments or any "gut and replace" shenanigan in this process. Aloha! The public has spoken. The merits and demerits have been discussed. Many thoughtful points have been brought to light from independent public good entities. KAHEA is one of many that we wholeheartedly support! \*\*\*\*\*\*\* Testimony of Jon Kamakawiwo`ole Osorio, Ph.D., Secretary, KAHEA: The Hawaiian-Environmental Alliance in STRONG SUPPORT of HB 1133, without amendments "KAHEA: The Hawaiian-Environmental Alliance, on behalf of its board and thousands of supporters across ka pae `āina, strongly supports HB 1133, without amendments. We support the complete repeal of the Public Land Development Corporation (PLDC), with no strings attached. Please pass HB 1133 unamended. The PLDC is not an appropriate management solution. Instead, it takes us backwards because it circumvents the legal protections the public fought to establish decades ago -- protections meant to strike a sustainable balance between exploitation and preservation of our resources. The PLDC removes public participation from the process of striking this balance, demonstrating the government's stunted faith in Hawai'i's communities – the very communities this Legislature represents. It restores the archaic notion that our land is something that we can possess and destroy for short-term benefit without consideration of the impact that will have for the future. We need a way to achieve abundance from Hawai'i's land, but the PLDC is not the way. The PLDC heralds a new low in the state's approach to stewarding Hawai'i's public trust by treating our most valuable shared resources as develop-able financial assets instead of what they are – the sacred lands, waters, and environment we call home. Not only does the PLDC have the extraordinary and dangerous power to exempt itself from the laws meant to ensure safe and responsible use of our shared resources including our land use law, coastal zone management law, county zoning ordinances, the state building code, fire code, and other laws in place to protect our resources and human safety - it could have the effect of eroding the constitutional right of Native Hawaiians to access, gather, and engage in other cultural practices on currently undeveloped state land. The PLDC is not necessary to make good projects happen on our public lands. Farming to feed ourselves and public education are some of the highest and best uses of these lands. The PLDC and its barrage of exemptions is not necessary for the government to carry out its vital functions."

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Submitted on: 3/18/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
chris kobayashi	Individual	Support	No

Comments: please support hb1133, repeal of pldc. no amendments. mahalo

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cindy Granholm	Individual	Support	No

Comments: Please approve HB 1133 without any amendments.

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**Cindy Turner** 

1460 Kiukee Place, Kailua Hawaii cindy@hotpixels.com

Testimony in support of HB 1133

We do not need PLDC. It is important to respect our zoning regulations and procedures, something that PLDC does not. PLDC makes it too easy in this state for people with connections to make deals that do not benefit the public. Equally bad is the fact that if a public/private partnership goes bad, the public will be left holding the bag.

Please pass this bill with no changes.

Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Claire McGuire	Individual	Support	No

Comments: I support HB1133...PLDC shoud be repealed so the decision making that affects the community can be made at the proper level and with proper oversight. It is an important function of government to properly distribute the power and reflect the will of those it serves..clearly, PLDC is in violation of that very basic tenet of due process. Thank you.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Aloha Senators,

Thank you for passing this bill without any changes. It is the right thing to do for Hawaii. Thank you for caring for our land.

Aloha,

Clark Takashima

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Aaron Isgar	Individual	Support	No

Comments: Please pass the House Bill 1133 without amendments. The PLDC should be put to rest cleanly.

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Bensley	Individual	Support	No

Comments: I strongly support this bill, please pass it UNAMMENDED. Mahalo

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Alicia Morrier	Individual	Support	No

Comments:

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Dear Committee members,

I strongly urge you to support HB1133 and repeal PLDC. There are many reasons why PLDC is a bad idea, but two of the most compelling are: (1) PLDC allows land development to proceed in a way that circumvents key safeguards (statutes, ordinances, oversight by special agencies and committees, public input) that our governing system puts in place to guide development and protect important public interests; and (2) PLDC's primary concern is to generate revenue from the land. It neglects the fact that wise use of public land serves many functions that are more important than just making money -- protecting our watersheds so we have a supply of water, maintaining rich, clean soils for future generations to raise food, etc. I have served on land use commissions for more than a decade, and have seen how poorly regulated land development can have devastating long term effects, economic as well as environmental. Please don't sacrifice future well being for short term financial gain. Vote for HB1133.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
amanda Kitzmiller	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Amanda Sumner	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
AMIE BUTTKE STOKES	Individual	Support	No

Comments: Please repeal the PLDC.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Angela Breene	Individual	Support	No

Comments: Aloha, Thank you for the opportunity to testify in support of a FULL REPEAL of the PLDC. We need more local oversight over development projects - not less. Please fully repeal the PLDC. Mahalo, Angela Breene

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Kuulei Snyder-Moser	Individual	Support	No

Comments: Strongly support.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Subiono	Individual	Support	No

Comments: Repeal PLDC.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Thurston	Individual	Support	No

Comments: I support this bill strongly and I ask that there should be no amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Thurston	Individual	Support	No

Comments: Please repeal the PLDC. Across all islands the people have made it very clear that they do not want the PLDC. It is very important to respect the people's wishes and to re-establish trust between the people and their government. We are grateful to you for hearing this important bill.

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.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	abaalto@gmail.com
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Monday, March 18, 2013 12:22:20 AM
Attachments:	Testimony for HB 1133.pdf

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
anthony aalto	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

# SENATE COMMITTEES ON WATER AND LAND

March 19th, 2013, 1:20 P.M.

TESTIMONY IN SUPPORT OF HB 1133

Aloha Chair Solomon and Members of the Committees,

I am writing to ask you to pass HB 1133 out of your committee without amendment. But in doing so, I would like to commend you and the other members of the Senate for being open to the concerns of the public over the PLDC and to thank you for understanding that although the motivations behind the bill may have been well-intentioned, the way the bill was written left too much room for unintended consequences.

Mahalo

Anthony Aalto

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	konaconnection@yahoo.com
Subject:	*Submitted testimony for HB1133 on Mar 19, 2013 13:20PM*
Date:	Wednesday, March 13, 2013 10:04:33 PM

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
April Lee	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Armance Flores	Individual	Support	No

Comments: I support HB 1133 without amendments. MAhalo.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Support	No

Comments: Please repeal the Public Land Development Corporation. As one testifier at the PLDC hearings put it, it's not about real estate, but our 'aina.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Support	No

Comments: Please repeal PLDC!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Dear Senators,

Thank you for moving forward a clean PLDC repeal bill, without any changes! Keep up the good work! Mahalo, Cory Harden PO Box 10265 Hilo, Hawai'i 96721 mh@interpac.net 808-968-8965

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Councilmember Don Couch	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

#### **COUNTY COUNCIL**

Jay Furfaro, Chair Nadine K. Nakamura, Vice Chair Tim Bynum Gary L. Hooser Ross Kagawa Mel Rapozo JoAnn A. Yukimura



#### **OFFICE OF THE COUNTY CLERK**

Ricky Watanabe, County Clerk Jade K. Fountain-Tanigawa, Deputy County Clerk

> Telephone (808) 241-4188 Fax (808) 241-6349 Email cokcouncil@kauai.gov

Council Services Division 4396 Rice Street, Suite 209 Līhu'e, Kaua'i, Hawai'i 96766

March 18, 2013

#### TESTIMONY OF GARY L. HOOSER COUNCILMEMBER, KAUA'I COUNTY COUNCIL ON H.B. NO. 1133, RELATING TO PUBLIC LAND Committee on Water & Land Tuesday, March 19, 2013 1:20 p.m. Conference Room 225

Aloha Chair Solomon and Committee Members:

My name is Gary Hooser. I am an elected member of the Kaua'i County Council testifying on my own behalf, but also presenting Resolution No. 2012-52 from the Kaua'i County Council, who voted unanimously in support of a complete repeal of Act 55 which establishes the Public Land Development Corporation (PLDC).

I urge you today to also unanimously support a complete and full repeal of the PLDC, and put to rest this chapter and restore the public's faith and confidence in the process.

The process, the policy and the politics of this issue have been so severely tainted that the only good option is a complete repeal.

S.B. No. 1555 was passed into law without the requisite three (3) readings in each House, and there was never a proper public hearing on the substance of the major amendments that significantly altered the content of the Bill. Clearly, the House Finance Committee gave the public less than two (2) hours of public notice, which does not meet any reasonable standard that would satisfy the constitutional requirement.

Since then, the process has continued to go awry as the PLDC stuttered through the rule-making process and attempted to convince the public that rules, policies, plans and good intentions would be sufficient to protect them from bad law.

In addition to the serious errors and mistakes made in the process that has led us to this point, the fundamental law supporting that policy is also seriously flawed.

While eighty percent (80%) of the potentially impacted lands are located on neighbor-islands, no neighbor-island representation was included on the PLDC Board, and most of the meetings have been held on O'ahu.

Committee on Water & Land March 18, 2013 RE: H.B. No. 1133 Page 2

Of course the most obvious policy problem with regards to the PLDC is that it is "exempt from all statutes, ordinances, charter provisions, and rules of any government agency 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".

Bad process, bad policy and bad politics – Many in our community, especially our young people are increasingly distrustful and disengaged from the public process, and from government. The creation of the PLDC and all that has followed since has further alienated large numbers of our residents from all walks of life and on every island. These are good people who want to believe in the Democratic process and who we need to believe and to engage in our process – but who are now even angrier and more distrustful than ever.

The only way to resolve the distrust and correct the policy is to pass a complete and full repeal of the PLDC.

Thank you in advance for your positive support for passing H.B. No. 1133 unamended, so that it may be transferred to the governor for his approval at the earliest time.

