

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF Hawai'i | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

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

LAURA H.E. KAAKUA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

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

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WATER AND LAND

Wednesday, March 15, 2023
11:30 AM

State Capitol, Conference Room 229 & Videoconference

In consideration of
HOUSE BILL 1385, HOUSE DRAFT 2
RELATING TO PUBLIC LANDS

House Bill 1385, House Draft 2 proposes to: 1) authorize the designation of areas or regions of public lands classified as commercial and industrial; hotel, apartment, and motel; or resort, and establish and implement guidelines for the redevelopment of the areas or regions; 2) designate the public lands on the Waiakea Peninsula on the Island of Hawai'i as the Waiakea Peninsula Redevelopment District (WPRD); 3) transfer management of the state leases in the WPRD and 50% of the revenues generated by such leases from the Department of Land and Natural Resources (Department) to the WPRD Planning Committee; 4) and appropriate funds. House Draft 2 of the measure clarifies the powers of the planning committees provided for under the bill and the reporting requirements to the Governor and Legislature by the Board of Land and Natural Resources (Board). **The Department of Land and Natural Resources (Department) opposes this measure.**

The Department has engaged in significant renewal efforts over the past several years of the two signature Banyan Drive hotels and a signature restaurant and has been actively working on a new disposition for another hotel property, as well as planning for the demolition of the former Uncle Billy's Hilo Bay Hotel (Uncle Billy's). The Department recognizes the economic opportunities of a comprehensive master planning process and does not believe establishing the WPRD will accelerate this ongoing process. This year the Department is looking to work with the Hawaii Community Development Authority (HCDA) to develop a master plan with County of Hawaii and community input as well as an infrastructure assessment for the Waiakea Peninsula. The

Department recognizes that the creation of a master plan with community input will assist the Department in planning for the redevelopment of this area.

Over the last several years, the Department has expended considerable resources and efforts to revitalize the Banyan Drive area, including:

- Since 2014, the Department has spent more than \$525,000 from the Special Land and Development Fund (SLDF) on consultant services and studies dedicated to the public lands at Banyan Drive, including, 1) a planning consultant prepared a market study support a new hotel, studies on sea level rise, the viability of master leasing multiple parcels in the area, and the remaining useful life of existing structures on expiring lease premises, 2) an architectural consultant conducted a detailed architectural and engineering study on whether existing improvements on the expired lease premises should be demolished or rehabilitated, 3) A planning consultant completed a study on the cost of securing the necessary permitting for demolishing the improvements on the expired leases and completing the demolition, and 4) the Department procured an engineering consultant to assist in reviewing the renovation plans for the Grand Naniloa Hotel.
- In 2014, the lease for the Hilo Hawaiian Hotel underwent significant renovations, in exchange for the lessee making substantial improvements to the structures on the property.
- In 2018, the lessee of the Grand Naniloa Hotel spent \$20 million in renovations.
- In 2017, Uncle Billy's was closed and unfortunately, the lease did not include a provision requiring the lessee to remove improvements and restore the site. As a consequence, the Department has expended over \$200,000 in funds to secure the site and conduct sweeps by the Department's Division of Conservation and Resources Enforcement of the premises for public health and safety concerns. In 2022, the Department was unsuccessful in obtaining the necessary general funds to demolish Uncle Billy's. However, it has committed \$1.5 million of SLDF funds for the planning and permitting of the demolition and the current Administrative Budget includes a request of \$15 million for demolition, removal of the structures, and restoration of the site for a potential hotel lease.
- In 2019, the Department obtained Board authorization for a request for qualifications/request for proposals (RFQ/RFP) to renovate the County Club Hotel under a new long-term lease. In 2022, two proposals were timely received under this RFQ/RFP and staff is preparing a recommendation to the Board to approve the proposal ranked highest by the evaluation committee.

This bill will have a direct financial impact on the Department. It directs 50% the revenues from the Department's leases on Banyan Drive to the WPRD Revolving Fund, 20% of the revenue from ceded lands are paid to OHA, leaving the Department with only 30% of the revenues from the leases in the proposed district. House 1385, House Draft 2 provides that management of the lands within shall be transferred to the district, however PART IV of the bill, appears to only

transfer the public lands to the planning committee and is silent as to the management of the leases on those lands. It would be untenable for the Department to continue to perform all the management responsibilities of the leases with a substantially reduced revenue.

In addition, PART III of the measure proposes amendments to various provisions of Chapter 171, Hawaii Revised Statutes, that appear to be designed to repeal the current prohibition against options to extend leases and to delete the maximum lease term of 65 years under present law. The Department does not believe that the proposed amendments are necessary nor in the best interests of the State.

The Department requests that this measure be held to permit, 1) the Department to timely proceed with the RFQ/RFP process for new lease of Country Club, 2) secure sufficient funding to demolish Uncle Billy's, and 3) the Department, in collaboration with HCDA, to engage the County and community in a master planning process for the Banyan Drive area.

Mahalo for the opportunity to testify on this measure.

HB-1385-HD-2

Submitted on: 3/13/2023 1:31:49 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Russell Tsuji	Testifying for DLNR	Oppose	Remotely Via Zoom

Comments:

Request for zoom link to testify on behalf of DLNR. Written testimony in opposition submitted on DLNR's Testimony account and additional staff will be present at the hearing. Thank you!

JOSH GREEN, M.D.
GOVERNOR



LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kālā
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY
TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WATER AND LAND
ON
HOUSE BILL NO. 1385, H.D. 2

March 15, 2023
1:00 p.m.
Room 229 and Videoconference

RELATING TO PUBLIC LANDS

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill (H.B.) No. 1385, H.D. 2: 1) establishes the Waiakea Peninsula Redevelopment District (WPRD) for the redevelopment of public lands classified as commercial, industrial, resort, and hotel parcels on the island of Hawai'i; 2) provides for redevelopment of the district; 3) creates a nine-member planning committee for the district to provide policy direction and prepare a redevelopment plan; 4) amends lease provisions; 5) creates the WPRD Revolving Fund that would generate revenues through 50% of the income, revenues and receipts from the public lands in the redevelopment district, legislative appropriations, grants, gifts, and other funds; and 6) appropriates an unspecified amount of general funds for FY 24 for deposit into the revolving fund and an unspecified amount of revolving funds for FY 24 and FY 25 to be expended by the WPRD planning committee for redevelopment of the Waiakea Peninsula District.

As a matter of general policy, B&F does not support the creation of any revolving fund which does not meet the requirements of Section 37-52.4, HRS. Revolving funds

should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to H.B. No. 1385, H.D. 2, it is difficult to determine whether the proposed source of revenues will be self-sustaining for the revolving fund that is created.

Thank you for your consideration of our comments.



HB1385 HD2
RELATING TO PUBLIC LANDS
Senate Committee on Water and Land

March 15, 2023

1:00 PM

Room 229

The Office of Hawaiian Affairs (OHA) offers **COMMENTS** on HB1385 HD2, which would remove the 65-year aggregate on lease terms for ALL public lands. **OHA notes that long term multi-generational leases have led to the permanent alienation of public lands and a breach of the State’s trust obligations to the Native Hawaiian people. OHA asks the Legislature to amend this measure by removing the proposed amendments on page 24, lines 16-17, and page 26, lines 19 -20 which would repeal the 65-year aggregate lease limitation.**

The stated intent of the measure is to facilitate the development of the Waiakea Peninsula to ensure that the public lands contained within are put to the best use possible for the public interest. However, the measure approaches this by attempting to repeal the 65-year aggregate lease restriction under Hawai‘i Revised Statutes (HRS) §171-36(a)(3) that is applicable to all leases for public lands in the State of Hawai‘i.

The Crown and Government lands of the Hawaiian Kingdom, often referred to as “Ceded Lands” of the Public Land Trust corpus, are continuously held in trust for the betterment of the conditions of Native Hawaiians.¹ In addition to its codification within the Hawai‘i Admissions Act, lawmakers sought to ensure the continuous uplifting of Native Hawaiian socio-economic status through the creation of OHA and the enacting of these principles into State law.² OHA serves as the principal public agency of the State responsible for the programs and activities of Native Hawaiians,³ whose well-being is often positively impacted by the programs and services funded by revenue from the public land trust.

This measure would establish a mechanism that would violate the State’s fiduciary obligations under the public trust and public land trust by leading to the alienation of public and “ceded” lands. Under HRS Chapter 171, the State holds in trust approximately 1.3 million acres of public lands, including the natural and cultural resources they contain, for the benefit of present and future generations. Much of these lands are also subject to the Public Land Trust created by Article 12 of the Hawai‘i State Constitution and section 5(f) of the Admission Act, which requires that a portion of revenues derived from Public Land Trust lands be dedicated to OHA, for the purpose of bettering the conditions of Native Hawaiians. **The trust status of these**

¹ Pub. L. 86-3, 73 Stat. 4; Hawai‘i Admissions Act of 1959.

² HRS §10-3.

³ Id.



HB1385 HD2
RELATING TO PUBLIC LANDS
House Committee on Finance

lands imposes upon the State specific fiduciary obligations of due diligence and undivided loyalty in ensuring its trust corpus is productive and that its benefits are maximized for Native Hawaiian and public beneficiaries. This measure should be limited only to the specific area of the Waiakea Peninsula, rather than repealing the restrictions for all leases of public land throughout the State.

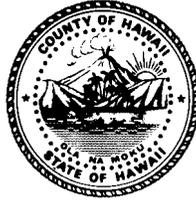
OHA strongly believes that the thrust of this measure, to facilitate revitalization of public lands in the Waiakea Peninsula Redevelopment District, can still be achieved without creating a forever-lease mechanism for the commercial interests therein. By maintaining the 65-year aggregate, essentially a lifetime lease, the State will have the opportunity to re-evaluate the best use of its public lands, which may ultimately favor a different path and purpose. For the reasons expressed in this testimony, **OHA asks the Legislature to amend this measure by removing the proposed repeal of the 65-year aggregate lease term on page 24, lines 16-17, and page 26, lines 19-20.**

OHA further requests that the following language be added to the measure to protect Native Hawaiian Traditional and Customary Practices:

Nothing contained in this section shall diminish, alter, or amend any existing rights, privileges or practices of the Native Hawaiian people; nor shall the obligations of the State to the Native Hawaiian people be absolved.

OHA appreciates the opportunity to testify on HB1385 HD2 and respectfully asks the Legislature to take into consideration OHA's recommendations for the betterment of conditions of Native Hawaiians. Mahalo nui loa.

Susan L.K. Lee Loy
Council Member
District 3



Office: (808) 961-8396
Fax: (808) 965-8912
Email: sue.leeloy@hawaiiicounty.gov

HAWAI'I COUNTY COUNCIL

25 Aupuni Street, Hilo, Hawai'i 96720

March 14, 2023

The Honorable Senator Lorraine R. Inouye, Chair
The Honorable Senator Brandon J.C. Elefante, Vice Chair
Members of the Senate Committee on Water and Land

Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Support for HB 1385 HD2, relating to Public Lands

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee on Water and Land,

Mahalo for the opportunity to support HB 1385 HD2 to authorize the designation of public lands on the Waiākea peninsula on the island of Hawai'i as the Waiākea peninsula redevelopment district.

