

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
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BOARD OF LAND AND NATURAL RESOURCES
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson**

**Before the House Committee on
FINANCE**

**Tuesday, March 3, 2026
10:00 AM
State Capitol, Conference Room 308**

**In consideration of
HOUSE BILL 2616, HOUSE DRAFT 1
RELATING TO THE BANYAN DRIVE-MAKAOKŪ COMMUNITY DISTRICT**

House Bill 2616, House Draft 1 proposes to establish the Waiiaka Community Development District and establish the Waiiaka Community Development District Special Fund to provide the Hawaii Community Development Authority (HCDA) with the consistent resources necessary to improve and safeguard the area. It also specifies the powers and duties HCDA as it relates to the new development district and amends the composition of HCDA to include representatives of the new development district and appropriates funds. **The Department of Land and Natural Resources (Department) appreciates and supports this measure.**

The Department recognizes that the Waiiaka peninsula, which includes Banyan Drive and was historically known as Makaokū, is an area of significant cultural and historical importance and is in a strategic area that would make it a primary center for community activities and tourism that supports the State's cultural identity and economy. Further, the Department acknowledges the frustration over the current state of the area and recognizes the need for and importance of revitalizing and redeveloping the area. The Department notes that it is actively working with HCDA on a master plan for the proposed development district.

As a majority of the lands within the proposed development district are owned by the State, the Department supports this measure due to its potential to address significant costs associated with the redevelopment of the area and appreciates that this measure incorporates comments we provided on a similar measure last session.

Mahalo for the opportunity to comment on this measure.



OFFICE OF HAWAIIAN AFFAIRS

TESTIMONY WITH COMMENTS ON HOUSE BILL 2616 HD1
RELATING TO THE BANYAN DRIVE-MAKAOKŪ COMMUNITY DEVELOPMENT
DISTRICT

House Committee on Finance
Hawai'i State Capitol

Malaki 3, 2026

10:00am

Lumi 308

Aloha e Chair Todd, Vice Chair Takenouchi, and Members of the House Committee on Finance:

The Office of Hawaiian Affairs (OHA) provides **COMMENTS** on HB2616 HD1, which would create a new Waiākea Community Development District (District) within the Hawai'i Community Development Authority (HCDA), and establish a special fund "to improve and safeguard the cultural, economic, and social value of this vital area." The bill would also establish a Community advisory council for the District including a "lineal or cultural descendant with ties to Waiakea ahupua'a."

OHA respectfully recommends amendments to ensure a more accurate reflection of the District's history, and representation of Native Hawaiian interests given that the bulk of this district is comprised of former crown and government lands of the Hawaiian Kingdom. Specifically, OHA requests that the Committee amend the bill to: (1) name OHA as a member of the HCDA with jurisdiction over the District; (2) rename the district Makaokū specific to the bounds outlined in the bill; and (3) include a Makaokū lineal descendant as a voting member of the HCDA with jurisdiction over the District.

The District is Comprised of Former Crown & Government Lands That OHA is Constitutionally and Statutorily Mandated to Protect

To carry out the requirements of the Hawai'i Admission Act, Art. XII Sec. 4 of the Hawai'i State Constitution makes clear that the public land trust must be administered for the betterment of the conditions of native Hawaiians and for the general public. Further, OHA was created and charged with managing proceeds derived from the public land trust, pursuant to under Art. XII Secs. 5 and 6. Accordingly, OHA has a constitutional mandate to ensure that the state upholds its fiduciary obligations under the public land trust, including by acting with prudence and due diligence in making its trust corpus productive and maximizing its benefits for Native Hawaiian beneficiaries. Thus, insofar as the new District is made up of public land trust lands, OHA is willing and able to assist the HCDA in fulfilling the state's fiduciary obligations, by serving as a member of the HCDA with jurisdiction over the District.

Further, the bulk of the land managed held by the state in the public land trust, including land in the District, is government or crown land that was unlawfully seized in 1893 and then “ceded” by the Republic of Hawai‘i to the United States in 1898, “without the consent of or compensation to the Native Hawaiian people of Hawaii or their sovereign government[.]”¹ Given that Native Hawaiians have never relinquished their claims to this land corpus, and that “ceded” land may eventually serve as a land base for a Native Hawaiian self-governing entity, OHA has long sought to ensure that the state does not alienate these lands, and that it maintains these lands to ensure the corpus’ viability and availability for the future lāhui.²

Accordingly, because much of the new District consists of crown and government lands, providing OHA with a seat on the HCDA with jurisdiction over the District will help ensure that Native Hawaiian claims and interests are protected and that the environmental, cultural, economic, and other values of these and adjoining lands receive appropriate consideration.