Sincerely, Las J. A

GARY COSER Councilmember, Kaua'i County Council

Attachment AB:lc

# COUNTY COUNCIL COUNTY OF KAUA'I

# Resolution No. 2012-52, Draft 1

## RESOLUTION URGING THE 2013 HAWAI'I STATE LEGISLATURE TO REPEAL CHAPTER 171C OF THE HAWAI'I REVISED STATUTES (ACT 55, SESSION LAWS OF HAWAI'I 2011) RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION (PLDC)

WHEREAS, on May 3, 2011, the Hawai'i State Legislature approved SB1555 SD2 HD2 CD1 to create the Public Land Development Corporation ("corporation"), which was signed into law (Act 55, SLH 2011) by the Honorable Governor Neil Abercrombie on May 20, 2011, which was then codified as Chapter 171C of the Hawai'i Revised Statutes ("HRS 171C"); and

WHEREAS, HRS 171C-4(a), in part, defines the powers of the Public Land Development Corporation as:

(a) Except as otherwise limited by this chapter, the corporation may:

(1) Sue and be sued;

(2) Have a seal and alter the same at its pleasure;

(3) Make and alter bylaws for its organization and internal management;

(4) Adopt rules under chapter 91 necessary to effectuate this chapter in connection with its projects, operations, and properties;

(5) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter;

(6) Carry out surveys, research, and investigations into technological, business, financial, consumer trends, and other aspects of leisure or recreational land uses in the national and international community;

(7) 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

(B) Encumbrances, in the form of leases, licenses, or otherwise, needed by the corporation or any state department or agency for public purposes, the disposition of subdivided lots, houselots, apartments or other economic units, or economic development;

(8) 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;

(9) By itself, or in partnership with qualified persons or other governmental agencies, acquire, construct, reconstruct, rehabilitate, improve, alter, or repair any infrastructure or accessory facilities in connection with any project; own, hold, sell, assign, transfer, convey, exchange, lease, or otherwise dispose of, or encumber any project; and develop or manage, by itself, or in partnership with qualified persons or other governmental agencies, any project that meets the purposes of this chapter;

(10) In cooperation with any governmental agency, or otherwise through direct investment or coventure with a professional investor or enterprise or any other person, or otherwise, acquire, construct, operate, and maintain public land facilities, including but not limited to leisure, recreational, commercial, residential, time share, hotel, office space, and business facilities, at rates or charges determined by the corporation;

(11) Assist developmental, recreational, and visitor-industry related enterprises, or projects developed or managed by the corporation, by conducting detailed marketing analysis and developing marketing and promotional strategies to strengthen the position of those enterprises and to better exploit local, national, and international markets;

(12) Receive, examine, and determine the acceptability of applications of qualified persons for allowances or grants for the development of new recreation and visitor-industry related products, the expansion of established recreation and visitor-industry or land development enterprises, and the altering of existing recreational, visitor-industry related, or land development enterprises;

(13) Coordinate its activities with any federal or state programs;

(14) 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;

(15) Provide advisory, consultative, training, and educational services and technical assistance to any person, partnership, or corporation, either public or private, to carry out the purposes of this

2

chapter, and engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice;

(16) Procure insurance against any loss in connection with its property and other assets and operations in amounts and from insurers as it deems desirable;

(17) Accept gifts or grants in any form from any public agency or any other source;

(18) Issue bonds to finance the cost of a project and to provide for the security thereof, in the manner and pursuant to the procedure prescribed in this chapter;

(19) Subject to approval by the department, assume management responsibilities for small boat harbors in accordance with chapter 200 and any rules adopted pursuant thereto for periods not to exceed one year;

(20) Recommend to the board of land and natural resources the purchase of any privately owned properties that may be appropriate for development; and

(21) Do all things necessary or proper to carry out the purposes of this chapter"; and

#### WHEREAS, HRS 171C-4(c) reads:

"(c) The powers conferred herein shall be liberally construed to effectuate the purposes of this chapter" and

WHEREAS, allowing uncontrolled development in violation of the County of Kaua'i's zoning, building, road design, and drainage codes, and ignoring the lack of sufficient potable water availability, and traffic circulation issues would intensify these problems for the entire community and cost the taxpayers great expense in the future to rectify the intensified problems; and

WHEREAS, the County of Kaua'i has enacted or may enact zoning and subdivision laws, which may be ignored due to HRS 171C; and

WHEREAS, it appears that HRS 171C seeks revenue generating use for lands and appears to focus on businesses that can generate the highest amount of revenue (hotels, resorts, commercial centers, etc.), with no regard for parks or other types of community resources which may not necessarily generate revenue; and

WHEREAS, if development of residential units are sought, scarce potable water could be diverted to these potential developments; and

WHEREAS, HRS 171C allows ceded lands to be used not for homes for our Native Hawaiian families, but for the revenue production for the State; and

WHEREAS, the people of the County of Kaua'i realize the detrimental effect that HRS 171C will have on our land, ocean, environment, and the disregard of many of our zoning and subdivision laws, which HRS 171C allows the corporation to ignore; and

3

WHEREAS, the people of the County of Kaua'i have requested assistance from the Council of the County of Kaua'i to support the repeal of HRS 171C; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, that the 2013 Hawai'i State Legislature is hereby requested to repeal Chapter 171C of the Hawai'i Revised Statutes in its entirety to effectively abolish the Public Land Development Corporation.

BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to the Honorable Governor Neil Abercrombie, all State Senators and State Representatives, the Hawai'i State Association of Counties, and the Mayors of the Counties of Kaua'i, Hawai'i, Maui, and the City and County of Honolulu.

INTRODUCED BY: /s/KIPUKAI KUALI'I

V:\RESOLUTIONS\2010-2012term\Resolution2012-52, Draft 1\SS\_ds

	Que	May	Exc	Recuse
Bynum	X			
Chang	X			
Furfaro	X			
Kuali'i	X			
Nakamura	X			
Rapozo	X			
Yukimura	X			
Total	7	0	0	0

Certificate Of Adoption We hereby certify that Resolution No. 2012-52, Draft 1 was adapted by the Council of the County of Kaua'i, State of Kawai'i, Lihu'e, Kaua'i, Kawai'i, an September 26, 2012. ounty Clerk Dated 09-26-2012

#### Aloha,

I want to thank you for moving forward to repeal the PLDC and urge you to continue to act in accordance with the wishes of constituents. I am writing to testify in FAVOR of passing HB 1133, set for hearing on March 19th at 1:20 p.m.

Mahalo,

Cynthia Albers RR 2 Box 6256 Pahoa, HI 96778

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia Gillette-Wenner	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dale B Bonar	Individual	Support	No

Comments: The public has spoken loudly and clearly. The bill establishing the PLDC was VERY poorly thought out and rammed through at the last minute in 2011 Session. Money was appropriated for the positions by parasitizing the Legacy Lands Conservation Fund which were NOT designed as development support funds. Simply the PLDC was NOT done in a Pono manner and must be repealed.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.
Submitted on: 3/14/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Grantham	Individual	Support	No

Comments: I ask the Senate Committee members to approve HB 1133 without any amendments. I am supporting the full repeal of the PLDC.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Greider	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Aloha Legislators,

Thank you for the recent progress toward repealing the PLDC. Please continue by supporting and passing HB 1133 without any changes.

Thank you again.

Danielle Guion-Swenson 92-732 Aoloko Place Makakilo, HI 96707-1122

Sent from my iPad

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
danitza galvan	Individual	Support	No

Comments:

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dave Kisor	Individual	Support	No

Comments: Please support HB1133, in hopes to repeal the PLDC.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
David Adam Edelstein	Individual	Support	No

Comments:

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Submitted on: 3/18/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
David B. Merchant	Individual	Support	No

Comments: The PLDC -- and all of the variants that have sprung up this session -- are all invitations to cronyism and insider dealings. Get rid of them.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/18/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
David Dinner	Individual	Support	No

Comments: This bill must be heard and this Act must be repealed. Any other action is a slap in the face of the people of Hawaii. Please do what is pono.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
David Strauch	Individual	Support	No

Comments: PLDC was a mistake and should be completely repealed. Please pass HB 1133 without amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
David W. Hall	Individual	Oppose	No

Comments: Please hold a hearing on the bill and repeal the PLDC. Thank you, David W. Hall

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Davileigh Naeole	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/12/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dea Rackley	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Debbie Hecht	Individual	Support	No

Comments: Please support this bill which repeals the Public Lands Development Corporation. Do NOT amend this bill Mahalo.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Burnham	Individual	Support	No

Comments: I strongly support passage of this bill without amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	hkulaiwi@yahoo.com
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Sunday, March 17, 2013 10:20:45 AM
Attachments:	Testimony HB1133.docx

Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Chang	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Davis	Individual	Support	No

Comments: Aloha! Please preserve our paradise by voting for a full repeal of the PLDC and approving HB1133 with no amendments. Mahalo for your time and using your vote as an opportunity to express your love of this precious aina.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Sevy	Individual	Support	No

Comments: It is important to the people of Hawaii that this Bill pass without any amendments! Thank you.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Debra Nix	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Delia Montgomery	Individual	Support	No

Comments: support HB 1133 WITHOUT amendments

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Davis	Individual	Support	No

Comments: I support HB 1133 and want to see the PLDC permanently dissolved.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Diana B. Kahler	Individual	Support	No

Comments: The Public Land Development Corporation was an ill conceived idea that has no place in Hawaii. I strongly support the repeal of this bill. Thank You.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
diana soler	Individual	Support	No

Comments: I strongly support HB1133 WITHOUT amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Dear Legislators,

I am writing to implore you to repeal the PLDC. Our public lands are our most precious resource and we MUST protect them for future generations. To allow such an entity as the PLDC to reign supreme over the public lands without the proper checks and balances and public reviews is shameful and anathema to the spirit of our islands, to malama i ka aina. Thank you so much for standing up thus far in the movement to repeal. Your restore my hope in the political process by listening to your constituents. This means so much to me, not just the repeal, but the restoration of hope in you, as a body of people entrusted to protect us and our land through the legislative process.