As our premier tourism district in East Hawai'i, there is no reason for the area to be in the constant state of disrepair we see as we pass by. Our beloved Banyan Drive needs a focused, specialized master planning agency that can resolve the existing and complex web of issues plaguing the area.

The existing system of management and planning along Banyan Drive has been unsuccessful. Therefore, I fully support this new approach outlined in this bill, so the area can get the attention it needs and deserves.

I am definitely looking forward to collaborating with you to direct these projects and funds in a meaningful way for all of our island citizens to realize an opportunity to live in a revitalized Hawai'i.

Again, please support this bill to assist our County in the redevelopment of public lands on the Waiākea peninsula.

Sincerely,

Susan "Sue" L.K. Lee Loy
Council Member, County of Hawai'i

Hawai'i County Is an Equal Opportunity Provider And Employer



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER AND LAND

March 15, 2023

1:00 PM

Conference Room 229

Offering **COMMENTS** on **HB1385 HD2**: Relating to Public Lands

Aloha Chair Inouye, Vice Chair Elefante, and members of the Senate Committee on Water and Land,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i respectfully **OPPOSES** HB1385 HD2, which removes important protections against the de facto alienation and inappropriate disposition of public lands in favor of private interests.

The Sierra Club of Hawai'i appreciates this measure's apparent intent to facilitate the redevelopment of the Waiakea Peninsula. However, Part III of this measure would remove statutory safeguards for public lands throughout our islands, including statutory provisions limiting lease lengths and limiting the renewal of lease terms and conditions – safeguards essential to preventing the undue privatization of our limited public land base.

For example, under Part III of this measure, public lands across the islands could be leased for up to 65 years, with options to renew lease terms for an additional 65 years or longer – providing private entities with the ability to exercise exclusive control of nearly any and all of our public lands, for over a century. Such long-term leases would effectively privatize our limited public land base for generations at a time. Under Part III, a lessee may also begin lease negotiations at any time before the expiration of a lease, enabling entities with political influence to “shop” for a favorable future administration and secure leases that may not be appropriately protective of the public interest and the public trust in the disposition of our public trust resources. **Notably, such expansive authorities go far beyond what may be reasonable or necessary with respect to any redevelopment goals envisioned by this bill.**

Accordingly, Part III of this measure only threatens to undermine the critical importance of our public lands in supporting the public trust mission of the Department of Land and Natural Resources, and prevent current and multiple future generations of the public from addressing potentially unfair or inappropriate land dispositions.

The Sierra Club also notes that the long-term and effective privatization of public lands authorized under this measure may also significantly inhibit efforts to negotiate and

address the unresolved claims to “ceded” lands acquired without the consent of or compensation to the kānaka ‘ōiwi community. This in turn may exacerbate the injustices that have rendered our islands ever more vulnerable to the climate crisis, and prevent us from realizing the restorative justice for kānaka ‘ōiwi that may be the key to our future resiliency.

Accordingly, the Sierra Club of Hawai‘i respectfully asks that HB1385 HD2 be held, or that the Committee delete Part III of this measure.

Mahalo nui for your consideration of this testimony.

HB-1385-HD-2

Submitted on: 3/14/2023 6:41:38 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kale Makaneole	Testifying for Ke Kula O Waimanalo	Oppose	In Person

Comments:

A bill should benefit the ones who need it the most not because of money money is the root of all evil. Giving hawaiiian a chance to learn how the game is played.



Native Hawaiian LEGAL CORPORATION

1164 Bishop Street, Suite 1205 • Honolulu, Hawai'i 96813
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HOUSE BILL 1385 HD2

RELATING TO PUBLIC LANDS

SENATE COMMITTEE ON WATER AND LAND

March 15, 2023

1:00 pm

Conference Room 229

Aloha e Chair Lorraine Inouye, Vice-Chair Brandon Elefante, and members of the committee,

The Native Hawaiian Legal Corporation (NHLC) **OPPOSES** HB1385 HD2, particularly Part III of this measure, which would remove the aggregate maximum on lease terms for public lands and permit renewal of lease terms. In its current form, HB1385 HD2 unnecessarily eliminates Hawaii Revised Statutes (HRS) Chapter 171 restrictions that limit the maximum duration of lease terms and renewals. This measure opens the door for perpetual long-term leases to further commercial use of public lands, creating serious concern about the State's fulfillment of its trust obligations to ceded lands.

The State is entrusted to manage and administer public lands, otherwise known as "ceded" lands, subject to the trust obligations articulated in section 5(f) of the Admission Act—including managing public lands "for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended." As trustee of the "ceded" lands trust, the State has charged itself with moral obligations of the highest responsibility and trust. As such, the State is required to meet the most exacting fiduciary standards, as is appropriate for a kuleana of this magnitude and consequence for generations of Native Hawaiians. Indeed, it is well-settled that native Hawaiian beneficiaries of the "ceded" land trust have a right to hold the State accountable to these fiduciary obligations, including by bringing suit under the Hawai'i Constitution when the terms of the "ceded" lands trust are violated. *See Ching v. Case*, 145 Hawai'i 148, 176, 449 P.3d 1146, 1174 (2019).

This measure runs counter to the State's fiduciary duties in its management of ceded lands by opening the door to perpetual long-term leasing of ceded lands. Such long-term leases do not allow the State even commercially reasonable opportunities to reevaluate the best and highest uses of ceded lands nor how to best fulfill the State's mandate to better the conditions of native Hawaiian as circumstances invariably change over time. Indeed, it is hard to imagine a long-term commercial lease of

unrestricted duration meeting culturally relevant standards of betterment for Hawaiians.

It is worth revisiting and re-remembering the importance of land to Native Hawaiians and to their continued cultural and spiritual identity and practices:

The native Hawaiian people continue to be a unique and distinct people with their own language, social system, ancestral and national lands, customs, practices and institutions. “The health and well-being of the native Hawaiian people is intrinsically tied to their deep feelings and attachment to the land.” Aina, or land, is of crucial importance to the native Hawaiian people -- to their culture, their religion, their economic self-sufficiency and their sense of personal and community well-being. **Aina is a living and vital part of the native Hawaiian cosmology, and is irreplaceable.** The natural elements -- land, air, water, ocean -- are interconnected and interdependent. **To native Hawaiians, land is not a commodity; it is the foundation of their cultural and spiritual identity as Hawaiians.** The aina is part of their ohana, and they care for it as they do for other members of their families. For them, the land and the natural environment is alive, respected, treasured, praised, and even worshiped.

Office of Hawaiian Affairs v. Hous. & Cmty. Dev. Corp., 117 Haw. 174, 214, 177 P.3d 884, 924 (2008) (internal brackets, footnotes, and internal citations omitted) (emphases in original).

Restricted leasing of public lands is important to the fulfillment of the State’s trust duties stewarding ceded lands, and for protecting against the alienation of ceded lands from the public trust. HB1385 HD2, in its current iteration, undoes those restrictions, undermining the Native Hawaiian community’s and the State’s ability to preserve and steward these ancestral lands for future generations.

For these reasons, NHLC **opposes** HB1385 HD2, and requests that this measure be deferred or otherwise amended to remove Part III in its entirety. Mahalo for the opportunity to testify.

Me ka ‘oia‘i‘o,



Makalika Naholowa‘a
EXECUTIVE DIRECTOR



SENATE COMMITTEE ON WATER AND LAND
Wednesday, March 15, 2023, 1 pm, State Capitol Room 229 & Videoconference
HB 1385, HD2
Relating to Public Lands

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Inouye, Vice Chair Elefante, and Committee Members:

The League of Women Voters of Hawaii opposes HB 1385, HD2.

There should be uniform, fair procedures for development agreements, commercial leases, and lease extensions on public lands throughout the State. The Legislature should reject proposals to establish different boards or procedures for redevelopment or lease of public lands in Hilo than in other parts of the State. Even if Article XI Section 5 of the Hawaii Constitution does not prohibit what is proposed by HB 1385, HD2, it is simply, obviously wrong to encourage existing lessees of public lands to “play politics” to gain special unfair treatment.

The League supports public planning for redevelopment of public lands and has no objection to creation of advisory bodies which make recommendations concerning specific legislatively-designated public lands. However, the League opposes legislation to authorize an unaccountable “committee” of legislatively-selected political appointees, who may have a conflict of interest and won't file public financial disclosure statements, to negotiate or extend leases, negotiate development agreements, regulate land use and override county land use controls, or waive lease rent for private use of any specific legislatively-selected area of State property.

Thank you for the opportunity to submit testimony.

Kūpuna for the Mo'opuna
committed to the well-being of Hawai'i for the next generations to come
kupuna4moopuna@gmail.com



COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante, Vice Chair

Date: Wednesday, March 15, 2023

Time: 1:00PM

Place: Room 229

HB 1385, HD2 – RELATING TO PUBLIC LANDS – **STRONG OPPOSITION**

Is HB 1385 the beginning of another HB 499 / Act 236 (2021)? But worse?

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee on Water and Land,

Kūpuna for the Mo'opuna, a network of Hawaiian Homes Commission Act kūpuna farmers from Pana'ewa, Hawai'i, submit this testimony in **STRONG OPPOSITION to HB 1385, HD2.**

HB 1385 appears to be another HB 499 / Act 236 (2021), another public land grabbing attempt, profiting a few to the detriment of Native Hawaiians and the public, present and future generations.

PART III of HB 1385 proposes amendments to various provisions of Chapter 171, Hawai'i Revised Statutes, that appear to be designed to repeal the current prohibition against options to extend leases and to delete the maximum lease term of 65 years under present law, proposing instead to authorize leases for **any duration** and with **any number of renewal options**. Numerous land-grabbing attempts with bills targeting public lands in the same specific Hilo area resulted in broader longer lease extension authorities *throughout the state* in HB 499/ Act 236. Now comes HB 1385 proposing another attempt at permanent alienation of public lands in the same targeted area for profit by a few, but now with leases of **any duration, any number of renewal options**, with a **management "plan" to be decided by a politically handpicked committee funded with taxpayer money.**

We have no confidence in a handpicked political committee developing "guidelines" and establishing a "plan" for the targeted area with "district-wide improvements coordinated with state and county land use and planning policies" **based on an outdated Hawai'i County General Plan 2005 (GP 2040 way overdue) and an outdated South Hilo Community Development Plan 1975 – a CDP wherein lies the targeted area - with no plans to update and enable the South Hilo CDP in the County Code *in spite of numerous attempts at engagement by the community.***

Bad. Public. Policy.