Finally, OHA has a statutory duty to “[a]ssess the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conducting advocacy efforts for native Hawaiians and Hawaiians.” This includes maintaining physical, spiritual, and cultural connections to ‘āina, which does not simply translate to “land,” but reflects a deeper familial relationship between people and the living systems that surround us—as embodied in the Hawaiian origin story connecting the birth of humans with kalo (taro). Accordingly, OHA has continuously endeavored to advance its beneficiaries’ interests in maintaining the integrity of and Hawaiian connections to ‘āina and to uplift the cultural significance of wahi pana throughout our islands.

Makaokū is the Specific Lands Proposed for the Waiākea Community Development District and Should Be Included in the District’s Name.

As reflected in the ‘ōlelo noeau, “Ua hilo ‘ia ke aho a ke aloha”³ (“Braided with the cords of love), the ‘āina of Hilo carries a beloved history and cultural significance that should be thoughtfully uplifted in any redevelopment of the District, including through the choice of a culturally appropriate name. Currently, however, the place name Waiākea, encompasses a much larger area than the proposed district, as illustrated in the graphics below. OHA recommends the Committee acknowledge the area’s significant cultural and historical importance by reverting to the original language of HB2616, and in alignment

¹ P.L. 103-150 (1993).

² Haw. Const. Art. XI Sec. 1; Haw Const. Art. XII Sec. 4; *Ching v. Case*, 145 Hawai‘i 148 (2008).

³ Historic Hawai‘i Foundation Story Map (Dec. 10, 2021), <https://storymaps.arcgis.com/stories/b378b80d74054f51816d820581905ba4>.

with the bill title, to name this the “Banyan Drive-Makaokū Community Development District.”



Figure 1 – A high-level overview of the lands proposed to be part of the new District (outlined in orange).

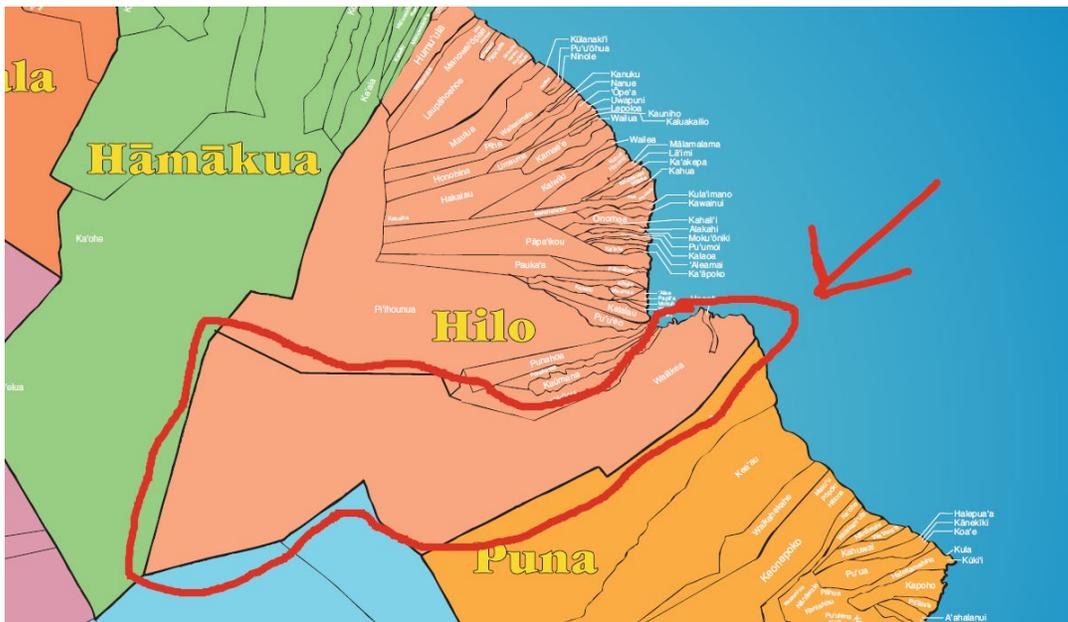


Figure 2- Ahupua‘a of Waiākea.⁴

⁴ Kamehameha Schools, “Nā Ahupua‘a a Moku o Hawai‘i,” available at <https://blogs.ksbe.edu/kmslc/files/2014/11/aaahawaii1.pdf>.