Thank you, Diane Aoki Kona

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dianna Wilcox	Individual	Support	No

Comments: Please repeal the PLDC!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Please move forward the HB 1133 bill to repeal the PLDC without any changes or additions.

Thank you, and aloha-

Don V. Lax

<donvlax@maui.net> <www.mauiviolin.com> <www.apassionata.net>

808-283-6942 PMB 503, PO Box 959 Kihei, HI, 96753

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
donald tran	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Doug Phillips	Individual	Support	No

Comments:

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Aloha,

I would like to thank you for repealing the PLDC and not make any changes to the current HB 1133. The people--your neighbors, your family, your community--are counting on you to do the right thing.

Mahalo nui loa for voting YES on HB 1133.

Douglas Fetterly

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Orton	Individual	Support	No

Comments:

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From:	Avery Freed
To:	WTLTestimony
Subject:	Testimony on HB 1133
Date:	Sunday, March 17, 2013 12:01:20 PM

HB1133 is very important to pass because it will correct the faulty PLDC. The PLDC will lead to unregulated abuses of our precious land and therefore harm and de-value our unique environment. It will further add toxins and impair the health of the people. I appreciate the positive workings of democracy in Hawaii. It allows errors to be corrected and for the people's wishes to be heard and respected. Please support passage of HB1133.

Dr. Avery Freed Opihikao

--Avery Freed

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	toolohana@hawaiiantel.net
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Monday, March 18, 2013 6:50:19 AM
Attachments:	PLDC Testimony.odt

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Laurence Tool	Individual	Support	No

Comments: Aloha Chair Solomon and Honorable Committee Members, My original testimony is attached. I wish only to add that PLDC repeal has now become a deeply symbolic and emotional issue statewide. Whatever its' original merit, this bill is now viewed as a test of representation, a test of our commitment to rule of law, and, indeed, a test of whether or not the people of Hawaii can even hang onto self-government. I therefore urge you to please pass this bill. At the very least it will allow us all to move on to other pressing business. Mahalo for your attention.

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Aloha Chairman Solomon and Honorable Committee Members.

No doubt the sponsors of Act 55 had good intentions. But the PLDC, like most attempts to privatize government, is a bad idea, and it sets a dangerous precedent. It's unaccountable. It grants power without responsibility. It's a spectacular conflict of interest. It is government setting the terrible example of breaking it's own laws.

Government is not, and should not be, a business. In the United States, we the people create, fund and staff our governments to think, speak and act for the whole community. We cannot allow any government to shirk or outsource that unique and solemn responsibility.

If current tax revenues are really inadequate to fund necessary services, then we need to have a serious and thorough public discussion of just what services we absolutely need, what it really costs to deliver them efficiently, and how we can best pay for them.

One of the reasons we can't raise taxes, for example, is because our electric bills are so ridiculously high. If our government could summon the will to get control of our spoiled monopoly utility, and substantially reduce those bills, then modest tax increases might be more acceptable.

You can't fix something that's fundamentally flawed. The PLDC is one of those miracle cures that turns out to be worse than the disease. I respectfully urge you to repeal this terrible law.

I also view the PLDC as part of a larger trend to waive the law, gut the rules, and ultimately to privatize government. Each individual step in this direction may seem small. But taken together they amount to a full scale assault on the very idea of accountable government.

For the legislature to keep approving these waivers and exemptions is not only bad policy; it amounts to abdication on the installment plan. Why do we need a legislature, if we are going to let department and special agency heads make the rules, broker secret deals, dispense arbitrary justice, and auction off public assets to meet the needs of the moment?

If privatization is allowed to continue, the definition of legal or lawful will soon shrink to "approved by my local capo, power broker or war lord." Sooner or later we could find ourselves back in colonial servitude, governed by local or departmental "big men" who are themselves enslaved to private powers or outside interests.

We elect you to make law precisely because we want government that is accountable, predictable, and limited. We trust you to do this, and you should be very proud of what you do. Please don't let crisis mongers and honeytongued empire builders seduce you into voting yourselves out of a job.

Mahalo for your attention.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. RIchard A. Rimer D.O.	Individual	Support	No

Comments: Public Land Development Corporation must be repealed. It is not fair for centralized governments/politicians to make decisions without local regulations and inputs from the local people who live next to developments that are in their back yard that can create social, environmental and medical ills.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Stuart A. Kahan	Individual	Support	No

Comments: I encourage you all to support this bill without amendments. Mahalo

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dwayne Munar	Individual	Oppose	No

Comments: Repeal the PDLC.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

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

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Janeel Hew	Individual	Support	No

Comments: Greetings, My name is Janeel Hew. I am writing to respectfully request that you pass HB1133. The PLDC has come under strong opposition with just cause. The full repeal of the PLDC is without a doubt, an action that should be taken. It is unfortunate that due to the original passing of Act55, and the creation of the PLDC, a negative and untrustworthy perception of our state's government has now been impressed upon the people. In order to embark on a future which consists of a better, stronger, transparent, and "for the people" democracy, we must repair the great damage that has been created by what most people would refer to as a "behind the doors sneak attack of dirty and unlawful politics" in the creation of the PLDC. Therefore in moving forward, the passing of HB1133 for a full repeal of the PLDC is a positive step in this important effort to regain the trust, respect and the support of Hawaii's people. But please note, that this is only one step. Respect and trust are not so easily regained...any and all future bills will indeed be evaluated by the people. Your actions both positive and negative will be noted. The creation of proposals which contain similarities of the PLDC will not be seen as a "mistake", but more so as malice aforethought. Please help bring back the integrity of our state's government, by passing HB1133. Thank you in advance, Janeel Hew

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Ely	Individual	Support	No

Comments: I support HB1133. PLDC goes against the people of Hawaii in favor of corporate entities who in reality have a major and first priority to make a profit from public lands which first and foremost must be under the control of the citizens of Hawaii.

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Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	anization Testifier Position	
Janet Murray	Individual	Support	No

Comments: Please please support the repeal of the PLDC once and for all eternity. Mahalo

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Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Support	No

Comments: Please move this anti-PLDC legislation forward with a clean repeal bill, without any changes. mahalo.

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Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Support	No

Comments: your constituents have spoken. Hear this bill and kill the PLDC. mahalo.

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
jashana kippert	Individual	Support	No

Comments: Please Act on behalf of our future and not allow short cuts to developers. We love our land, we would hope you do too.

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	n Testifier Position	
Javier Mendez-Alvarez	Individual	Support	Yes

Comments: Please approve this bill without any ammendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Dear Senators,

I wanted to convey my gratitude for moving forward a clean repeal bill, without any changes.

I'm testifying on HB 1133, set for hearing tomorrow, March 19th, at 1:20pm. Mahalo!

Aloha!,

Javier Mendez-Alvarez

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	Ichow@kauai.gov
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Monday, March 18, 2013 1:14:17 PM
Attachments:	<u>h.b. no.1133 jay furfaro.pdf</u>

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jay Furfaro	Individual	Support	No

Comments: Thank you for this opportunity to submit testimony in strong support of H.B. No. 1133, Relating to Public Land.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

#### **COUNTY COUNCIL**

Jay Furfaro, Chair Nadine K. Nakamura, Vice Chair Tim Bynum Gary L. Hooser Ross Kagawa Mel Rapozo JoAnn A. Yukimura



#### **OFFICE OF THE COUNTY CLERK**

Ricky Watanabe, County Clerk Jade K. Fountain-Tanigawa, Deputy County Clerk

> Telephone (808) 241-4188 Fax (808) 241-6349 Email cokcouncil@kauai.gov

Council Services Division 4396 Rice Street, Suite 209 Līhu'e, Kaua'i, Hawai'i 96766

March 15, 2013

#### TESTIMONY OF JAY FURFARO COUNCIL CHAIR, KAUA'I COUNTY COUNCIL ON H.B. NO. 1133, RELATING TO PUBLIC LAND Committee on Water & Land Tuesday, March 19, 2013 1:20 p.m. Conference Room 225

#### Dear Chair Solomon and Committee Members:

Thank you for this opportunity to submit testimony in strong support of H.B. No. 1133, relating to Public Land. My testimony is submitted in my individual capacity as Council Chair of the Kaua'i County Council.

On September 26, 2012, the Kaua'i County Council unanimously passed Resolution No. 2012-52, Draft 1, which urges the State Legislature of the State of Hawai'i to repeal Chapter 171C of the Hawai'i Revised Statutes (HRS), establishing the Public Land Development Corporation (PLDC). The Council received numerous testimonies from members of the public expressing their support for a complete repeal.

One of the main concerns raised was the provision that allows the PLDC to be exempt from "all statutes, ordinances, charter provisions, and rules of any government agency 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." Each County establishes policies to protect the health and safety of our communities, and is developed to conform to the specific standards and uniqueness of the respective County. Ignoring County land use, zoning, and building policies may have detrimental effects to our environment; and as government officials, it is our duty to protect the health and safety our people.

For the reasons stated above, I strongly encourage the Committee to pass this measure. Again, thank you for this opportunity to submit testimony.