HB 1385, HD1: Committee Report 139 by the Committee on Water and Land, Rep. Linda Ichiyama, Chair, amendments include:

(1) Specifying that the Governor must select within sixty days of receipt of the applicable lists the members of the planning committee whose names were submitted for selection by the President of the Senate and Speaker of the House of Representatives;

HB 1385, HD2: Committee Report 694 by the Committee on Judiciary and Hawaiian Affairs, Rep. David Tarnas, Chair and introducer of HB 499 (2021), amendments include:

(1) Clarifying that the planning committee has the power and duty to prepare or cause to be prepared plans, specifications, design criteria, landscaping, and estimates of costs for the development, construction, reconstruction, improvement, rehabilitation, or repair of any project contained in the redevelopment plan for the designated district, and from time to time modify the plans, specifications, design criteria, landscaping, or estimates;

(2) Clarifying that the Board of Land and Natural Resources must submit its report to the Governor and the Legislature, no later than twenty days prior to the convening of the regular session immediately following the submission of the plan to the Board, with a request for the required appropriations or bond authorization as applicable;

(3) Changing the appropriations to unspecified amounts; [with the following:]

[JHA] respectfully requests your Committee on Finance, should it deliberate on this measure, to consider an appropriation amount of \$500,000 for deposit into the Waiakea Peninsula Redevelopment District Revolving Fund and \$250,000 out of the Waiakea Peninsula Redevelopment District Revolving Fund for each fiscal year for the Waiakea Peninsula Redevelopment District.

Under Article 11, section 1 of the Hawai'i State Constitution and Chapter 171, HRS, the State, through the Board of Land and Natural Resources, **holds in trust** Hawai'i's public lands, including the natural and cultural resources they contain, for the benefit of present and future generations. Much of these lands are also subject to the Public Land Trust created by Article 12 of the Hawai'i State Constitution and section 5(f) of the Admission Act, which requires that a portion of revenues derived from Public Land Trust lands be dedicated to OHA, for the purpose of bettering the conditions of Native Hawaiians. The trust status of these lands imposes upon the State specific fiduciary obligations of due diligence and undivided loyalty in ensuring its trust corpus is productive and that its benefits are maximized for Native Hawaiian and public beneficiaries. HB 1385 disregards all of this. **Do not pass HB 1385.**

Mahalo,
Kūpuna for the Mo'opuna
Pana'ewa, Hawai'i

Ua mau ke ea o ka 'āina i ka pono!



Senate Committee on Water & Land

Hawai'i Alliance for Progressive Action (HAPA) Opposes: HB1385 HD2

Wednesday, February 15th, 2023 at 1pm, Conference Room 229

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

HAPA opposes HB1385 HD2, which removes important protections against the de facto alienation and inappropriate disposition of public lands in favor of private interests.

HAPA appreciates this measure's apparent intent to facilitate the redevelopment of the Waiakea Peninsula. However, Part III of this measure would remove statutory safeguards for public lands throughout our islands, including statutory provisions limiting lease lengths and limiting the renewal of lease terms and conditions – safeguards essential to preventing the undue privatization of our limited public land base.

We believe it is important not to risk the de facto privatization of our limited public lands, which HB1385 may facilitate. This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

This bill removes important legal protections against private land grabs of public and "ceded" Hawaiian lands. These ceded lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved.

We ask that you please defer HB1385 HD2. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick
Executive Director

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 3:02:50 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tara Rojas	Individual	Oppose	In Person

Comments:

NO TO HB1385 = NO TO ILLEGAL LAND-GRABBING, NO TO STEALING, NO TO CORRUPTION.

1. We cannot risk the de facto privatization of our limited public lands.
2. "Ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved.
3. This bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands.
4. This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

KĀNAKA MAOLI ARE THE ONLY PEOPLE THESE LANDS ARE FOR AND WHO NEED TO BE ON THIS LAND = THEIR LAND. NO HOTELS, NO FOREIGNERS, NO ENTITIES, NO DEVELOPMENTS, NO CORPORATIONS, NO TELESCOPES, NO LUXURY HOUSES, NO GOLF COURSES = NOTHING AND NO ONE. ONLY KĀNAKA MAOLI ON HAWAIIAN LANDS.

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 9:40:38 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Pickett	Individual	Support	Written Testimony Only

Comments:

It is becoming increasingly difficult to successfully conduct business in a safe environment in and around Banyan Drive. County resources are wasted daily on dealing with issues that arise at the condemned former Uncle Billy's building. Drug trafficking takes place on a daily basis out of the building.

There is no accountability from the State level on addressing this major problem in an area that should be a vibrant commercial district on the East side of Hawaii Island proving much needed jobs and tax revenues to the state and county. Major investments are needed to ensure a safe work environment for our employees and visitors.

there needs to be changes made as to how the area is managed and for this reason, we support this Bill.

Mahalo,

Matt

HB-1385-HD-2

Submitted on: 3/14/2023 10:04:06 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Greene	Individual	Oppose	Remotely Via Zoom

Comments:

I am FULLY AGAINST HB1385.

THE TERRITORY OF HAWAII ILLEGALLY STOLE OUR GRANDMOTHER'S AHUPUA'A-PUHE'EMIKI. Her Hanai Father IULAI KAMAHALO Legally Transferef His Land To Her In 1916 -She was a Mere Child of 8yrs old. The TERRITORY Of HAWAII Then STOLE Most of the Hundreds of Acres then SOLD TO: Kahuku Plantation/ Mormon Church/Catholic Church/ and Many Individuals of Chinese and Other Settlers from Other Countries Brought here to do Farming & Businesses. We went to Court in the 1960's To RETURN Our STOLEN LANDS BUT THEY WERE NEVER RETURNED TO US.

The STATE Only Recognized 4 SMALL PARCELS BECAUSE WE HAD HOUSES ON THEM ! T H E F T

HB-1385-HD-2

Submitted on: 3/13/2023 10:17:54 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. This is not how the state should go about redeveloping public lands. Please defer this measure.

HB-1385-HD-2

Submitted on: 3/13/2023 9:52:31 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joel Mark	Individual	Oppose	Written Testimony Only

Comments:

Let's not destroy our vital public resources by giving private developers what amounts to perpetual 100 year+ leases! Keep public lands in public hands for future generations!

HB-1385-HD-2

Submitted on: 3/14/2023 12:28:33 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice K T Shiira	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1385

HB-1385-HD-2

Submitted on: 3/14/2023 1:44:52 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ola Jenkins	Individual	Oppose	Written Testimony Only

Comments:

House Bill 1385 is shamelessly catering to corporations and hotels. If passed as is - 65 year long leases of Public lands (aka stolen Kanaka Maoli lands) will be a thing of the past. Not only is this a violation of the State of Hawai'i's fiduciary responsibility to manage these lands for the "benefit of native Hawaiians" but it prioritizes the needs of corporations above that of the public. The only people who should be getting century long leases of Kanaka Maoli lands are homesteaders NOT hotels. I DO NOT SUPPORT HB1385. It is unjust.

HB-1385-HD-2

Submitted on: 3/14/2023 2:48:04 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jun Shin	Individual	Oppose	Written Testimony Only

Comments:

This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest and the interest of Hawaiians, whose claims to such lands remain unaddressed and unresolved. This will take public lands out of public hands and any sort of public scrutiny for very long periods of time. Please **DEFER HB1385 HD2**.

Jun Shin, 808-255-6663

HB-1385-HD-2

Submitted on: 3/14/2023 5:29:44 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emmaline Padeken	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose this bill!

HB-1385-HD-2

Submitted on: 3/14/2023 6:47:06 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chelseamay Pupuhi	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Kanaka before corporation.

HB-1385-HD-2

Submitted on: 3/14/2023 7:05:26 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Redford	Individual	Oppose	Written Testimony Only

Comments:

I oppose the granting of unlimited leases for Hawaiian Kingdom crown and government lands. These were intended to be used to benefit native Hawaiians, not private corporations and hotels.

HB-1385-HD-2

Submitted on: 3/14/2023 7:05:27 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brendan	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill. You give all this land to foreign investors when it's not yours to give in the first place. Shame on you.

HB-1385-HD-2

Submitted on: 3/14/2023 7:23:32 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

Comments:

Hello,

My name is Nanea Lo. I'm born and raised in the Hawaiian Kingdom a Kanaka Maoli.

I'm writing in for STRONG OPPOSITION of HB1385 HD2, another "forever lease" bill for public and "ceded" lands.

Part III of this bill in particular would remove the general prohibition against options for renewal of terms for any public land lease; remove the general 65-year cap on leases; and also allow leases to be negotiated at any time (even if they have multiple years or decades left to run), encouraging "shopping" for a favorable DLNR administration to secure sweetheart lease terms that undermine the public interest.

In other words, as with HB499 from a couple sessions ago, this measure would allow for long-term leases that give private entities control of public lands for over a century at a time -- going far, far beyond any reasonable need for "redevelopment" which is the bill's purported aim.

This in turn would erode away the land base the DLNR needs to carry out its public trust functions, tie the public's hands in ensuring the best uses of our public lands, and diminish if not effectively erase the ability of kānaka 'ōiwi to assert claims to "ceded" lands that end up being leased for six generations or more.

We cannot risk the de facto privatization of our limited public lands. "Ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved. This bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands. Lastly, this bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest. All of which I'm against.

Oppose this disgusting bill.

me ke aloha 'āina,

Nanea Lo

HB-1385-HD-2

Submitted on: 3/14/2023 7:36:51 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adam Wayson	Individual	Oppose	Written Testimony Only

Comments:

No corporation should I ever have delegated land rights, the land belongs to the people, and it should be returned to the people. Including all of where the water supplies land and any occupied territories, does the US military currently resides in. No more land unless it's directly into Hawaiian hands.

HB-1385-HD-2

Submitted on: 3/14/2023 7:46:18 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael	Individual	Oppose	Written Testimony Only

Comments:

The time of the money scooping doctors is long over due to come to an end.

HB-1385-HD-2

Submitted on: 3/14/2023 7:49:05 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Summer Yadao	Individual	Oppose	Written Testimony Only

Comments:

Public lands are not for the state to use as income generators, period. They are SUPPOSED to be for the benefit, enjoyment and utilization of the public; those who live here, pay taxes here, WORK here, have raised families here, who invest their time, energy and spirit to these public lands. NOT tourists, NOT investors, NOT multimillionaires. The legislature, DLNR, and all the entities tied to them all are NOT working in the best interest of the public with this bill, period. As usual, profits, lining your own pockets and lies, manipulation and power struggles are what this HB1385 is about.

Unfortunately for all of you working in the evil spirit of greed, hewa and profits only. WE THE PEOPLE will not let you continue destroying 'public lands' for your own sake. WE THE PEOPLE are taking back our lives, liberty, rights and freedoms. We don't need your approval or vote. We don't need your 'laws' that you make up and then break yourselves. We will survive without you, because we live for love, truth, Kanaka Maoli that blessed us with these islands of Aloha and the Most High that you will have to answer to in the realm after this one.

HB1385 is just more proof of your greed, more proof of your evil hearts and minds, shame on you.