Recognition of Makaokū as distinctive lands is particularly salient when viewed alongside the more recent experiences of nearby Hawaiian homestead communities, which have borne disproportionate environmental and social impacts over time. The construction of the Hilo airport, which divided long-standing community connections, and the subsequent industrialization of surrounding areas continue to shape lived experiences today. A redevelopment approach that acknowledges this history offers an opportunity not only to honor place, but also to move forward in a way that is more balanced, restorative, and responsive to community well-being.

Makaokū Descendents Should Have Voting Membership.

HCDA has pledged their commitment to ensuring a community driven planning process, and their stated mission of “advancing community-focused redevelopment”⁵ HCDA’s recommendation adopted with the current version of this bill removed lineal descendant from voting members to place these important representatives in a community advisory council. This dilutes their role, and runs counter to HCDA’s commitment to a community driven plan.

Moreover, the broadened geographical lands associated with “Waiākea” further dilutes the role to best inform redevelopment of Makaokū. Instead of including further representation from the specific lands at issue, the broader inclusion of “Waiākea” could include individuals with no ties or expertise to the very lands being redeveloped. This further undermines the intent of the lineal descendant member. Again, these representatives do not represent the initial intent of including authentic and much needed representation from the Native Hawaiian community nor those with ties to Makaokū.

The best community driven process for this Banyan Drive District will involve appropriate representation by Native Hawaiian communities who know this area best – specifically Makaokū and not the general area of Waiākea – are most impacted by this redevelopment, and reside in the neighboring communities. Building off the unique nature of these lands being crown and government lands, and the rich history of this place, OHA reiterates its support for the inclusion of OHA and lineal descendant as voting members of the HCDA with jurisdiction over the District.

Accordingly, should the Committee choose to advance this measure, OHA recommends including the following amendments to 1) allow OHA and the Makaokū lineal descendant to serve as a members of the HCDA with jurisdiction over the District, 2) appropriately and specifically naming the district as proposed in HB2616, Banyan Drive-Makaokū Community Development District, and 3) for the governor to appoint the Makaokū lineal descendant member after consulting with OHA:

⁵ Hawai‘i Community Development Authority, 2025 ANNUAL REPORT TO THE HAWAI‘I STATE LEGISLATURE, REGULAR SESSION 2026, 4 (2025).

To accomplish the proposed amendments OHA respectfully recommends:

Amendments 1&2 : Adding OHA and the Makaokū members:

- (1) Amending the language beginning at page 3 line 6 to read as follows:
"PART . Banyan Drive-Makaokū Community Development District"
"'District' means the Banyan Drive-Makaokū community development district."

- (2) Amending the language beginning at page 11 line 18 to read as follows:
"All members except the director of finance; director of transportation; county directors of planning or planning and permitting; director of business, economic development, and tourism; chairperson of the board of land and natural resources; the two experts on transit-oriented developed appointed by the president of the senate and speaker of the house of representatives, respectively; the chairpersons of the respective senate and house of representatives standing committees having jurisdiction over transportation; the chairpersons of the respective senate and house of representatives standing committees having jurisdiction over housing; or where relevant, their respective designees; ~~and~~ the chairperson of the Banyan Drive Hawai'i redevelopment agency of the county of Hawai'i, or a designee, administrator of the Office of Hawaiian Affairs; and the cultural specialists and Makaokū lineal descendant member, shall be appointed by the governor pursuant to section 26-34."

Amendment3: Consulting OHA for Makaokū members:

- (3) Amending the language beginning on page 12, line 17, to read as follows:
"The president of the senate and the speaker of the house of representatives shall each submit a list of six nominees for each district to the governor to fill the two district representative position for each community development district[.], with the exception of the cultural specialist and Makaokū lineal descendant members. For the cultural specialist and Makaokū lineal descendant members, the governor shall appoint these members following consultation with the office of Hawaiian affairs, and shall consider any recommendations submitted by the office of Hawaiian affairs."

- (4) Amending the language starting at page 19 line 3 to read:

development district; and
“(J) The chairperson of the office of Hawaiian affairs, or
the chairperson’s designee; and
(K) A lineal descendant of the Makaokū area.”