	Sincerely,
4	ET_
$\langle ($	JANEURPARO
	Council Chair, Kaua'i County Council

AB:lc Attachment

# COUNTY COUNCIL

COUNTY OF KAUA'I

# Resolution No. 2012-52, Draft 1

## RESOLUTION URGING THE 2013 HAWAI'I STATE LEGISLATURE TO REPEAL CHAPTER 171C OF THE HAWAI'I REVISED STATUTES (ACT 55, SESSION LAWS OF HAWAI'I 2011) RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION (PLDC)

WHEREAS, on May 3, 2011, the Hawai'i State Legislature approved SB1555 SD2 HD2 CD1 to create the Public Land Development Corporation ("corporation"), which was signed into law (Act 55, SLH 2011) by the Honorable Governor Neil Abercrombie on May 20, 2011, which was then codified as Chapter 171C of the Hawai'i Revised Statutes ("HRS 171C"); and

WHEREAS, HRS 171C-4(a), in part, defines the powers of the Public Land Development Corporation as:

'(a) Except as otherwise limited by this chapter, the corporation may:

(1) Sue and be sued;

(2) Have a seal and alter the same at its pleasure;

(3) Make and alter bylaws for its organization and internal management;

(4) Adopt rules under chapter 91 necessary to effectuate this chapter in connection with its projects, operations, and properties;

(5) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter;

(6) Carry out surveys, research, and investigations into technological, business, financial, consumer trends, and other aspects of leisure or recreational land uses in the national and international community;

(7) 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

(B) Encumbrances, in the form of leases, licenses, or otherwise, needed by the corporation or any state department or agency for public purposes, the disposition of subdivided lots, houselots, apartments or other economic units, or economic development;

(8) 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;

(9) By itself, or in partnership with qualified persons or other governmental agencies, acquire, construct, reconstruct, rehabilitate, improve, alter, or repair any infrastructure or accessory facilities in connection with any project; own, hold, sell, assign, transfer, convey, exchange, lease, or otherwise dispose of, or encumber any project; and develop or manage, by itself, or in partnership with qualified persons or other governmental agencies, any project that meets the purposes of this chapter;

(10) In cooperation with any governmental agency, or otherwise through direct investment or coventure with a professional investor or enterprise or any other person, or otherwise, acquire, construct, operate, and maintain public land facilities, including but not limited to leisure, recreational, commercial, residential, time share, hotel, office space, and business facilities, at rates or charges determined by the corporation;

(11) Assist developmental, recreational, and visitor-industry related enterprises, or projects developed or managed by the corporation, by conducting detailed marketing analysis and developing marketing and promotional strategies to strengthen the position of those enterprises and to better exploit local, national, and international markets;

(12) Receive, examine, and determine the acceptability of applications of qualified persons for allowances or grants for the development of new recreation and visitor-industry related products, the expansion of established recreation and visitor-industry or land development enterprises, and the altering of existing recreational, visitor-industry related, or land development enterprises;

(13) Coordinate its activities with any federal or state programs;

(14) 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;

(15) Provide advisory, consultative, training, and educational services and technical assistance to any person, partnership, or corporation, either public or private, to carry out the purposes of this chapter, and engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice;

(16) Procure insurance against any loss in connection with its property and other assets and operations in amounts and from insurers as it deems desirable;

(17) Accept gifts or grants in any form from any public agency or any other source;

(18) Issue bonds to finance the cost of a project and to provide for the security thereof, in the manner and pursuant to the procedure prescribed in this chapter;

(19) Subject to approval by the department, assume management responsibilities for small boat harbors in accordance with chapter 200 and any rules adopted pursuant thereto for periods not to exceed one year;

(20) Recommend to the board of land and natural resources the purchase of any privately owned properties that may be appropriate for development; and

(21) Do all things necessary or proper to carry out the purposes of this chapter"; and

WHEREAS, HRS 171C-4(c) reads:

"(c) The powers conferred herein shall be liberally construed to effectuate the purposes of this chapter" and

WHEREAS, allowing uncontrolled development in violation of the County of Kaua'i's zoning, building, road design, and drainage codes, and ignoring the lack of sufficient potable water availability, and traffic circulation issues would intensify these problems for the entire community and cost the taxpayers great expense in the future to rectify the intensified problems; and

WHEREAS, the County of Kaua'i has enacted or may enact zoning and subdivision laws, which may be ignored due to HRS 171C; and

WHEREAS, it appears that HRS 171C seeks revenue generating use for lands and appears to focus on businesses that can generate the highest amount of revenue (hotels, resorts, commercial centers, etc.), with no regard for parks or other types of community resources which may not necessarily generate revenue; and

WHEREAS, if development of residential units are sought, scarce potable water could be diverted to these potential developments; and

WHEREAS, HRS 171C allows ceded lands to be used not for homes for our Native Hawaiian families, but for the revenue production for the State; and

WHEREAS, the people of the County of Kaua'i realize the detrimental effect that HRS 171C will have on our land, ocean, environment, and the disregard of many of our zoning and subdivision laws, which HRS 171C allows the corporation to ignore; and WHEREAS, the people of the County of Kaua'i have requested assistance from the Council of the County of Kaua'i to support the repeal of HRS 171C; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, that the 2013 Hawai'i State Legislature is hereby requested to repeal Chapter 171C of the Hawai'i Revised Statutes in its entirety to effectively abolish the Public Land Development Corporation.

BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to the Honorable Governor Neil Abercrombie, all State Senators and State Representatives, the Hawai'i State Association of Counties, and the Mayors of the Counties of Kaua'i, Hawai'i, Maui, and the City and County of Honolulu.

INTRODUCED BY: /s/KIPUKAI KUALI'I

V:\RESOLUTIONS\2010-2012term\Resolution2012-52, Draft 1\SS\_ds

	Qye	May	Eac	Recused
Bynum	X			
Chang	X			
Furfaro	X			
Kuali'i	X			
Nakamura	X			
Rapozo	X			
Yukimura	X			
Total	7	0	0	0

Certificate Of Adoption We hereby certify that Resolution No. <u>2012-52, Draft 1</u> was adapted by the Council of the County of Kaua'i, State of Kavai'i, Cihu'e, Kaua'i, Kawai'i, an September 26, 2012. ounty Clerk Presting Ollicer Dated 09-26-2012

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jay Moore	Individual	Support	No

Comments:

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Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Duberstein	Individual	Support	No

Comments: vote yes with no amendments

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

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

Comments: As a Hawaiian whose ancestors were lawai'a (fishermen) and kālai wa'a (canoe-builders) from Kapālilua since 1777, I strongly support HB1133 to repeal the Public Land Development Corporation which was given the 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. 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). I humbly ask for your support for HB1133.

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submi	itted By	Organization	Testifier Position	Present at Hearing
Jeff	Sacher	Individual	Support	No

Comments:

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jefffrey H Schwartz	Individual	Support	No

Comments: I strongly support repeal of the PLDC. I urge the passag of this bill without amendment. Mahalo nui.

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Aloha Representatives,

I strongly support HB1133 repealing the PLDC.

Regards,

Jennifer Homcy

"When one tugs at a single thing in nature, he finds it attached to the rest of the world." - John Muir

Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Heller	Individual	Support	No

Comments: I strongly support HB 1133 without amendments!

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
John Bruce	Individual	Support	No

Comments: This is in support of HB1133. Chapter 171C should be repealed. Thank you to all legislators who have taken it as a serious responsibility to preserve our public lands for the citizens of today and in the future!

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
John connors	Individual	Support	No

Comments:

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Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
John W. Gross	Individual	Support	No

Comments: Please support without amendments.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
John Nix	Individual	Support	No

Comments:

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan R Cole	Individual	Support	No

Comments: The PLDC is an abomination and must be scrapped. It is probably anticonstitutional since all entities are not equal under the law. Repeal it completely with no trace of its big business-political corruption remaining.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jory Watland	Individual	Support	No

Comments:

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Submitted on: 3/18/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jose Bulatao, Jr.	Individual	Support	No

Comments: Please maintain the integrity of "malama aina" principles by supporting the passage of HB 1133

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/12/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
joy cash	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Juanita Hulu	Individual	Comments Only	No

Comments: Please accept HB1133 as is without amendments. It is important that HB1133 be repealed. It will not be helping the residents of Hawaii, only be big corporations that want to ruin the beauty of Hawaii.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Julian Jiman	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Julia Horn	Individual	Support	No

Comments:

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Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Julie Mitchell	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Juliet Langley	Individual	Support	No

Comments:

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From:	Kachina Palencia
To:	WTLTestimony
Subject:	I SUPPORT HB 1133
Date:	Sunday, March 17, 2013 9:02:45 PM
Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kanoa Kimball	Individual	Support	No

Comments: Please repeal the PLDC. It is fundamentally flawed and needs to be completely reworked to protect the public interest. Aloha, Kanoa Kimball

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Sub	omitted By	Organization	Testifier Position	Present at Hearing
Kanoh	nowailuku Helm	Individual	Support	No

Comments:

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Submitted on: 3/12/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Chun	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Cobeen	Individual	Support	No

Comments: Hawaii citizens have been clear about this issue. We support HB 1133 WITHOUT AMENDMENT !! We are watching. Respectfully,

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Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Murray	Individual	Support	No

Comments: Repeal/abolish the PLDC. This is something no one was hired or elected by the public to do. It is so out in left field that the majority of the public could not even imagine their government officials doing such a thing. Everyone worked really hard on safeguards for our communities by creating the entities from which the PLDC would be exempt. These safeguards should not be dropped for short term panic and plunder. It's during these times that we need them the most.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Fogg	Individual	Support	No

Comments: I support HB1133 WITHOUT amendments.