HB-1385-HD-2

Submitted on: 3/14/2023 7:52:13 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Matanane	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1385 please oppose this bill because it will displace more Native Hawaiians from public or crown lands that are for their benefit.

HB-1385-HD-2

Submitted on: 3/14/2023 8:00:20 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jayme Kealoha-Dacuycuy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose bill HB1385. The land should be returned to the people.

HB-1385-HD-2

Submitted on: 3/14/2023 8:30:55 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharde Freitas	Individual	Oppose	Written Testimony Only

Comments:

I **OPPOSE** this measure. We cannot risk the de facto privatization of our limited public lands.

Please **hold** this measure.

HB-1385-HD-2

Submitted on: 3/14/2023 8:58:33 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Ward	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Chair and committee members,

Re: OPPOSE HB1385

My name is Deborah Ward, and I have been active in the democratic process in Hawaii for 55 years. I join many others in researching the proposals put before the BLNR for decisions, and I support or oppose based on my understanding of the goals of our community. I am concerned about the authority proposed in HB1385, and I OPPOSE its passage.

All lease extensions should be considered anew, as conditions change over a period of 20-50 years, and new priorities arise. A lease extension should not be assumed or assured without a re-evaluation, based on current goals and circumstances. What has changed in the last 65 years? (We had no smart phones, no personal computers, no electric cars, little shoreline erosion, no discernable climate change, no PFAS and no jet fuel in the water of over a million people.) Circumstances change, and as the unanimous decision of the Hawaii Supreme Court concluded yesterday, **“The reality is that yesterday’s good enough has become today’s unacceptable.”** When it comes to the redevelopment of Waiakea peninsula, close to my home, and a beloved bay that I use regularly, we have to consider the near certainty that the shoreline will dramatically change of the course of the next 20-40 years, as sea level rise and storm surges take a toll on the coastal infrastructure, the roads, water, gas and utility lines that serve them. We can see the changes already! By offering leases for land that may soon be submerged, you offer the lessees a taxpayers bail out, in effect.

For example, in the cases of the A&B Maui water leases, the agricultural priorities have given way to changes in climate and demand for the products once produced. In the case of the expansion of industrial development on Mauna Kea, public sentiment about the cultural and environmental impacts of prior development have led to strong opposition to expanded development, for which an extended lease is a necessity. In the case of Pohakuloa Training Area, the conditions of the first lease were never met, and yet there is demand for a lease extension for 65 years or longer.

These examples have engendered significant public testimony and democratic participation in the process. Elected representatives and the law should respect the will of the people: the people deserve the time and opportunity to determine the future of the land held in trust for the beneficiaries, not the corporate entities with leases granted generations earlier.

Thank you for the opportunity to testify.

Deborah Ward P O Box 918 Kurtistown HI 96760

HB-1385-HD-2

Submitted on: 3/14/2023 9:09:49 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lauren Ballesteros-Watanabe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and members of the Senate Committee on Water and Land,

I am a settler of color, with a great sense of appreciation and indebtedness to the stewardship of Kānaka Maoli and this ‘āina, and am in **STRONG OPPOSITION to HB1385 HD2.**

Although this bill apparently seeks to spur redevelopment for East Hawai‘i, **this bill gives politically connected private entities even more opportunities to exert their influence** over the disposition of our public lands, to the detriment of the public interest.

Understanding the history of "ceded lands," the legislature must recognize this as a perpetuation of a painful legacy and the ongoing harm of serving private (often foreign) interests at the cost of Kānaka Maoli land rights and precious cultural and natural resources.

Please **hold this measure or delete Part III** which is directly tied to the alarming removal of important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands.

Mahalo nui for the opportunity to testify.

Lauren Ballesteros-Watanabe

HB-1385-HD-2

Submitted on: 3/14/2023 9:12:02 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Peterson(Nani)	Individual	Oppose	Written Testimony Only

Comments:

In strong opposition.

HB-1385-HD-2

Submitted on: 3/14/2023 9:25:17 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
NO TO MONSANTO!	Individual	Oppose	Written Testimony Only

Comments:

This is nothing short of genocide and a land grab.

It is an unconscionable act by these sponsors, to wipe out the Kanaka Maoli in their own homeland, while they die on the DHHL list for homesteads.

These actions make perfectly clear that their priority is to further coddle tourism and hotels, most profits which flow out of Hawai'i, doing NOTHING for the people of Hawai'i.

Apparently, they have decided that the Kanaka Maoli do not matter. It's giving \$\$\$\$ over people.

THIS IS GENOCIDE.

HB-1385-HD-2

Submitted on: 3/14/2023 9:42:03 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Antonia	Individual	Oppose	Written Testimony Only

Comments:

i oppose this bill because of the loooong list of Kanaka maoli (native Hawaiians) who are still waiting to receive their crown lands from the Hawaiian homes. Until that list is no more and every Hawaii has been housed, you cannot even think about giving corporations unlimited leases or access to kanaka land. A'ole. I oppose this bill and every bill going forward that is your attempt at steal land from kanaka hands.

HB-1385-HD-2

Submitted on: 3/14/2023 9:46:34 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keili McEvelly	Individual	Oppose	Written Testimony Only

Comments:

Aloha kākou,

My name is Keili. I am kanaka maoli from Kaua'i island. I have extensive experience with the gentrification of the Hawaiian lands and the long term effects. There is a dream of endless economic wealth that Americans bring to Hawai'i. This dream costs us our clean water, our breathable air, and our people! Why are we destroying the people and the parts of these islands that make Hawai'i special to so many of us? Please take the time to listen to the people of this land. Please think of the long term effects, of the impact this bill will have. On our kanaka, our guests, our environment, and the health and safety of the children and grandchildren born in Hawai'i. Please take the time to listen to our stories, to understand the science, and END the pattern of destruction. This bill will drain the life from our land, force the people from their lands, and carve a deeper line of separation between kanaka Maoli and Americans. Please do what the people, the creatures and the island ask. Stand for what is right.

HB-1385-HD-2

Submitted on: 3/14/2023 9:47:54 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melinda Healani Sonoda-Pale	Individual	Oppose	Written Testimony Only

Comments:

WHY THIS BILL IS BAD.

- We cannot risk the de facto privatization of our limited public lands.
- "Ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved.
- This bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands.
- This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

HB-1385-HD-2

Submitted on: 3/14/2023 9:54:01 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Moani kupahu	Individual	Oppose	Written Testimony Only

Comments:

We remember what you did to our queen. Years of imprisonment till this day our lands are still being occupied by the United States. Colonization is a thing of the past. Give us back our land that is rightfully ours. We are the stewards of this land. Colonizer built buildings to look like the home they left. why do you think our land is dying. She is calling back to her people to help her. Give us back our lands and stop trying to take what you not gonna take care of.

HB-1385-HD-2

Submitted on: 3/14/2023 9:58:06 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Oppose	Written Testimony Only

Comments:

Aloha -

Please oppose HB1385. This measure would allow for long-term leases that give private entities control of public lands for over a century at a time -- going far, far beyond any reasonable need for "redevelopment" which is the bill's purported aim.

This in turn would erode away the land base the DLNR needs to carry out its public trust functions, tie the public's hands in ensuring the best uses of our public lands, and diminish if not effectively erase the ability of kānaka ʻōiwi to assert claims to "ceded" lands that end up being leased for six generations or more.

Bianca Isaki

HB-1385-HD-2

Submitted on: 3/14/2023 10:00:31 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aubrey Mariano	Individual	Oppose	Written Testimony Only

Comments:

Aloha and Hāfa Adai,

My name is Aubrey Yanger Mariano and I am a CHamoru student of UH Mānoa, writing in solidarity with Kānaka ‘Ōiwi in opposition to HB1385.

In the 130 years since the overthrow of the Kingdom of Hawai‘i, this ‘āina and its kānaka have seen violation after violation at the hands of the U.S. government and military, and arguably more insidiously at the hands of its transplants and tourists. The passing of HB1385, rendering hotel & corporation leases unlimited or allowing extensions on such leases, would be yet another in a seemingly endless string of violations. It is the fiduciary responsibility of the "State" to manage these lands for the "benefit of native Hawaiians." It is well documented, and will no doubt be reinforced by testimony today, that the Kānaka ‘Ōiwi community is largely in opposition to their ‘āina being controlled and exploited for profit by overtourism.

While the ideal and ultimate goal is to have Hawaiian land under the sovereign stewardship of the Kānaka ‘Ōiwi community, the *very* least the "State" can do is to manage it to the true benefit of the Hawaiian community - a benefit which should be determined BY Kānaka ‘Ōiwi themselves. As an Indigenous woman of an island similarly controlled and exploited by the U.S., I compel you to vote against HB1385 as a *small* step toward the return of decision-making authority to the Indigenous peoples of this ‘āina. It is nowhere near the reparation deserved, but it would certainly be a start.

Mahalo and Saina Ma'āse',

Aubrey Yanger Mariano

HB-1385-HD-2

Submitted on: 3/14/2023 10:07:59 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristin Clark	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1385. Specifically regarding the 65 year lease. 65 years is a lifetime. It's unacceptable to allow a leasee to hold land that long. No single person is ever entitled to a lease that long. No corporation (or whatever) should be allowed to either. We are in a time where accountability is imperative. We know big (and small) corporations will do what they need to for a profit. The state needs to maintain this accountability, and be in a legal place to terminate a lease when the leaseholder is not doing it's job at maintaining land use properly. Look at where we are now in creating this bill! 65 years is too damn long. Change it to 10 years (or less). Hold corporations to a higher standard! Look after the people of Hawaii, not the corporations. I am a registered voter and I do vote. Listen to this constituent, dear representatives.

HB-1385-HD-2

Submitted on: 3/14/2023 10:16:59 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

The last thing we need is more leases either being created or extended of Public lands. Crowned lands are stolen and we need to stop giving land that belongs to Kānaka Maoli to private entities.

Mahalo nui,

Cards Pintor

HB-1385-HD-2

Submitted on: 3/14/2023 10:28:27 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edward Halealoha Ayau	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, members of the Senate Committee on Water and Land:

I OPPOSE HB1385 HD2, which removes important protections against the de facto alienation and inappropriate disposition of public lands in favor of private interests.

Part III of this measure is especially concerning as it would remove statutory safeguards for public lands throughout our islands, including statutory provisions limiting lease lengths and limiting the renewal of lease terms and conditions – safeguards essential to preventing the undue privatization of our limited public land base.

For example, under Part III of this measure, public lands across the islands could be leased for up to 65 years, with options to renew lease terms for an additional 65 years or longer – providing private entities with the ability to exercise exclusive control of nearly any and all of our public lands, for over a century. Such long-term leases would effectively privatize our limited public land base for generations at a time.

Under Part III, a lessee may also begin lease negotiations at any time before the expiration of a lease, enabling entities with political influence to “shop” for a favorable future administration and secure leases that may not be appropriately protective of the public interest and the public trust in the disposition of our public trust resources.