While OHA prefers the amendments above, should the Committee move forward with the lineal descendant as part of the community advisory council rather than voting members, their input should be valued and incorporated as part of the plans, redevelopment, and work related to the District. To accomplish this, the following language would be amended as follows:

Amending the language starting at page 9 line 12 to read:

“(d) The guidance provided by the community advisory council shall be incorporated accurately and meaningfully to inform the district’s planning and development on balance with the unique historical and cultural significance of the lands in the district.”

Mahalo nui for the opportunity to testify. OHA respectfully urges this committee to incorporate our recommended amendments if it chooses to move forward with HB2616 HD1.



**HAWAII COMMUNITY
DEVELOPMENT AUTHORITY**

547 Queen Street, Honolulu, Hawaii 96813
Telephone: (808) 594-0300 Fax: (808) 587-0299
Web site: <http://dbedt.hawaii.gov/hcda/>

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

STERLING HIGA
CHAIRPERSON

CRAIG K. NAKAMOTO
EXECUTIVE DIRECTOR

Statement of
CRAIG K. NAKAMOTO
Executive Director
Hawai'i Community Development Authority
before the
HOUSE COMMITTEE ON FINANCE

Tuesday, March 3, 2026
10:00 a.m.
State Capitol, Conference Room 308 & Videoconference

In consideration of

H.B. 2616, H.D. 1
**RELATING TO THE BANYAN DRIVE-MAKAOKŪ COMMUNITY DEVELOPMENT
DISTRICT.**

Chairperson Todd, Vice Chairperson Takenouchi, and members of the Committee. The Hawai'i Community Development Authority (HCDA) **supports H.B. 2616, H.D. 1, with comments**, which establishes the Waiakea Community Development District within the Hawai'i Community Development Authority. This bill establishes the Waiakea Community Development District Special Fund. Specifies the powers and duties of the Authority as it relates to the new development district and amends the composition of the Authority to include representatives of the new development district. Establishes a Community Advisory Council (to the Waiakea community development district board) to provide guidance regarding the redevelopment of the Waiakea Community Development District and appropriates funds.

Sections 1 to 3 of the bill, as drafted, are acceptable to HCDA.

Section 4 of the bill appropriates funding and one full-time equivalent position. The funding and the position provided are essential for HCDA to implement this bill. The HCDA is working on creating a community master plan for the Waiakea area with input from a community advisory committee, as distinguished from the Community Advisory Council, mentioned above. Members of the community advisory committee

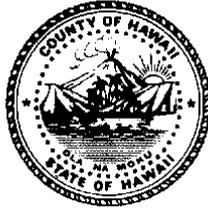
could transition to be members of the Community Advisory Council to provide guidance to the board.

Upon completion of a community master plan, HCDA must promulgate zoning rules, perform an environmental impact statement, and other necessary analysis.

Those efforts require funding and staff to complete.

Thank you for the opportunity to provide testimony.

C. Kimo Alameda, Ph.D.
Mayor



William V. Brillhante, Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director

County of Hawai'i ~ Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • Phone (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
Phone (808) 323-4444 • Fax (808) 323-4440

Testimony of
C. Kimo Alameda, Ph.D.
Mayor, County of Hawai'i

Before the House Committee on
Finance
Rep. Chris Todd, Chair
Rep. Jenna Takenouchi, Vice Chair

Tuesday, March 3, 2026, 10:00 a.m.
State Capitol Conference Room 308 & Videoconference

In consideration of
House Bill 2616, HD1
Relating to the Banyan Drive-Makaokū Community Development District

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee on Finance,

Mahalo for the opportunity to testify in strong support of House Bill 2616, HD1, which establishes the Waiākea Community Development District within the Hawai'i Community Development Authority and creates the Waiākea Community Development District Special Fund. Specifies the Authority's powers and duties relating to the new district and amends its composition to include representatives from the Waiākea Community Development District. Establishes a Community Advisory Council to guide the district's redevelopment efforts and appropriates funds.

This measure is a key step toward the long-term planning and revitalization of Banyan Drive. By creating a community development district, state and county efforts can better align to help attract investment, create quality jobs, and foster responsible redevelopment that preserves East Hawai'i's distinctive culture, environment, and unique community values.

We appreciate the Legislature's consideration of this measure. Mahalo for the opportunity to submit testimony in strong support of House Bill 2616, HD1.