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Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Horgan	Individual	Support	No

Comments:

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Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kea Kapahua	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kendra Ozaki	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kent Fonoimoana	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Keri Zacher	Individual	Support	No

Comments:

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kerri Marks	Individual	Support	No

Comments: strongly support this measure. please pass with no amendments.

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Submitted on: 3/14/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kip Goodwin	Individual	Support	No

Comments: Approve HB 1133 without amendments. People have spoken individually and through their County Councils: The PLDC is a bad idea.

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kirstin Morris	Individual	Support	No

Comments: Please approve HB1133 without any amendments. Mahalo nui loa, Kirstin Morris

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Dear Committee Members,

I am writing in support of a full repeal of HB 1133. It is, in giving the PLDC total exemption from all land use, zoning, and construction laws, a truly unethical and immoral piece of legislation. To give any developer use such unmitigated freedom from the laws that protect ALL building in this state is simply unacceptable. Those laws were put in place in order to protect the inappropriate development of our Hawaiian lands. It is a violation of responsible public land use, and is clearly not for the greater benefit of the residents of Hawaii.

Please be responsible legislators and repeal this piece of legislation.

Aloha, Kristin Fein Makawao, HI

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
L Tran	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted	By Organization	Testifier Position	Present at Hearing
La'akea Laa	ano Individual	Support	No

Comments: I strongly support HB1133 without amendments!

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lahela Jarrett Holmwood	Individual	Support	No

Comments: We do not need PLDC. We have DLNR.

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From:	laurag
To:	WTLTestimony
Subject:	Testimony on HB 1133
Date:	Sunday, March 17, 2013 10:30:44 AM

I would like to thank all supporters of HB 1133 and encourage the passing of this repeal with no further delay. It was a mistake to think that the public would endorse any weakening of our democratic process! On the positive side the PLDC helped to galvanize the various activist groups to work together, and unite to try to save what is left of our incredible island home. Please pass HB 1133!

Sincerely, Laura Gray

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	stoneflower 8@hotmail.com
Subject:	*Submitted testimony for HB1133 on Mar 19, 2013 13:20PM*
Date:	Thursday, March 14, 2013 5:26:21 AM

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Raye	Individual	Support	No

Comments:

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Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Morales	Individual	Support	No

Comments: I strongly support the repeal of the PLDC.

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lehn Huff	Individual	Support	No

Comments: I highly urge this committee to pass HB 1133 WITHOUT amendments.

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leilani Lindsey-Kaapuni	Individual	Support	No

Comments: I strongly support the complete repeal of the Public Land Development Corporation (PLDC), with no strings attached. Please pass HB 1133 unamended. The PLDC is not an appropriate management solution. Instead, it takes us backwards and circumvents legal protections the public fought to establish decades ago. The PLDC bars public participation in the political process of determining land use in Hawai'i, demonstrating politicians' disregard for the very constituents they represent. The PLDC restores the archaic notion that our land is something that can be possessed and destroyed for short-term benefit without consideration of the impact that will have for the future. The PLDC heralds a new low in the state's approach to stewarding Hawai'i's public trust by treating our most valuable shared resources as develop-able financial assets instead of what they are - the sacred lands, waters, and environment we call home. Not only does the PLDC have the extraordinary and dangerous power to exempt itself from the laws meant to ensure safe and responsible use of our shared resources - including our land use law, coastal zone management law, county zoning ordinances, the state building code, fire code, and other laws in place to protect our resources and human safety - it could have the effect of eroding the constitutional right of Native Hawaiians to access, gather, and engage in other cultural practices on currently undeveloped state land. The PLDC and its barrage of exemptions is not necessary for the government to carry out its vital functions. Please carry out your fiduciary duty to your constituents, as beneficiaries of the public land trust, and pass HB 1133 unamended. Sincerely, Leilani Lindsey-Kaapuni Hilo, Hawaii

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Wheeler	Individual	Support	No

Comments:

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leonard Hasse, Jr	Individual	Support	No

Comments: From: LEONARD HASSE To: reps@capitol.hawaii.gov ; sens@capitol.hawaii.gov Sent: Sunday, March 17, 2013 5:31 PM Subject: Repeal PLDC - Support HB 1133 Sirs: I want you to pass HB 1133 with NO more amendments and NO more discussions. I cannot believe that our elected officials had the audacity to establish an organization such as the Public Land Development Corporation (PLDC) with the authority to commercialize public lands for profit and do so with the ability to bypass local county zoning laws and select contractors who have no ties to Hawaii. Local communities have developed their respective zoning laws to protect their lands and set the standards for their respective communities. These standards and laws should be honored. Therefore, I want this error in judgment corrected by the repeal of the PLDC by the approval of HB 1133 at once and done so without amendments. Leonard Hasse, Jr 1733 Piiholo Road Makawao, Hawaii 96768

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Cummings	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Skillings	Individual	Support	No

Comments: Please PASS HB 1133 without amendments!

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Wingate	Individual	Support	No

Comments: Repeal the PLDC Mahalo

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Liam Gray	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
lien ng	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
lieu nguyen	Individual	Support	No

Comments:

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Wong	Individual	Support	No

Comments: I Strongly Support HB 1133 to repeal the PLDC and all PLDC morphing bills. Theses bills are money grubbing bills and will take the green life out of Hawai'i nei. PLDC permits commercial enterprises on public lands and requires highests use no matter what other circumstances, etc.

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Dear Chair Evans and member of the Water and Land Committee,

I stand corrected in addressing your committee to include a Housing Committee in my emailed testimony.

It was an oversight and I apologize in the error.

Thank you for your time.

Lorraine Inouye

On Fri, Feb 8, 2013 at 2:24 PM, Lorraine Inouye <<u>ljrinouye@gmail.com</u>> wrote: Chair Evans and members of the Water, Land and Housing Committee,

I am in support of HB1133 & HB589. Please consider repealing the PLDC. It is unfortunate that these measures take away the county's home rule jurisdiction of all planning aspects governed by their county charters as well the environmental laws on any developments overseen by the PLDC.

I also oppose HB 942, HB219, HB593 AND HB1134.

The economy is slowly improving, let the private sector develop their lands, to create jobs with their sound planning and financial skills.

If the legislature wishes to further development of state lands wouldn't it be better to consider a study first? Then the people will be offered opportunities to make comments.

Please pass HB1133 & HB589.

Aloha,

Lorraine R. Inouye Hawaii Island

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Louise Butler	Individual	Support	No

Comments:

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lucienne de Naie	Individual	Support	No

Comments: Aloha Chair Solomon Mahalo for your consideration in hearing this important bill. We need to start fresh and create a pono pathway to use our public lands. Lucienne de Naie Huelo, Maui

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Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Luella Nohea Crutcher	Individual	Support	No

Comments: Please pass HB1133 without amendments. This bill is perfect as is.

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lum Loy	Kahea	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lyn Howe	Individual	Support	No

Comments: I strongly support this bill without ammendments. I know this is important not only to me but to my family and the community I live in. Mahalo Nui Loa Lyn Howe

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mahina Martin	Individual	Support	No

Comments: So many people from all walks of life from Maui, Hawai`i Island, Kaua`i, Moloka`i, Lana`i, and O`ahu have spoken out against the PLDC. Rather than repeat all that we have pointed out for months, I respectfully request that HB1133 receive the support of committee members and pass AS IS. Mahalo.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marcia Harter	Individual	Support	No

Comments: HB 1133 is the cleanest way to repeal the unneeded PLDC and clean up the legislative mess that resulted from the rather questionable process that led to the creation of the PLDC.

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Submitted on: 3/12/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Magaret Zerbe	Individual	Support	No

Comments:

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Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Margery Freeman	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Maitino	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submi	tted By	Organization	Testifier Position	Present at Hearing
Marjori	e Erway	Individual	Support	No

Comments: I urge you to STRONGLY SUPPORT this bill without any amendments. The PLDC needs to be repealed NOW! It can always (& will, no doubt) return next session when it will be better thought-out and will have seen the light of the sun. That's what is most important to Hawaii! Mahalo for your consideration of my words.

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#### Testimony in Support of HB 1133

Hawaii Senate Committee on Water and Land

March 13, 2013

Dear Senators on the Committee on Water and Land,

I am writing to respectfully ask that you support HB 1133 without amendments. While I support a public-private partnership that can develop appropriate public lands in ways that would generate revenue for the Department of Land and Natural Resources, I strongly believe that there needs to be greater regulation of these activities and not blanket exemptions of state and country laws pertaining to land use, zoning and construction. Please support HB1133. Not to stifle legitimate entrepreneurial activities that can positively utilize public lands, but to do so through a process that has broader public support and greater adherence to existing development regulations.

Mahalo for your consideration of this request!

Mark Hamamoto PO Box 204 Waialua, HI 96791

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Martha E Martin	Individual	Support	No

Comments: Please support HB 1133 without amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Aloha Legislator,

RE: support for HB1133 Repeals the Public Land Development Corporation

I humbly request that you support HB1133 and act to repeal the seriously flawed notion of a Public Land Development Corporation. The is nothing in the creation of the PLDC that works with representative democracy and nothing that supports tax paying voters best interest. Act now, in good faith, by representing those who elected you in supporting this bill to repeal the PLDC in full.

As a voting member of the public, I do not support the notion that any state institution could bypass laws created by the state and its elected officials to protect the environment and to follow zoning laws. Putting an appointed group of land developers in charge of managing our public resources should and will likely be considered a criminal act. The mere fact that I, and countless other voters in our community, must spend our time and energy to defend the laws we created as a collective whole in the past from our elected officials indicates that our electoral system is failing us. Please do your job and help to reinforce the relevance of our representative democracy now and support HB1133.