Notably, such expansive authorities go far beyond what may be reasonable or necessary with respect to any redevelopment goals envisioned by this bill. Accordingly, Part III of this measure only threatens to undermine the critical importance of our public lands in supporting the public trust mission of the Department of Land and Natural Resources, and prevent current and multiple future generations of the public from addressing potentially unfair or inappropriate land dispositions.

I note that the long-term and effective privatization of public lands authorized under this measure may also significantly inhibit efforts to negotiate and address the unresolved claims to “ceded” lands acquired without the consent of or compensation to the Hawaiian community. This in turn may exacerbate the injustices that have rendered our islands ever more vulnerable to the climate crisis, and prevent us from realizing the restorative justice for Hawaiians that may be the key to our future resiliency.

Accordingly, **I request that HB1385 HD2 be held or that the Committee delete Part III of this measure.** Mahalo nui for your consideration of my testimony.

Sincerely,

Edward Halealoha Ayau

HB-1385-HD-2

Submitted on: 3/14/2023 10:42:03 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jazzmin Cabanilla	Individual	Oppose	Written Testimony Only

Comments:

How many more times do we have to submit testimony for ridiculous bills that directly impact our kanaka maoli people for generations. What needs to be written or said until you politicians get it? You folx are temporary trustees, the State of Hawai'i is a placeholder and you folx lack jurisdiction. Read the UNDRIP document, read Lili'ulani's letter to McKinley, read the kū'ē petitions as well as other foundational documents and familiarize yourselves with the Admissions act because none of you are interpreting it as it should be and all of you are committing war crimes and human rights violations. I oppose all bills including this one that relate to long term lease extensions especially those that directly support desecration and corrupt business practices.

HB-1385-HD-2

Submitted on: 3/14/2023 10:46:34 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaia Medeiros	Individual	Oppose	Written Testimony Only

Comments:

This is continued toxic use of ‘āina. This is putting corporate profits and bottom lines over endemic ecosystem and environment. The entities who benefit from this bill have historically been the largest polluters and poisoners of our ‘Āina and our overall socioeconomic system. This bill does little to nothing to benefit our local community and Kama‘āina.

HB-1385-HD-2

Submitted on: 3/14/2023 10:51:53 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl B.	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE this bill which is designed to further the systemic, capitalistic, racism that promotes the extensions and unlimited leases to hotels, tourists and just about everyone who is non-kanaka maoli. Native Hawaiians continue to be removed from their lands and this bill is another one that promotes this. I OPPOSE this bill.

HB-1385-HD-2

Submitted on: 3/14/2023 11:21:43 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

Oppose

HB-1385-HD-2

Submitted on: 3/14/2023 11:26:19 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Individual	Oppose	Written Testimony Only

Comments:

Please table this bad bill

HB-1385-HD-2

Submitted on: 3/14/2023 11:42:05 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lori Glazebrook	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Ceded lands should not be up for lease.

HB-1385-HD-2

Submitted on: 3/14/2023 11:48:55 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brissa Christophersen	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1385 because it violates the State of Hawai'i's fiduciary responsibility to manage these lands for the "benefit of native Hawaiians".

HB-1385-HD-2

Submitted on: 3/14/2023 11:49:18 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cassandra Park	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai kākou,

I am writing to oppose HB 1385 relating to public lands. The area of focus, Waiakea, or "broad waters" was a valuable food source for the area prior to western contact. Waiakea is a storied place mentioned in numerous mo'olelo, or stories, of ancient Hawai'i. It is the home of Kapuaokaoheloai and HOOKAAKAAIKAPAKAAKAUA, descendants of Ku and Hina, and shared chiefly lineage. It is the birthplace of Kaipalaoa, who outwitted two of Kalaniali'loa's (Chief of Kauai) hoopaa instructors. Given this history of Waiakea, it should be protected and restored to its original purpose. Rather than building more infrastructure on the area, we should restore it once again as a food resource for our people where 90% of our food is currently being imported. We must think of the people over profit especially considering these are public lands in which the state is obligated to use such lands for the benefit of the people, specifically Native Hawaiians.

Mahalo nui loa,

Cassandra Naleleihuaohilo Park

HB-1385-HD-2

Submitted on: 3/14/2023 11:51:24 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Samson	Individual	Oppose	Written Testimony Only

Comments:

There is many reasons why this bill is wrong for the people of Hawaii, the state of Hawaii has a responsibility to manage the public lands, which are stolen Hawaiian lands, for the benefit of the native Hawaiian people.

"ceded" lands should not have accessibility to buy anyone other than the native Hawaiians of Hawaii and the Kanaka Maoli of this land

Stop trying to sell Hawaii away to people who don't care for Hawaii. Don't you see they are just trying to live this paradise dream, while all of us who are born and raised here are struggling just to survive.

HB-1385-HD-2

Submitted on: 3/14/2023 11:54:12 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this bill.

HB-1385-HD-2

Submitted on: 3/14/2023 11:57:58 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teani Marquez	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I oppose HB1385.

'A'OLE TO UNLIMITED LEASES OF HAWAIIAN LANDS & EXTENSIONS FOR HOTELS
& CORPORATIONS.

HB-1385-HD-2

Submitted on: 3/14/2023 11:58:31 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Naomi Carrillo	Individual	Oppose	Written Testimony Only

Comments:

HEWA!!!

THE KANAKA MAOLI PEOPLE NEVER GAVE UP THEIR INTERESTS TO 2 MILLION
ACRES OF HAWAIIAN KINGDOM CROWN &

GOVERNMENT LANDS.

IF PASSED KANAKA MAOLI WILL BE

ALIENATED FROM OUR LANDS BY LEASES

NO LONGER LIMITED BY 65 YEARS

THE STATE IS SUPPOSED TO HOLD THESE LANDS IN TRUST FOR THE BENEFIT OF

"native Hawaiians".

HB-1385-HD-2

Submitted on: 3/14/2023 12:02:46 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Marquez	Individual	Oppose	Written Testimony Only

Comments:

Aloha Kākou,

My name is Malia Marquez and I am from Maunaloa, O'ahu. WHY are we continuing to go down this road?? WHY are our elected officials NOT supporting the beneficiaries, kanaka maoli of these lands? This is one of the most atrocious HB seen to date! Lease extensions of 200 years? Unbelievable that we have to continue to fight for our rights in our own homeland. I forcefully OPPOSE HB1385 for ALL of the reasons this bill exists. A'OLE HB1385. PLEASE do the right thing AXE HB 1385. Mahalo no ka ho'olohe ana mai.

HB-1385-HD-2

Submitted on: 3/14/2023 12:06:52 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chelsea Puanani Park	Individual	Oppose	Written Testimony Only

Comments:

Aloha kakou,

My name is Chelsea Puanani Park. I am opposing the bill HB1385. Mahalo nui loa. Me ke aloha.

HB-1385-HD-2

Submitted on: 3/14/2023 12:25:03 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melisa Altura	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1385. It is long over due and the right thing needs to happen NOW for our people. We have suffered enough.

'A'OLE 'A'OLE 'A'OLE HB1385

Mahalo,
Melisa Altura

HB-1385-HD-2

Submitted on: 3/14/2023 12:26:54 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Madison Masek	Individual	Oppose	Written Testimony Only

Comments:

I oppose never ending leases for commercial and industrial use. Why do we continuously prioritize the interests of businessmen and tourists when our biggest land worries need to be climate change mitigation/adaptation, local food production *for* the people of Hawaii, and lands back in Hawaiian hands.

HB-1385-HD-2

Submitted on: 3/14/2023 12:54:23 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill that would risk the privatization of our limited public lands. Furthermore, "ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved.

I urge you to NOT pass this misguided measure.

HB-1385-HD-2

Submitted on: 3/14/2023 12:57:26 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabrielle M Constantino	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As a Native Hawaiian, I oppose HB1385. Allowing public lands to be used for redevelopment would be a disservice to our future generations.

Mahalo.

HB-1385-HD-2

Submitted on: 3/14/2023 12:59:58 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gizelle Rodrigues	Individual	Oppose	Written Testimony Only

Comments:

Aloha I am Gizelle Rodrigues, a high school student on Maui. I oppose HB1385 because I don't think public lands should be used for commercial development.

Thank you.

HB-1385-HD-2

Submitted on: 3/14/2023 1:08:36 PM

Testimony for WTL on 3/15/2023 1:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Kealii Pooloa	Individual	Oppose	Written Testimony Only

Comments:

I DO NOT SUPPORT HB 1385.

1. We cannot risk the de facto privatization of our limited public land.
2. Only native Hawaiian homesteaders who grow food, farm and contribute to native Hawaiian indigenous agricultural land ways should be considered for such a ridiculous extension of lease.
2. This bill shamelessly caters to the military, the corporations, the tourist industries. NO MORE.

HB-1385-HD-2

Submitted on: 3/14/2023 1:15:12 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Darlin Kaya-Medeiros	Individual	Oppose	Written Testimony Only

Comments:

This bill is HEWA.

HB-1385-HD-2

Submitted on: 3/14/2023 1:36:19 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Sarah Begley	Individual	Oppose	Written Testimony Only

Comments:

Please do not support this bill, I am strongly opposed to this bill. Thank you.

HB-1385-HD-2

Submitted on: 3/14/2023 1:39:20 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
hilinai	Individual	Oppose	Written Testimony Only

Comments:

Land theft! Put Hawaiian lands in Hawaiian hands only!

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 1:42:59 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chariya Terlep-Cabatbat	Individual	Oppose	Written Testimony Only

Comments:

1) We cannot risk the de facto privatization for our limited public lands. 2) Ceded lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved. 3) This bill removes important legal protections against private land grabs of public and “ceded” (aka Stolen) Hawaiian lands. 4) This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 1:59:40 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rebecca Castro	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1385 because native Hawaiians deserve to have land where they can afford to live and stay on their homeland. Unlimited lease is a disrespect to the native people and will only worsen the housing crisis in Hawaii. Unlimited lease will lead to further exploitation of the people and land. I ask you to please vote NO on HB1385. Thank you.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 2:17:33 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Blaine De Ramos	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1385.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 2:22:06 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alec Marentic	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I ***strongly oppose*** this legislation. Allowing for leases that do not have any limitations will alienate Native Hawaiians from their lands. The State has an obligation to hold those lands in trust for the benefit of Native Hawaiians. Allowing for leases that do not have any limitations and that grant lease extensions for hotels and corporations that do not represent nor care about the best interests of Native Hawaiians is an abject failure of that obligation.

Thank you for this opportunity to amplify the voices of Native Hawaiian organizations and individuals wanting to protect their land and their relationship to that land.