C. Kimo Alameda, Ph.D.
Mayor



Benson Medina
Director

William V. Brillhante, Jr.
Managing Director

Dennis Lin
Deputy Director

DEPARTMENT OF RESEARCH AND DEVELOPMENT

25 Aupuni Street, Room 1301 • Hilo, Hawai'i 96720-4252
(808) 961-8366 • Fax (808) 935-1205
E-mail: chresdev@co.hawaii.hi.us

March 3, 2026

TESTIMONY IN SUPPORT

HEARING BEFORE THE
HOUSE COMMITTEE ON FINANCE

Tuesday, March 3, 2026
10:00 AM
CONFERENCE ROOM 308

TESTIMONY ON

HB 2616 HD1 Relating to Banyan Drive-Makaoku Community Development District

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Benson Medina, and I serve as the Director of the Department of Research and Development for the County of Hawai'i. I write today in **STRONG SUPPORT of HB 2616 HD1**, which would establish the **Banyan Drive-Makaokū Community Development District** under the Hawai'i Community Development Authority (HCDA), along with a dedicated special fund to support long-term planning, stewardship, and revitalization.

HB 2616 HD1 represents a rare and meaningful opportunity to align **economic development, cultural and historic preservation, and community enrichment** in one of Hawai'i Island's most iconic and historically significant corridors.

The Banyan Drive-Makaokū area is not only a place of scenic beauty and visitor appeal — it is also a space of cultural memory and community identity. For decades, this corridor has held great potential, yet it has faced persistent challenges related to long-term investment, coordinated planning, infrastructure needs, and stewardship responsibilities.

This bill provides a structure that can finally move the area forward in a way that is both **strategic and values-driven**.

From an economic development perspective, a thoughtfully revitalized Banyan Drive-Makaokū district can:

- Expand opportunities for **local job creation** and workforce participation
- Strengthen the visitor economy through a **higher-quality visitor experience**
- Support local entrepreneurs and small businesses tied to cultural, hospitality, and recreation sectors

- Increase the attractiveness of Hilo as a destination for **responsible, place-based tourism**

At the same time, HB 2616 supports what matters most to our residents — that redevelopment must protect and uplift the cultural and historic significance of the area. The bill’s approach creates an opportunity to balance **cultural enrichment, community uses, and economic activities**, rather than prioritizing one at the expense of the others.

This is the kind of long-term planning Hawai‘i Island needs: development that strengthens our economy while honoring place, preserving history, and ensuring community access and benefit.

For these reasons, the County of Hawai‘i Department of Research and Development respectfully urges the Committee to pass HB 2616 HD1.

Mahalo for the opportunity to provide testimony and for your leadership on this important measure.

Me ka ha‘aha‘a,

Benson Medina
Director, Department of Research and Development
County of Hawai‘i

C. Kimo Alameda, Ph.D.
Mayor

William V. Brillhante, Jr.
Managing Director

West Hawai'i Office
74-5044 Ane Keohokālole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563



County of Hawai'i
PLANNING DEPARTMENT

Jeffrey W. Darrow
Director

Michelle S. Ahn
Deputy Director

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

February 27, 2026

Testimony of
Jeffrey W. Darrow
Director, County of Hawai'i, Department of Planning
before the
HOUSE COMMITTEE ON FINANCE

Tuesday, March 3, 2026
10:00 a.m.
State Capitol, Conference Room 308
In consideration of
HOUSE BILL NO. 2616 HD1
RELATING TO THE BANYAN DRIVE-MAKAOKŪ COMMUNITY DEVELOPMENT
DISTRICT

Chair Todd, Vice Chair Takenouchi, and Members of the House Committee on Finance.

The County of Hawai'i Department of Planning respectfully submits testimony in **support** of HB 2616 HD1, which establishes the Waiākea community development district under the Hawai'i Community Development Authority (HCDA), encompassing the Banyan Drive and Waiākea Peninsula area, including Moku Ola (Coconut Island).

Banyan Drive and the Waiākea Peninsula (Makaokū) are vital cultural and economic assets that face urgent needs, including aging infrastructure, public safety concerns, declining banyan health, inadequate lighting, and unsafe pedestrian conditions.

HB 2616 HD1 provides a coordinated framework for revitalization that aligns with county and state plans, protects cultural, archaeological, and historic resources, incorporates sea level rise and climate resilience, and improves mobility, including safer pedestrian and bicycle circulation.

The bill's special fund and advisory council will support long-term stewardship and meaningful community participation. For these reasons, the County of Hawai'i Department of Planning supports HB 2616 HD1 and respectfully urges its passage.

Thank you for the opportunity to comment on this measure.