We will for give you if you do, Mahalo,

Marvin Heskett 3252 Palolo Terrace PI. Honolulu, HI 96816

(808)728-4617

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mary A. Guinger	Individual	Support	No

Comments: Pass SB1027 without amendments. It is more direct to the people's concern.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Lu Kelley	Individual	Support	No

Comments: Aloha Senate Committee on Water and Land, I want you to know that I strongly support HB 1133, without amendments!!! Please pass HB1133 as written. Thank you.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Moore	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	Mary Neudorffer
To:	WTLTestimony
Subject:	Testimony on HB 1133 Clarification
Date:	Monday, March 18, 2013 7:37:04 AM

For the vote on March 19. 2013

Clarification: When I said please repeal this bill in my previous email I was referring to the original one. Please **pass the Repeal bill HB 1133**. Mahalo.

Mary Neudorffer 1870 Hoone Rd, Koloa, HI

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marya Mann, Ph. D.	Individual	Support	No

Comments: I support the repeal of the PLDC. Please pass this bill without amendments. Thank you.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Aloha Senators,

Thank you for passing this bill without any changes. It is the absolute right thing to do for Hawaii. Thank you for caring for our land.

Maya Ross

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Bond	Individual	Support	No

Comments: Please pass 1133 to remove the threat to our Hawaii public lands. The people should not have to fight their representatives: the representatives should REPRESENT THE PEOPLE. Kill the PLDC!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/18/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Goodwin	Individual	Support	No

Comments: Please allow this bill to be heard. No one can foresee the consequences of passage of this law.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Maddux	Individual	Support	No

Comments: I and everyone else on the Big Island, Malama, support HB 1133 without amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	Mike Swerdlow
To:	WTLTestimony
Subject:	Testimony on HB 1133
Date:	Sunday, March 17, 2013 9:58:51 AM

Thank you for moving forward a clean repeal bill, without any changes. I am testifying for HB 1133, set for hearing on March 19th at 1:20 p.m. Mahalo Michael Swerdlow Waikoloa

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Michele Nihipali	Individual	Support	No

Comments: HB 1133 is the cleanest bill to Repeal the PLDC. Please pass it without any revisions.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
mike deycaza	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Moran	Individual	Support	No

Comments: Please kill this foolish concept once and for all. Then we can beging finding a reasoanle way to support our natural resources. Mahalo.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/17/2013 Testimony for WTL on Mar 10, 2013 13:20 PM in (

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mollie Foti	Individual	Support	No

Comments: This bill needs to be heard. The PLDC must be repealed. I believe more people on all Hawaiian islands are behind this bill than any other issue. Please hear this bill. Repeal the PLDC. Thank you.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Molly Miller	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Morgan Evans	Individual	Support	No

Comments: I strongly support the repeal of the PLDC. It is the right thing to do.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
То:	WTLTestimony
Cc:	NAleck@hawaii.rr.com
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Friday, March 15, 2013 3:10:55 PM
Attachments:	<u>3-19HB1133.doc</u>

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Aleck	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Support	No

Comments: This is the cleanest bill to accomplish the goal of repealing the PLDC. Please pass it in its current form.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Neil Frazer	Individual	Support	No

Comments: Aloha Legislators, Please pass HB 1133 without amendments. Mahalo for your service to Hawaii.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nomi Carmona	Individual	Support	Yes

Comments: Please support this legislation to abolish the PLDC. I am deeply concerned that the majority of our government is not trustworthy and the commission of five un-elected officials with the power to sell off our land is absolutely unacceptable. Please support this legislation and restore the faith of the people in the knowledge that you are listening and will stand with us. Mahalo, Nomi Carmona Honolulu, HI 808-436-7006

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Oliver Crowell	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitte	d By	Organization	Testifier Position	Present at Hearing
pat ohar	lon	Individual	Support	No

Comments: I support the unamended passing of HB 1133. There has been unrespected changes to the island already by the University of Hawai. It is time to stop letting them just do what they want in the "name of progress".

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments: Please approve repeal of PLDC without amendments

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Su	bmitted By	Organization	Testifier Position	Present at Hearing
Pa	tricia Stillwell	Individual	Support	No

Comments: Please repeal this illconceived bill in it's entirety. It's a bad bill and is not amendable. The only sane remedy is to start over if necessary to even have such a bill and allow for public review and comment. Thank you. Patricia Stillwell

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Paul and Judith Nelson	Individual	Support	No

Comments: We must repeal PLDC and keep regulation alive for the Common Good.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.
Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

:	Submitted By	Organization	Testifier Position	Present at Hearing
	Paul Neves	Individual	Support	No

Comments: The PLDC is a great land steal! How dare the State of Hawai'i circumvent due process and the counties!The Govenor is not protecting the peoples interests and Senator Solomon was way out of line in not listening to the publics concerns. The PLDC is a terrible idea and Hawai'i's people will suffer from it! Repeal it now!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/12/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Penny Levin	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	silverpenny10@hotmail.com
Subject:	*Submitted testimony for HB1133 on Mar 19, 2013 13:20PM*
Date:	Wednesday, March 13, 2013 8:07:15 PM

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
penny silva	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Phoebe Eng	Individual	Support	Yes

Comments: Aloha Land and Water Committee - I strongly support your Committee's hearing of HB 1133, and strongly support the repeal of the PLDC act. Because of the enormous longterm repercussions and paradigm shift that would take place on Hawaii's public and ceded lands, a much higher standard of public disclosure, public consultation, and study by the Legislature should have take place prior to being made into law. Additionally, we as a state - its residents, elected officials, policymakers, and enterprises - need to decide together in a more deliberative and transparent process as to how best honor the public trust uses of our public lands. If this takes more time, then so be it. That is what democracy is - decisions by the people, with you, as the people's elected officials, being accountable to that public will. It is your duty as Committee members to hear and to approve HB 1133. Hawaii's people have spoken loudly, and their collective voice opposing the PLDC law takes precedence over the special interests of a few.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Pono Kealoha	Individual	Support	No

Comments: Hawaii is ILLEGALLY OCCUPIED STOP SUPPORTING GENOCIDE...hawaiiankingdom.org mahalo Pono Kealoha

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Support	No

Comments: Please repeal the PLDC. Pass HB1133. Mahalo.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Wolfshagen	Individual	Support	No

Comments: Aloha Water and Land comittee members, I am writing to you today to let you know that I strongly support HB 1133, without amendments! The PLDC was vigorously protested and rejected by the peole of Hawaii. It is your job to represent their instructions. Do not support any other versions. Please pass HB1133 as written in the Senate Committee on Water and Land Meeting on Tuesday, 3/19, 2013 at 1:20 pm in Room 225. - Randy Wolfshagen, Kekaha

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/14/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
ray dittman	Individual	Support	No

Comments: please pas this bill with no amendments in order to return the protection of eis's, etc. to the people of this state

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Miller	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Rene Umberger	Individual	Support	No

Comments: Aloha Chair Solomon, I support HB1133, repealing the PLDC, because of it's negative impacts on the environment and the public's right to participate in the process. I also believe there are much better, pono, ways to help fund the DLNR. Mahalo, Rene Umberger

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Frankel	Individual	Support	No

Comments: Please pass this bill without any amendments. Doing so will indicate that the general public interest outweighs the interests of a small group. Mahalo.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	richoep@aloha.net
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Monday, March 18, 2013 9:14:59 AM
Attachments:	HB1133 Testimoney.docx

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Rich Hoeppner	Individual	Oppose	Yes

Comments: Amend b eliminating all statutory material except Section 6 of HB1133.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

[Note, this testimony has already been emailed to individual Water and Land Committee members.Thank you--R.Morse]

Support of HB 133--un-amended.

Dear Senator Solomon--Chair

and Members of Senate Committee on Water and Land

Please support HB 1133--Relating to Public Lands...as is.

From my understanding:

a)The unelected PLDC significantly diminishes the Hawaii State Legislature's decision-making capacity in the area of 'land use' in the State of Hawaii. and

b) The establishment of the PLDC appears to be in direct conflict with Article I, Section 1 of the Hawaii State Constitution.

Thank you for your consideration,

Richard Morse P.O. Box 61102 Honolulu Hawaii 96839 email <u>Ormorse0@gmail.com</u> phone (cell) <u>808 389 0499</u>

Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Rike Weiss	Individual	Support	No

Comments: I urge this committee to pass HB1133 as is, without amendments. It disables the Senate's odious 'son-of-PLDC' version as Representatives in the House have correctly referred to it. We need public input and oversight of all development projects and should not rush into shot-gun marriages of public-private developments of any sort.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/12/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Robert freitas Jr.	Individual	Support	No

Comments: I support this bill!!!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Oswald	Individual	Support	No

Comments: Please pass this bill without amendments. PDLC must be eliminated as it allows important decisions about lands to be made without reasonable input from the public. Thank you

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

WTL 225 Mar 19, 2013 1:20 PM

Corrected bill #

RE: HB1133

Position: Strong Support

Representing Puna Pono Alliance

Aloha: Senator Malama Solomon, Chair, Senator Maile S.L. Shimabukuro, Vice Chair, and committee members.

Puna Pono Alliance in solidarity with the Hawaii Alliance supports repeal of the PLDC.

We ask you to here the voice of the people and to repeal PLDC - The people have spoken clearly on this issue, there is no confusion, hear us.....SUPPORT HB 1133.

Thank you for your consideration.