HB-1385-HD-2

Submitted on: 3/14/2023 2:22:11 PM

Testimony for WTL on 3/15/2023 1:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Meleana Adams	Individual	Oppose	Written Testimony Only

Comments:

No more stolen Hawaiian lands. The fact that more Hawaiians live away from home is very sad. Hawai'i do not need more hotels and more tourist when we're constantly on water restrictions around the islands. No means no.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 2:33:41 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shayna Noelani Dabis-Tom	Individual	Oppose	Written Testimony Only

Comments:

‘A‘ole loa HB1385

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 2:38:03 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kamalani Keliikuli	Individual	Oppose	Written Testimony Only

Comments:

I oppose any more extension of leases

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 3:03:25 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicole Chun-Park	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

Please leave Hawaiian lands in Hawaiian Hands. I DO NOT SUPPORT unlimited leases of Hawaiian lands & extensions for hotels and corporations.

LEAVE HAWAIIAN LANDS IN HAWAIIAN HANDS.

Mahalo,

Nicole Chun-Park

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 3:20:24 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shanoa Quanan	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Shanoa Quanan, and I am a member of the next generation of native Hawaiians. In my 17 years of living, I have already seen how bills, like this one, effects the world that I am growing up in. I am opposing HB1385, because it negatively affects the children of Hawai'i, the young citizens who's livelihood you, as the house, are supposed to be protecting. Do not allow this bill to force my generation to move our lives elsewhere, before our lives even begin.

Mahalo.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 3:20:43 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherri-Anne Kamaka	Individual	Oppose	Written Testimony Only

Comments:

These lands belong kanaka maoli. State and other government body does not have the right to lease the land with any corporation or commercial entity or developer that has no connection to kanaka maoli.



Eric W. Gill, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Cade Watanabe, Senior Vice-President

March 14, 2023

Senate Committee on Water And Land (Wednesday March 15, 2023, 1:00pm)

Senator Lorraine R. Inouye, Chair

Senator Brandon J.C. Elefante, Vice Chair

Testimony in opposition to HB1385_HD2



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

UNITE HERE Local 5 represents working people throughout Hawaii’s hotel, food service and health care industries. We **oppose the intent of HB1385** to deregulate how development takes place on public lands.

There is a trend among policy makers nationwide to treat public lands as investment assets or profit generators. There are too many examples of public lands given away through public private partnerships or other quasi-privatization schemes when faced with governance obstacles. These schemes essentially give away public commons while privatizing profits. Policy makers need to stop looking at every piece of public land as a way to generate maximum profit. Local government should provide public spaces for public activities under the oversight of elected lawmakers.

The Sierra Club stated in its in HB1385_HD2 testimony that the measure would “remove statutory safeguards for public lands throughout our islands, including statutory provisions limiting lease lengths and limiting the renewal of lease terms and conditions”. Furthermore, the Sierra Club warned of provisions that would allow 65-year leases to be extended by another 65 years or even longer.

A 130-year lease is a de-facto permanent giveaway of public lands. Anyone local resident alive today will not see that land returned to public control or public use. For people who are not even born yet, they will be born, live their entire life and die unable to experience that land free of private control.

There is no explanation as to why HB1385 needs to be passed because Hawaii Revised Statutes Chapter 53 already exists. In fact, HRS-53, the “Urban Renewal Law”, has been the statutory framework used to redevelop the Waiakea Peninsula and area hotels on the Big Island for years now. To be clear, that’s the same Waiakea Peninsula area (aka Banyan Drive or Hilo Bay) HB1385 attempts to “establish” as a redevelopment area.

We already have laws in place to address blighted public lands that may need to be redeveloped. It’s not necessary to have HB1385_HD2 amend HRS-171 so that more zoning uses and parcels can be developed by the state.

Publicly-owned lands are especially rare and precious in our island state. Giving land away for lease rent is a bad deal for Hawaii citizens. The bare-minimum mitigation alternative is to have the state or counties share in the profits generated by privatization deals instead of merely receiving rental income.

UNITE HERE Local 5 **opposes the intent of HB1385** and urge you to vote no on the measure. Thank you for your attention.

March 14, 2023

LATE



Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante, Vice Chair
Committee on Water and Land
Wednesday, March 15, 2023
1:00 pm
Via Videoconference

RE: **HB1385 HD2** Relating to Public Lands (**Oppose**)

Dear Chair Inouye, Vice Chair Elefante & Committee Members,

The Chamber of Sustainable Commerce (CSC) testifies in strong opposition to HB1385 HD2, which establishes a framework for designating certain public lands for redevelopment, amends generally applicable lease requirements for public lands to promote redevelopment, designates the public lands on the Waiakea peninsula on the island of Hawaii as the Waiakea peninsula redevelopment district and appropriates funds.

As business owners who believe we can strengthen our economy without hurting workers, consumers, or the environment, we urge this committee to vote down HB1358, because privatizing public lands for generations takes needed resources away from Hawaii residents who have other needs that can be better served by keeping public land for the public good - not for private profit.

The greater Hilo lawmakers all know of how much their Hilo community needs affordable housing and how local employers need workers who can afford to live in Hilo and support other local businesses. All public lands should be used to provide a public good - merely creating more jobs is not the best end use of public lands. There is private land already available for private developers to profit from.

Handing over public lands to developers for generations so that corporations can use public resources to pad their profit margins does not serve a public good. Furthermore, lawmakers should not use public land leases and extensions as bait to raise campaign contributions from private developers; this would be a form of publicly financing elections that unfairly advantages certain incumbents.

HB-1385-HD-2

Submitted on: 3/14/2023 8:21:57 PM

Testimony for WTL on 3/15/2023 1:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Makanoe Hufana	Testifying for Ka Lahui Hawaii	Oppose	Written Testimony Only

Comments:

The people of Hawai'i has said this more than once no we will not give you leases for you to build resorts and other stuff that is damaging to our island environment like the wavepool and windmills. We said no to HB499 of leases lasting longer than my life and here is another bill same bill different name HB1385 is only going to benefit developers not the people, we don't need more construction we need more healing and financial aiding systems. We also are in need of cultural advisors in the bill making process because you obviously make bills such as this one knowing we the people will oppose this. Did you know people say they hate O'ahu because of all the buildings they say it's sufficating and the pollution from the cars get trapped in the spaces between the building and on the builds is black sticky polluted substances please kill this bill and think about ways of minimizing the amount of development being done, what will you do when there is no O'ahu left, no sign of nature left, when the fish and the coral die from too much pollution from the hotels and the birds end up leaving due to not enough trees in the city. Please stop development and think about the place we all call home is sufficating in concrete.

HB-1385-HD-2

Submitted on: 3/14/2023 4:00:10 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Sione Manupuna Ulise Halekauila Funaki	Individual	Oppose	Written Testimony Only

Comments:

No land whether crown or ceded lands leases should be granted forever. These lands were and continue to be a part of our Hawaiian identity, culture, genealogy, and existence. Access to these lands and the prior ownership of these lands by kanaka and the Kingdom of Hawaii should be restored. I do not support this bill to extend leases forever for any other hotels and other corporations that want Hawaiians dead! There is no better way to say it but hotel owners, corporations, the US do not want Hawaiians around and want us to disappear into the past. My own family land has clearly been stolen in Waimanu. While there is clear evidence my family land has a land commission award, after statehood the state claimed it and so as someone who has suffered this unfortunate injustice I am against wholeheartedly this bill.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 4:04:40 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lanny Sinkin	Individual	Oppose	Written Testimony Only

Comments:

The problem with long term leases is demonstrated by the current challenge facing current long-term lessees. For many years, there has apparently been no oversight by the lessor to ensure the lessee is adequately maintaining the property. All leased property should be subject to regular inspections. If the agency is not prepared to provide such oversight, the agency should not be leasing out properties.

Had there been such oversight, problems would have been addressed long before the lease was about to expire. Regular inspection would have alerted the lessee to any failure on the part of the lessor to regularly report to the lessor any substantive upkeep issues. Corrective action would have been taken with any appropriate adjustments to the rent paid, i.e. an assessment for failure to adequately maintain the property. The lease would have more tightly identified deteriorating conditions which could lead to such conditions.

The lessee having failed to report and/or the lessor having failed to take corrective created the current situation in which a leased property has been allowed to deteriorate with a lease expiration deadline approaching. The lessee is reluctant to repair or improve the property without an agreement to extend the lease.

Lessees are now asking for extended leases that will simply recreate the same situation going forward. A new long-term lease will only encourage the lessee to put off necessary upkeep because there will be time "later" to perform that upkeep.

More importantly, long-term leases lock in the use of the property, even if the initial use is no longer appropriate.

Finally, there is the question of land ownership. Is the agency leasing out lands that are held in trust for possible inclusion in an ultimate reconciliation addressing the illegal occupation? Is there a fiduciary duty of the agency to ensure that the lands are available to that undertaking?

HB-1385-HD-2

Submitted on: 3/14/2023 4:21:12 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Kapua Medeiros	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and House Committee members,

I OPPOSE HB1385. Too many of our public Lands, many of them supposedly protected by President Clinton's Apology Bill have been mismanaged, sold, and/or Desecrated.

No more Development and Redevelopment of Hawai'i. Please Fix ALL the other important issues first.

Kapua Medeiros

Kanaka Maoli

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 4:45:40 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica dos Santos	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

I strongly oppose HB1385 for the following reasons:

I agree with Ka Lahui Hawai'i's sentiments that this a violation of the State of Hawai'i's fiduciary responsibility to manage these lands for the "benefit of native Hawaiians." This bill is unacceptable as it prioritizes the needs of corporations above that of the public. I also agree that the only people who should be getting century long leases of Kanaka Maoli lands are homesteaders and not the hotels or major corporate interests. This bill would amount to the de facto privatization of our limited public lands. "Ceded" lands (actually stolen lands as the Kanaka Maoli people never relinquished their rights or claims to these lands officially or legally) should not be on the table for century-long or longer leases until k̄anaka maoli claims to such lands are addressed and resolved. It is unacceptable that this bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands. Lastly, I oppose this bill as it gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

Thank you for doing the right thing,

Respectfully,

Jessica dos Santos

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 5:03:42 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
HollyAnn Kaiakapu	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1385 because this bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest. Furthermore, "ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 5:57:53 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dylan	Individual	Oppose	Written Testimony Only

Comments:

I am in full opposition of this bill. This land was unrightfully taken and continues to be given away to those who do not rightfully respect or "own" it. There has been hundreds of years of missuse and miss guidance and this bill is one more step in a sad reality where a dead tree is worth more than an alive one.

I stand with the people of Hawaii in opposing this bill and hope to see the land given back to the people and cared for respectfully.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 5:58:43 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kawehi Mahi-Roberts	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

This is an abuse of power to the ‘Āina WE Kānaka Maoli have been privileged to live on and mālama for centuries. First, you guys try to strip us of our rights to live on this land by gentrifying us and then overdeveloping our islands to make it more pleasing and interesting for haole, now you're trying to make so that these larger than life corporations and businesses can continue with these antics? No. Pau already. Kill this bill and let it be pau. If anything, these leases should have their prices **HIKED UP** to **MATCH** the amount these businesses make off of the tourist dollar **AND** give back more than **HALF** of that money to Kānaka Maoli and other locals. So yeah, kill this godforsaken bill. It's stupid.