Robert Petricci President Puna Pono Alliance

Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ruey Hwu	Individual	Support	No

Comments: I Support the complete repeal of the Public Land Development Corporation (PLDC), with no strings attached. Please pass HB 1133 unamended. The PLDC is not an appropriate management solution. Instead, it takes us backwards because it circumvents the legal protections the public fought to establish decades ago -- protections meant to strike a sustainable balance between exploitation and preservation of our resources. The PLDC removes public participation from the process of striking this balance, demonstrating the government's stunted faith in Hawai'i's communities – the very communities this Legislature represents. It restores the archaic notion that our land is something that we can possess and destroy for short-term benefit without consideration of the impact that will have for the future. Please Repeal the PLDC. Thank you.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sally Kaye	Individual	Support	No

## Comments: NO AMENDMENTS!!!!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sally Rice	Individual	Support	No

Comments: Please approve HB1133 without amendments as the PLDC is a very detrimental agency that usurps the proper authority of the Counties and the island communities that would be affected. Thank you for your consideration. Aloha, Sally Rice

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	samanthacresanto@gmail.com
Subject:	*Submitted testimony for HB1133 on Mar 19, 2013 13:20PM*
Date:	Wednesday, March 13, 2013 8:07:41 PM

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
sam cresanto	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	sam@smallwondervideoservices.com
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Friday, March 15, 2013 2:55:27 PM

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sam Small	Individual	Support	No

Comments: strongly support HB 1133, without amendments PLDC is a criminal attempt to subvert the public's right to self determination.

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.

From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	Samantha.a.m.campbell@gmail.com
Subject:	*Submitted testimony for HB1133 on Mar 19, 2013 13:20PM*
Date:	Friday, March 15, 2013 10:23:01 PM

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Samantha Campbell	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Herndon	Individual	Support	No

Comments: Please support this bill without amendments or delay. Mahalo nui loa!

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
sandra morey	Individual	Support	No

Comments: HB1133 is the best solutiion and I hope you will pass it with no encumberments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Organization	Testifier Position	Present at Hearing
Individual	Support	No
	<b>~</b>	Organization Position

Comments: I support approval of the full text of HB1133 with no amendments.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah V Raisbeck (Sally)	Individual	Support	No

Comments: PASS WITHOUT AMENDMENTS. Please pass HB1133 repealing the PLDC without amendments. All eyes are on you. Do the right thing, and repeal this terrible mistake.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah V Raisbeck (Sally)	Individual	Support	No

Comments: Viewpoint: Hearing on bill to repeal PLDC set for Tuesday March 17, 2013 By MAHINA MARTIN, for The Maui News Save | On Tuesday, Hawaii will have a window of opportunity to move closer to shutting the door on the Public Land Development Corp. On that day, a hearing before the House of Representatives on House Bill 1133 will be before the Committee on Water and Land. HB1133 proposes to repeal the PLDC, an agency under the Department of Land and Natural Resources created by Act 55, which was intended to generate money for the DLNR through the commercialization of public lands. Act 55 identified commercialization opportunities as time shares, parking lots, hotels and golf courses as examples. Some of Maui's public lands under the state's responsibility include Makena Beach, Waianapanapa and lao Valley state parks and Kahului Harbor. There are many flaws with the PLDC. While 80 percent of the lands that suddenly became vulnerable under the powerful PLDC are on the Neighbor Islands, the authority to accept and proceed with development of commercial projects sits with an appointed five-member Oahu-based PLDC board of directors. Appointees are specifically chosen for their expertise in finance. The PLDC, by law, is allowed to bypass local county zoning laws and select contractors who have no ties to Hawaii - all in the name of expediting commercialization opportunities. The salaries and expenses of the PLDC are currently paid with funds from Hawaii's Legacy Land Conservation Fund, which gets a percentage of the conveyance taxes the public pays. The Legacy Land Conservation Fund exists to protect and preserve land areas such as watersheds, coastal lands and culturally significant sites such as heiau. This fund was not created to advocate and pursue the commercialization of public lands, yet it is being used to pay for these efforts. A guick Internet search on the PLDC in Hawaii can give readers much more information. If you agree that our public lands should not be subjected to such an authority as the PLDC, whose mission is to seek out and approve commercialization projects on public lands in a manner that unfairly excludes the Neighbor Islands and seriously lacks meaningful community engagement, send email at least 24 hours before Tuesday's 1:20 p.m. hearing to reps@capitol.hawaii.gov and sens@capitol.hawaii.gov. Have your subject line read: Repeal PLDC - Support HB1133. You can also go to www.capitol.hawaii.gov and support HB1133 through online testimony. Simply tell Hawaii's elected state legislators that you want them to

pass HB1133. No more amendments, no more discussions. Enough already. \* Mahina Martin is the founder of PLDC Watch and a member of the Hawaii Alliance, a coalition of representatives from organizations on every island fighting to repeal the PLDC. She lives in Wailuku.

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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.

From:	w. scott Hamilton
To:	WTLTestimony
Subject:	Testimony on HB 1133
Date:	Sunday, March 17, 2013 12:28:42 PM

Aloha Senators:Repealing PLDC will bring back trust in the State government.The PLDC was giving the committee to much power to develop land and did not give the public at large a means to speak out on the projects which might be in the process.Mahalo nui loa for a yes vote repealing the PLDC.Aloha awa kea Scott Hamilton

Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
scott larson	Individual	Support	No

Comments:

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Aloha,

I am writing to express my support for HB 1133, set for hearing on March 19th at 1:20pm.

Na'u, Serafina Gajate

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Aloha! The people have spoken - no funny business please. Please pass this bill, and please do not vote for any other bills similar to it. It's not in your best interest to make the public any angrier than it already is; we like our environmental laws, we don't want public lands exploited by corporations. Bring back former State Auditor, Marion Higa, for a short time and give her free reign in all depts. - she will find all the money we need. From extensive reading,PPP's have MANY failures across the country that end up costing taxpayers much more - please don't fall for these ALEC type bills, they are a public rip off. Mahalo for your sacrifice and all of the hard work you do and mahalo for serving the public with the utmost integrity.

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Organization	Testifier Position	Present at Hearing
Individual	Support	No
		Organization Position

Comments: Finally! A bill I can almost whole heartedly SUPPORT! Mahalo for coming to your senses and listening to the public. I only see one problem with this bill.I know the DLNR needs money, but I doubt there is much left over from the PLDC fiasco. I think whatever funds are "left" out of the \$620,000 plus, that was raided from the Legacy Land Fund - should be returned to the fund it was "appropriated" from. I guess this is the best we can hope for and I support this repeal of Act 55/PLDC. Good riddance. I am grateful to bad legislation for riling up residents across the state who are paying much closer attention now to what is being done in their name. Mahalo! Please call Marion Higa and ask her to come back for a short while.. I'll bet she could find lots of money we don't even know we have.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Taylor	Individual	Support	No

Comments: Time to wipe the slate clean, get rid of PLDC, it is a bad idea whose potential for abuse and corruption is obvious to all except those who advocate it, but then maybe that's the point.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
sharon willeford	Individual	Support	No

Comments: A teacher from Kona/Big Island - ABOLISH the PLDC in ALL it's form and disguises PLEASE! For the children, the people - NOT THE CORPORATIONS!

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shawn James Leav	vey Individual	Support	No

Comments: mahalo he nui wale. e loaa ana ka waiwai ia kakou i kekahi ala pono e a'e.

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sophia Bicoy	Individual	Support	No

Comments: Support bill 1133 without amendments

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Lauifi	Individual	Support	No

Comments: Pass this without amendments...repeal Pldc

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Luksic	Individual	Support	No

Comments: The PLDC, simply opens the doors to corruption and cronyism. It needs to be eliminated, as well as the all the off shoots trying to profit from public lands.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
SUE HORNER	Individual	Support	No

Comments: Approve HB 1133 without any amendments. DO NOT amend this bill! Eliminate corruptness and excessive bureauracy!

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Summer Starr	Individual	Support	Yes

Comments: It's very important to ask the Senate Committee members to approve HB 1133 without any amendments. If the bill is amended, it will go into conference committee.

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Submitted on: 3/17/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Law	Individual	Support	No

Comments: I support this bill to repeal the PLDC. We need to have public input into any kind of action involving public lands and how they can best be used for and by the public. Thank you, Susan Law

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Submitted on: 3/17/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Stayton	Individual	Support	No

Comments: Aloha Members of the Senate Committee on Water and Land, I am writing to you today to let you know that I strongly support HB 1133, without amendments! Please pass HB1133 as written in the Senate Committee on Water and Land Meeting on Tuesday, 3/19, 2013 at 1:20 pm in Room 225.

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Submitted on: 3/14/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Vickery	Individual	Support	No

Comments: Malama Pono ~ Mahalo

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Suy Nathan	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Support	No

Comments: Repeal PLDC. Please SUPPORT HB1133. Mahalo

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Partridge	Individual	Support	No

Comments: No amendments please.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tam Mui	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tatiana Rocks	Individual	Support	No

Comments:

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Holter	Individual	Support	No

Comments: The PLDC is horrendous and scandalous and should be completely repealed without any ammendments!