Sincerely,

An Angry Kānaka Maoli

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 5:59:08 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kapulei Flores	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I STRONGLY OPPOSE HB1385 and urge that you oppose this bill. This bill removes important legal protections against private land grabs of public and ceded Hawaiian lands. Private and foreign companies and corporations should not be able to purchase century long or longer leases while our own people dont have access to our owed land to live on. Instead of prioritizing foreign corporations and tourism, the focus should be on taking care of our native and local people as well as our natural resources. The state is supposed to hold these lands in trust for the benefit of native hawaiians, such as aiding with the evergrowing houseless issues throughout the islands. Please prioritize our native and local people as well as our precious natural resources by opposing this bill.

Mahalo

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 6:02:28 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dominic Brown	Individual	Oppose	Written Testimony Only

Comments:

This 'āina belongs to the Kānaka Maoli, not corporations or the United States military. As it stands, the land is a finite resource that is being killed and it can no longer, as it never has been, be afforded to give to those who seek to gain profits, harm, or supress those who speak against it. This 'āina stands for the health and safety of those who have lived here for thousands of years, not colonizers in the pockets of the tourism industry or in the careless hands of a global terrorism cell who thinks they own anything they please.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 6:11:10 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chaelynn Infante-Olano	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am opposing HB1385. I feel that Native Hawaiians as a whole have been at a disadvantage with the cost of living rising, and many of us have been forced to diaspora. Supporting this bill would further support the corporation/tourism over the people mentality, and to be frank, Hawaii is not Hawaii without Hawaiians. I urge you to do the right thing and oppose the bill, for the well-being of future of Hawaii. Thank you.

HB-1385-HD-2

Submitted on: 3/14/2023 6:15:09 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Chayse kaui	Individual	Oppose	Written Testimony Only

Comments:

Hawai'i is not for sale, not for rent. A'ole to this bill. shame on you folks. Fight for Hawaiians for once. We are gonna lose this beautiful home for good if you folks keep doing what you guys are doing. There will be no Hawai'i for future generations. Aue!!!

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 6:28:24 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ku?uipo Kekahuna	Individual	Oppose	Written Testimony Only

Comments:

I implore the representatives to halt the passing of House Bill 1385. Ceded lands should be dispersed to the rightful kanaka maoli appropriately instead of providing private entities control or even an opinion over said stolen lands and how they should be further utilized. Also this bill will remove further legal protection against private land grabs of public and stolen Hawaiian lands. No longer should the state prioritize big corporations over its native people.

HB-1385-HD-2

Submitted on: 3/14/2023 6:33:51 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Pualililehua Carriaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1385. Kanaka maoli are being priced out of our homes. Bills like HB1385 do not take into account the needs of kanaka maoli, and continue to perpetuate the lie that Hawai'i needs tourism and outside business to survive. We do not. For these reasons, I oppose HB1385.

Mahalo,

Pualililehua Carriaga

HB-1385-HD-2

Submitted on: 3/14/2023 6:34:45 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Cristina Bacchilega	Individual	Oppose	Written Testimony Only

Comments:

i appeal to your love for Hawai'i and your understanding of how the law has so far leased public lands here for fairly limited periods of time because it is important to protect public interests from privatization and also because these are so-called ceded lands that Native Hawaiians should have a say on. Are we really willing to give public lands to corporations? This move would open the way to a horrifying future in a Hawai'i! I urge you NOT to pass this destructive bill!

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 7:06:40 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stason Skeen	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I stand in opposition to this bill because:

1. We cannot risk the de facto privatization of our limited public lands.
2. "Ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved.
3. This bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands.
4. This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

Mahalo

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 7:22:20 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William pacatang	Individual	Oppose	Written Testimony Only

Comments:

Stop selling Hawaiian land to outsiders..take care of our own first. Where is the aloha..only been seeing greed lately

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 7:29:05 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cassandra brandt	Individual	Oppose	Written Testimony Only

Comments:

It does not feel right to take Hawaiian lands away from Hawaiian people just so the land can be developed to make money off of by tourist to use the Sacred land as a theme park. It is not a theme park. We are all visitors here. The lands belong to its people before there are no more sacred lands and it's just like the rest of the states that humans destroy for their entertainment. Conservation of our planet is a must. It's time to release these lands back that were stolen from them in the first place! A'ole

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 7:34:04 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elyse F	Individual	Oppose	Written Testimony Only

Comments:

This bill exercises the egregious powers of the state of Hawai'i that have been abused time and time again. Promoting further development by allowing leases to extend beyond the current 65 years for public lands is a gross injustice to all kānaka maoli who are either on the DHHL list after many years, or those who have passed on before their chance to acquire land was presented to them because of the state's greedy hand. These lands were stolen from the beginning, and it is the state's duty to protect Native Hawaiians' best interest and listen to the countless people that have outcried for the land to be given back and to stop developing big business. Also, allowing this land to potentially be privatized is a dangerous and risky game to play, as this locks out possibility for dispersement to kānaka or community building.

As it is well known, nearly half of the houseless population in the state is kānaka. In addition to that, nearly half are kūpuna. This is how the state chooses to address our housing crisis? By continuing to develop in the best interest of greedy companies who only take and don't give anything back to the people? The longer the state continues to encourage and focus so adamantly on tourism, the harder it will be to choose an alternate path for employment and sustenance building, and we are ultimately dependent on the industry with no fail safe. Precious resources and reparations that can be allocated to Hawai'i's native population are being misplaced.

The resources of Hawai'i are vital and extremely limited. Residents are asked to reserve their wai while hotels and resorts continue to use whatever they "need", just so a visitor can enjoy their stay with endless usage while there are houseless people just outside. Visitors clog up our infrastructure and leave damage everywhere they go.

This land continues to erode due to the foreign and invasive plants that are brought here to decorate developments, and natives and residents suffer the consequences. When weather turns, we are left with a near empty and completely infiltrated ecosystem that cannot sustain the rain, putting everyone in danger. We have witnessed this countless times more than ever within the past year, all over the state and significantly on Hawai'i island.

It is the state's and committee's duty to deeply reconsider its plans for further development of the "ceded" land of Waiakea peninsula. Infrastructure is important; but further developing hotels and resorts should not be the focus or the reason we put energy into improving it. Put resources into

rejuvenating the land with native practices where it has been absolutely depleted and giving the land back.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 8:04:27 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
pahnelopi mckenzie	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose Hb1385. This bill removes important legal protections against private land grabs and public stolen Hawaiian Lands. "Ceded" lands should not be at the table for century long or longer leases until kānaka mail claims to such lands are addressed and resolved. This bill give politically connected private entities even more opportunity to except their influence over the disposition of public lands, to the detriment of the public interests. I strongly Oppose this HB1385

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 8:55:41 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hideki Kimukai	Individual	Oppose	Written Testimony Only

Comments:

Aloha house representatives.

I strongly oppose this HB1385. The public land belongs to the people of the land who had been a steward of this land. Resilience and sustainability of Hawai'i must come from within the public/community roots. Time is now to make a stand for our future and for Hawai'i.

Mahalo nui

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 9:07:50 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
keomailani von gogh	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

HB 1385 is another land grab that gives politically connected entities even more opportunities to exert their influence over the disposition of crown lands. These lands should absolutely not be on the table century- long or longer leases until Kanaka Maoli claims to these lands are resolved. We cannot risk the defacto privatization of our Crown Lands. Last but not least, it is very obvious that this is the only way the lease would be extended on Mauna Kea. If this was going through the proper channels we all know the public would not let this happen.

mahalo for your time,

keomailani Von Gogh

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 9:14:17 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

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

Comments:

Aloha Chair and Committee members,

My name is Bob Douglas and I live in Hilo on the Big Island. The road I live on has numerous empty DHHL lots that have been unassigned for years. DHHL does not have the manpower or bandwidth to effectively assign these leases to the kānaka. Stop taking care of the malihini corporations and concentrate on getting these lots assigned to beneficiaries.

House Bill 1385 is shamelessly catering to corporations and hotels. If passed as is - 65 year long leases of Public lands (aka stolen Kanaka Maoli lands) will be a thing of the past. Not only is this a violation of the State of Hawai'i's fiduciary responsibility to manage these lands for the "benefit of native Hawaiians" but it prioritizes the needs of corporations above that of the public. The only people who should be getting century long leases of Kanaka Maoli lands are homesteaders NOT hotels.

1. We cannot risk the de facto privatization of our limited public lands.
2. "Ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved.
3. This bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands.
4. This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 9:16:58 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jessica hughes	Individual	Oppose	Written Testimony Only

Comments:

Our focus must shift from more to quality. We don't need any more hotels or leases. We need to better manage our large number of visitors and their activity's you make more money instead of building more hotels. If anyone should have extended leases it should be people or corporations for the community and environment. That is what we need.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 9:18:17 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jazz	Individual	Oppose	Written Testimony Only

Comments:

As a person who descends from this beautiful bloodline and culture. This bill sickens me to the core. It should have never been written. This greed you foreigners thrive on is just hewa. First you steal our lands and then turn it into your little vacation playground all while many of us natives are dying on a wait list just to have a simple home that is rightfully ours before you illegally overthrew our queen. Stop the greed and go home.

HB-1385-HD-2

Submitted on: 3/14/2023 9:28:00 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Deborah Nichols	Individual	Oppose	Written Testimony Only

Comments:

Oppose

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 9:42:22 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David ashe	Individual	Oppose	Written Testimony Only

Comments:

Hawaiian lands in Hawaiian hands. Let us not cater to the undeserving tourist industry sucking the islands resources dry.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 9:51:19 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaylene Sheldon	Individual	Oppose	Written Testimony Only

Comments:

Aloha kākou,

I am in opposition of HB 1385. We have to limit re-development and urbanization especially if it is not eco-friendly to the environment. It also does not benefit the first peoples of Moku O Keawe and may lead to corporate interest through out the islands. We need decisions based on 'Āina based improvements not the opposite. We need healthy ahupua'as and not a copy of Waikīkī or the alawai stream. The peninsula of Waiākea needs maintainance not re-development for the malihinis. Start caring for the land now so that we can see the Hawai'i we love and know 50 years from now. On pages 6 and 7 this bill talks about the Governor appointing people which is a conflict of interests. This gives the Governor more control than the first's peoples of Hawai'i. This is a horrible bill that needs to retire forever. Please kill bill 1385.

Mahalo nui loa,

Kaylene Kauwila Sheldon

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 10:05:17 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brianna Blackburn	Individual	Oppose	Written Testimony Only

Comments:

Hawaiians are leaving the islands at an alarming rate because they cannot afford longevity or a fourishibg life on their own aina. Thousands are on the list for hawaiian homelands (mind you many dying before ever seeing progress) and yet the government has the audacity to lease and sell land that is not theirs to foreign entities whose main goal is to profit off of the exploitation of kanaka maoli, precious and scarce resources, and the aina that so rightfully belongs in the nurturing hands of the lahui. I vehemently opposed HB1385. People over profit.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 10:02:52 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
mikyla nakila	Individual	Oppose	Written Testimony Only

Comments:

Opposition of HB1385

It is immoral to allow this to be accepted. It seems that even with decades passed, Hawaii is still being extorted by money-grubbers. Just because so many years have passed since something wrong has happened doesn't mean it doesn't deserve to be righted.