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Theresa Quel	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tia Kent	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
tia pearson	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
tj simms	Individual	Support	No

Comments:

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
tlaloc tokuda	Individual	Support	No

Comments: I want to total replea of the PLDC. Some of the reasons are: the PLDC legislation was snuck through in 2011, when significant changes were made without adequate public notice or input. This may have been unconstitutional. The PLDC is tasked with a mission to maximizes revenue. The PLDC Board has no obligation to balance the interest of sustainable development, resource conservation, and social benefits, but the worst was that they had no obligation to have projects meet land use or county zoning laws. Under law, the PLDC will take it's own costs and a 15% cut out of any revenue it generates. In addition, the PLDC apparently does not have to abide by the public bidding or lease limitations governing DLNR, thereby opening the door to "sweetheart deals". PLDC can just about do anything they want to do, such as taking over any private or public land or property, developing "projects" on it and selling it to any corporation or foreign government for profit. We don't want to return to the past era of fat cats getting fatter and the aina being trampled on and less public open spaces. I support the full repeal of the PLDC. The Senate has introduced another bill (SB707) called the urban development commission (UDC) that will also supersede any other state or county law. Is this a Plan B so that if/when the PLDC is abolished this new agency can do exactly what the PLDC would have been able to do and flaunt state and federal law? We the people don't want any of these non transparent, non democratic, public institutions.

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Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Todd Tamura	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WTLTestimony
Cc:	tommasterson@hawaii.rr.com
Subject:	Submitted testimony for HB1133 on Mar 19, 2013 13:20PM
Date:	Wednesday, March 13, 2013 11:26:40 AM

Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
tom Masterson	Individual	Support	No

Comments: Aloha, As a former developer and champion of sustainable communities, I favor the full repeal of the PLDT. Private-public-community-education partnerships are great for building sustainable societies in a sensible manner. However, no entity, whether State or Private, should be able to skirt reasonable safeguard requirements. Better to streamline government departments, reduce corruption, eliminate "cozy" relationships and focus on doing sustainable development right in less time, than to build institutions that circumvent necessary legal, environmental, cultural or community safeguards. Thank you for your thoughtfulness in opening the door to sustainable, efficient and properly protected growth in Hawaii, for the benefit of all Hawaii residents. Tom Masterson, Business Development Consultant, 44-623A Kaneohe Bay Drive Kaneohe, Hawaii, USA 96744 Phone/fax: +1 (808) 926-7134 Mobile: +1 (808) 228-1049 Email: tommasterson@hawaii.rr.com

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submit	ted By	Organization	Testifier Position	Present at Hearing
Tran (	Quen	Individual	Support	No

Comments:

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
UilaniStokes	Individual	Support	No

Comments: I support HB 1133 without amendments.

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Unmani Cynthia Groves	Individual	Support	No

Comments: Support full appeal of PLDC without amendments.

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Submitted on: 3/16/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Colter	Individual	Support	No

Comments: I support HB 1133 to REPEAL PLDC. Tuesday March 19, 2013 is the WTL hearing, Malama Solomon's Senate Water and Land Committee MUST hear HB 1133, or repeal PLDC is dead for the session.

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Submitted on: 3/15/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Weiss	Individual	Support	No

Comments: I support a complete and total repeal.

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Anderson	Individual	Support	No

Comments:

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Submitted on: 3/13/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Cannon	Individual	Support	No

Comments: Please pass HB 1133 with no amendments. This is no-nonsense good governance. Get rid of PLDC completely.

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Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Hanohano-Hong	Individual	Support	No

Comments:

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
wainani texeira	Individual	Support	No

Comments:

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Submitted on: 3/18/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Wallette G. Pellegrino	Individual	Support	No

Comments:

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Submitted on: 3/16/2013

Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Beckett	Individual	Support	No

Comments: Please pass this bill without amendments. Mahalo!

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Submitted on: 3/13/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Raebeck	Individual	Support	No

Comments: I strongly support HB 1133 and the full repeal of the PLDC. It is horribly flawed legislation that has outraged the entire state. I am in agreement with absolutely every reason that the vast majority of Hawai`i residents want the PLDC banished forever. Thank you for taking care of this.

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# March 18, 2013, Senate Committee on Water & Land

Testimony in SUPPORT of HB1133 (HSCR412) Relating to Public Land. Repeals the PLDC. Transfers certain assets to the Dept. of Land and Natural Resources.

Chair Malama Solomon, Vice Chair Maile Shimabukuro, and Members Dela Cruz, Ihara, Ruderman, Thielen, and Slom:

Please approve HB 1133 to repeal PLDC -- without any amendments. I'd like to stress: WITHOUT any amendments. I do not want this bill to die in conference committee or get gutted and replaced with who knows what.

First of all, I object to the PLDC because of the unfairness inherent in a private-public partnership: Private corporations have a legal duty to make the greatest profit for their shareholders. It's hard for the public to get a fair or equal deal when one partner has to "pencil out" and the other partner just has to give out, to the private partner's benefit.

Here's ONE example that was in the newspaper last year: Our state had given Castle & Cooke Homes 40 acres in Kapolei - for FREE - and CCH was SUPPOSED to build 751 affordable homes for sale and for rent. But they reneged on the public benefit they had promised -- because they couldn't make a big enough profit. The public is left with no recourse.

This is how it was reported in the Star-Advertiser last summer: "The number of homes being built was reduced by more than 100 while many of the planned rentals were converted to for-sale housing and the income restrictions were lifted on about 20 percent of the homes.

"The state's Hawaii Housing Finance and Development Corp. and its private development partner on the project, Castle & Cooke Homes, say the shortcomings were driven largely by the economic downturn....

"Castle & Cooke received the land from the state free of charge and is selling the roughly 500 townhomes and single-family homes it is building on a fee-simple basis. Castle & Cooke said it had to cut back on the original plans because demand from affordable buyers had fallen while development expenses rose. The company declined to say how much profit it expects from the project."

[http://www.staradvertiser.com/businesspremium/20120715\_Affordable\_housing\_cut\_ from\_Kapolei.html?id=162501366]

Second, I object to PLDC because of the secrecy about its true purpose. Even when it was created, some of the legislators who voted for the bill now say they didn't understand what they were approving.

I am a curious person, also retired last year, so I had the time. I saw in the Honolulu Authority for Rapid Transportation [HART] minutes of the Transit Oriented Development Committee, Nov. 3, 2011, that my former city councilman and now Sen. Donovan Dela Cruz gave a power-point presentation on both TOD and PLDC. I couldn't understand what TOD and PLDC had to do with HART because, at the time, I thought HART was about transportation and alleviating traffic congestion.

Then at a HART community informational presentation in Mililani last spring, I met <u>Terrance Ware of Dept. of Planning and Permitting</u>, and he explained TOD to me. Livework-play (and shop) mixed-use developments around train stations were needed <u>to</u> <u>increase ridership for the rail.</u> But when I asked him what PLDC had to do with HART, he smiled and shrugged and said, <u>"I don't know."</u>

Next, at a HART board meeting, I asked <u>HART Information Specialist Jeanne Mariani-Belding</u> the same question: What does PLDC have to do with HART. She huffily told me, "<u>I don't know.</u>"

I said, "But it's in the HART minutes, Donovan Dela Cruz's TOD committee report." She said, "Then go ask him."

I did, repeatedly, first by e-mail, then by phone. No response. Finally, I went to his office in person and was told the person who could explain it was in a meeting. Later, Dane Wicker called me back. He explained to me that it could take years for developers to get through the permitting process, and that the state needed to speed up the process by exempting developers from requirements. This would in turn speed up creation of more jobs and housing so our young people like him could come home from the mainland.

Sure enough, last fall, some of the first pieces of public land that PLDC identified for development were the state-owned agricultural parcels adjacent to Ho'opili, RAIL station and transit oriented development Number One. The PLDC decided we might as well let Horton-Schuller develop housing on those remaining ag parcels too.

Everything about PLDC's creation and purpose has been so veiled and rushed - so sneaky -- please just get rid of it. You already have other bills for smaller PLDC-like pilot projects that have a good chance of being passed. And you already have the Hawaii Community Development Authority (HCDA) well underway to develop the transitoriented, mixed-use skyscrapers in Kaka'ako, exempt from state building height restrictions. That's enough to keep developers busy for a couple decades at least.

Please approve HB 1133 to repeal PLDC -- without any amendments. Thank you.

Wynnie Hee

Submitted on: 3/15/2013 Testimony for WTL on Mar 19, 2013 13:20PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Zachary klaja	Individual	Support	No

Comments:

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, 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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Comments: I support the complete repeal of the Public Land Development Corporation (PLDC), with no strings attached. Please pass HB 1133 unamended. The PLDC is not an appropriate management solution. Instead, it takes us backwards because it circumvents the legal protections the public fought to establish de cades ago -- protections meant to strike a sustainable balance between exploitation and preservation of our resources. The PLDC removes public participation from the process of striking this balance, demonstrating the government's stunted faith in Hawai'i's communities – the very communities this Legislature represents. It restores the archaic notion that our land is something that we can possess and destroy for short-term benefit without consideration of the impact that will have for the future. We need a way to achieve abundance from Hawai'i's land, but the PLDC is not the way. The PLDC heralds a new low in the state's approach to stewarding Hawai'i's public trust by treating our most valuable shared resources as develop-able financial assets instead of what they are – the sacred la nds, waters, and environment we call home. Not only does the PLDC have the extraordinary and dangerous power to exempt itself from the laws meant to ensure safe and responsible use of our shared resources including our land use law, coastal zone management law, county zoning ordinances, the state building code, fire code, and other laws in place to protect our resources and human safety - it could have the effect of eroding the constitutional right of Native Hawaiians to access, gather, and engage in other cultural practices on currently undeveloped state land. The PLDC is not necessary to make good projects happen on our public lands. Farming to feed ou rselves and public education are some of the highest and best uses of these lands. The PLDC and its barrage of exemptions is not necessary for the government to carry out its vital functions. Please carry out your fiduciary duty to your constituents, as beneficiaries of the public land trust, and pass HB 1133 unamended.

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