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 10:28:16 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emma Stierhoff	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Inouye, Vice Chair Elefante, and members of the committee,

My name is Emma Stierhoff, and I am writing to express my **OPPOSITION** to HB1385. This bill would allow private corporations to permanently seize public lands, which are meant to be for the benefit of native Hawaiians.

These lands were illegally ceded from kānaka maoli, and should therefore not be considered for leases exceeding 65 years until kānaka maoli claims to the lands are resolved. This bill threatens the privatization of public lands by removing important legal protections against private land grabs and prioritizes financial gain for private entities over community well-being. HB1385 is blatantly anti-Hawaiian, and the passing of this bill would be an egregious affront to Hawaiian land sovereignty.

Hence, I urge you to **HOLD** HB1385 to prevent private corporations from taking control of public lands. Mahalo nui for the opportunity to testify.

Sincerely,

Emma Stierhoff

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 11:04:12 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shondell Dabis	Individual	Oppose	Written Testimony Only

Comments:

I oppose the lease of our Hawaiian Ceded Lands to any Business that stand to make profit off of the Land. I oppose this illegal act of injustice!

LATE

HB-1385-HD-2

Submitted on: 3/14/2023 11:05:57 PM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pi'ikea Jack	Individual	Oppose	Written Testimony Only

Comments:

Don't do it. Our ecosystems are delicate and deserve to have the restored level of sensitivity of proper protection and conduct. What does that mean? It means that there are countless sacred sites that have temples, ancestral bones, sacred sites of functions, and communities of engaged species plant and animal that are struggling as is and need every helping hand in need. Last thing in need is to be completely obliterated. Obliteration through these circumstances I listed above has happened through this bill being allowed. For companies to build and we have lost so much, as we fight to learn from our history and try to make better, wiser, decisions in support of our resources, ancestry, culturally, and environmentally.

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 1:44:00 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
zack williams	Individual	Oppose	Written Testimony Only

Comments:

I am entirely opposed to this bill. There should be no more long term leases awarded on any "public lands" which are really "ceded lands" that were formerly the kingdom of Hawai'i lands before the illegal and unresolved overthrow of queen Lili'uokalani on january 17, 1893 by the u.s. government Marines and other actors. These lands are reserved for the right to benefit "native hawaiiians" before any other peoples and should never be awarded to corporations or hotels and these specific lands should only be used for homesteading of kanaka maoli and raising of livestock/agriculture and endemic outplantings. So i repeat i strongly oppose hb1385.

HB-1385-HD-2

Submitted on: 3/15/2023 2:57:41 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Tiana Keopuhiwa	Individual	Oppose	Written Testimony Only

Comments:

For the love of humanity and the fact that this land belongs to kanaka maoli. DO what is right! I oppose this bill!!!

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 5:05:23 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maeve	Individual	Oppose	Written Testimony Only

Comments:

This legislation restricts the inherent freedoms of the native peoples of this land and is therefore unconstitutional.

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 5:12:52 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kupaaikaiaio Thomas	Individual	Oppose	Written Testimony Only

Comments:

I am a Native Hawaiian and I oppose this bill

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 5:40:10 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bronson Azama	Individual	Oppose	Written Testimony Only

Comments:

We need to end these precedents toward multigenerational leases. We are already facing increased challenges within a single generation, a water crisis, climate change, and so much more. In a world that is frequently changing we will need the ability to adapt, inclusive of our economy and land use. We are on a ticking time bomb for the hotel industry, so to allow the extension of these leases is to place our future generations with an economic burden when the floods increase and the sea level rises, along with water use on the island.

We need to transition off the hotel industry not encumber our future generations with the burden of meeting the needs of an industry that will become a liability in the near future. Covid was a lesson, but what do you think Climate Change, water use, and cost of fuel will do to the industry and people. We should not make it easier for the industry, but think about the burdens placed upon our children's children.

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 6:11:19 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anuheia Young	Individual	Oppose	Written Testimony Only

Comments:

1. We cannot risk the de facto privatization of our limited public lands.
2. "Ceded" lands should not be on the table for century-long or longer leases until kanaka maoli claims to such lands are addressed and resolved.
3. This bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands.
4. This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

Kanaka Maoli pay the most but use the least and are often asked to cut down usage in order to cater for tourists and travelers. If kanaka have to cut basic necessities corporations should not be getting a discount for the sake of "aloha spirit." We are sick and tired of being treated like second class citizens in our own home. Hawaii's basic needs to its own citizens should above all come first. Hawaii needs to stop prioritizing profits over the well being of its population. Hawaii deserves better.

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 6:37:42 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleo Kamai	Individual	Oppose	Written Testimony Only

Comments:

kū‘ē!

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 7:17:19 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Au	Individual	Oppose	Written Testimony Only

Comments:

'A'ole House Bill 1385, this bill catering to corporations and hotels. The Bill 1385 is a violation of the State of Hawai'i's fiduciary responsibility to manage these lands for the "benefit of native Hawaiians" but it prioritizes the needs of corporations above that of the public. "Ceded" lands should not be on the table for century-long or longer leases until kānaka maoli claims to such lands are addressed and resolved. This bill removes important legal protections against private land grabs of public and "ceded" (a.k.a. stolen) Hawaiian lands. This bill gives politically connected private entities even more opportunities to exert their influence over the disposition of our public lands, to the detriment of the public interest.

'A'ole House Bill 1385

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 7:38:31 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
nicole collins	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition of hb 1385. why is lease extension even being considered an option when our people are leaving hawaii. Theres no housing for our people to be here but this bill gets introduced to protect and invite more foreign interestes? Im not understanding this legislations fight for a better hawaii, sounds more like deeper pockets for self interest. Do not allow further desecration to aina by promoting this bill into action. Ceeded lands that belong to the native people being suffocated out of their home deserve protection and this bill is doing the exact opposite. As im sure there will be more opposition testimonies I will keep this short to insist this bill gets shut down immediately. I oppose hb1385

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 7:39:05 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
melissa tomlinson	Individual	Oppose	Written Testimony Only

Comments:

Absolutely No. do not support this bill. This is unacceptable to even be suggested. It's corruption is clear as day and no one with any ethical principals should support it. Kānaka Maoli must have their land returned, period. Watching from the continent all the harm continuously happening to Hawai'i and Kānaka is heart breaking, daily. I've completely lost any kind of support I may have once had in u.s. government because of several reasons including what has happened and continues to happen to Hawai'i And Kānaka Maoli/O'iwi because of the illegal occupation that has persisted for 130 years. I do not condone the occupation and believe the only correct course of action is to demilitarize Hawai'i, including ending their leases. Too much Trauma has occurred in the name of profits; development, and the interests of foreign business. Are you kidding a wave pool in Hawai'i?! Ridiculous on its own, absolutely violent and absurd when you consider what is happening at Red Hill. It's time, it's been time 130 years is too long and accountability and reconciliation must occur, the restoration of the Hawaiian Kingdom is necessary not just for Hawai'i and Kānaka, which should have always been enough, but also for the world. The u.s. must deoccupy. This bill's intentions are not rooted in aloha 'āina, this bill is clearly not considering the most marginalized peoples in their own homelands, this bill is remenisciant and a reflection of the businessmen that violently overtook a nation for their own interests/pleasures/profits causing genocide that is ongoing, this bill is genocide. You must not support this bill, you mustn't. Absolutely unaccepatable that it is even being considered and voted on. Whatever has allowed this to even make the floor should be addressed. We are furious and pained at the continued harm Hawai'i And Kānaka Maoli/Ō'iwi face daily because of the violence brought by the United States that it isn't even legally a part of. I wholeheartedly oppose this bill.

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 7:59:01 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ashlie McGuire	Individual	Oppose	Written Testimony Only

Comments:

Keep Hawaiian lands in Hawaiian hands. The entire tourism industrial complex is a scourge to Hawai'i, destroying our natural resources and pricing native Kanaka Maoli out of their home lands. It's despicable and shameful. I strongly oppose lifetime leases for hotels and resorts-get Hawaiians back in the land and housed FIRST

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 8:10:02 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Olan Leimomi Fisher	Individual	Oppose	Written Testimony Only

Comments:

Aloha leaders of Hawai'i,

I strongly OPPOSE HB1385, please defer this measure! We keep seeing sneaky measures like this one trying to get rid of the already-long 65 year lease restrictions. **All I see is Opposing & Critical testimony - how has this measure made it this far??** *Even DLNR is opposing saying this measure is not necessary or in the best interests of the State!* Who would be benefiting from this measure besides private corporate interests?? If our elected legislators aren't protecting & promoting the needs & concerns of our local community FIRST, then who will??

The currenty 65 year lease terms are already extremely generous & essentially alienate these lands for a full generation at a time - 65 years is a LONG TIME & so much can happen during that time. **Please DEFER this measure!**

Mahalo nui for all the good work you folks do! We sincerely appreciate your aloha, time, & efforts.

Aloha aina, aloha no,

Olan Leimomi Fisher, Pupukea, O'ahu

HB-1385-HD-2

Submitted on: 3/15/2023 9:00:28 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Kamalani	Individual	Oppose	Written Testimony Only

Comments:

Prioritize the Locals and Hawaiians!!!!

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 9:18:26 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Hunt	Individual	Oppose	Written Testimony Only

Comments:

We need to change our thinking and protocols on lease renewals.

Cultural, Environmental, and Economic conditions, priorities, needs, and stresses simply demand it.

HOUSE COMMITTEE ON WATER AND LAND
Hawaii State Capitol
415 Beretania Street
Honolulu, Hawaii 96813



Aloha Chair Linda Ichiyama and Vice Chair Mahina Poepoe

I am opposed to HB1385 for the following:

- Crown/Ceded/Public lands should not be privatized.
- It is insane to create an autonomous adhoc working group of unpaid volunteers not accountable to any elected official (Governor or Mayor) or their designated representative.
- Adding this new decision-making body will further blur the lines of authority and responsibility between the Department of Land and Natural Resources, Office of Hawaiian Affairs, and the County of Hawaii.
- Authority to extend 65-year leases, as written, is nothing more than legalized theft holding our future Kanaka Maoli generations hostage to private interests by removing current legal protections.
- I vehemently disagree with provisions allowing leases to be extended based on political affiliation and who is in power.

This bill needs to be stricken off the books it has already languished for several years.

Sincerely

William L Kapaku Jr

LATE

HB-1385-HD-2

Submitted on: 3/15/2023 9:36:46 AM

Testimony for WTL on 3/15/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mialisa Otis	Individual	Oppose	Written Testimony Only

Comments:

'A'ole land swap. The land belongs to the people of Hawai'i.