HB-2616-HD-1

Submitted on: 3/2/2026 5:27:56 PM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Councilmember Tamara Paltin	Individual	Comments	Written Testimony Only

Comments:

Aloha e Chair and members,

Please restore the voice of lineal descendants to have a voice on the Hawaii Community Development Authority. Please support community supporting community. We are seeing many elected officials who are not born and raised in the areas they represent serving, many appointed people who are not connected serving in important roles, equally important if not more important is the voice, and 'ike of lineal descendants. Please ensure they have a seat at the table to share traditional ecological knowledge especially here in Hawaii nei as more and more Hawaiians are being priced out of their ancestral homes. Much of the knowledge they possess cannot be found on the internet and comes from lived experience through generations which if they are willing to provide and be a part of HCDA should be welcomed.

Mahalo,

Tamara Paltin

HB-2616-HD-1

Submitted on: 3/1/2026 10:21:43 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
James McCully	Banyan Drive Hawaii Redevelopment Agency	Comments	Remotely Via Zoom

Comments:

BANYAN DRIVE HAWAI'I REDEVELOPMENT AGENCY

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720

Phone (808) 961-8288 • Fax (808) 961-8742

Hawai'i County is an Equal Opportunity Provider and Employer

February 28, 2026

Chair Rep. Chris Todd

Vice Chair Rep. Jenna Takenouchi

Members of the FINANCE Committee:

The Banyan Drive Hawaii Redevelopment Agency (BDHRA) offers the following comments on HB2616 HD1.

The Hawaii Community Development Authority (HCDA) provides the statutory framework that ensures that the transfer from the Dept. of Land & Natural Resources (DLNR) to HCDA will maintain the public trust responsibilities. This is key to the revitalization of the Waiakea peninsula. HB2616, HD1 seeks to provide for efficient implementation with defined lines of authority. HCDA has been successful with complex projects in the past, based on it's capacity to couple efficiency with transparency.

The Agency believes that decisions affecting the Waiakea Peninsula and the broader East Hawai'i community should include cultural specialists, lineal descendants and a representative from small businesses. This participation strengthens community involvement, improves long-term stewardship outcomes, and reinforces public trust. It is most important for the new district to enhance the public trust through integrating culture throughout the redevelopment planning. BDHRA supports a place-based governance, often known as "Home Rule", which ensures accountability and helps to avoid conflicts through the active participation of a range of stakeholders.

The establishment of the size and makeup of the new board and advisory committee will no doubt be fully debated through the legislative process. This Agency believes the preferred outcome would be best served through a clear establishment of the appointment criteria, the policy objectives that inform the makeup of these committees, and that there is a deliberative process that provides oversight.

The Waiakea Peninsula has a complex cultural, economic, and environmental history. Governance structures that prioritize local inclusion will always improve redevelopment outcomes. Clarity in statutory drafting will be important to ensure efficient implementation and avoid ambiguity regarding qualifications and authority.

The Agency respectfully submits these comments for your consideration.

Mahalo for the opportunity to provide input.

James McCully, Chairman

BANYAN DRIVE HAWAI'I REDEVELOPMENT AGENCY

HB-2616-HD-1

Submitted on: 3/2/2026 1:01:17 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoeuluwehianuhea Case	Na Wai Hoola Nui Laau Lapaau Foundation/ Waiakea Crown Lands Heirs	Oppose	Remotely Via Zoom

Comments:

Position: Strongly Oppose HB2616 HD1

Aloha Chair Representative Chris Todd, Vice Chair Representative Jenna Takenouchi and members of the Committee:

My name is Kanoeuluwehianuhea Case, Co-founder of (Emerging) Na Wai Ho'ola Nui La'au Lapa'au Foundation in collaboration with Waiākea Ahupua'a Crown Land Heirs, Keaukaha Action Network and Truth For the People grassroots initiative standing in protection of Aloha 'Āina to protect our "Natural resources" otherwise known to Kanaka as our Na Akua, elemental beings from invasive developments. O Mauna A Wakea no ku'u Mauna, 'O Waimea Moku 'O Keawe mai au.

I offer this Opposition testimony as a Lineal Descendant of Moku O Keawe, My Mo'okuauhau from my Paternal Grandfather Donald Case Sr, I am a Descendant of 'Awini Valley whose Kūpuna stood guard to protect our King Kamehameha. My Paternal Grandmother Alma Iwalani (Keomalua) Case is a descendant of Waipi'o and Waimanu Valley, we are descendants of Kekuhaupi'o, fierce Warrior who trained Kamehameha.

From my Maternal side, I am a Descendant of Keawenuiaumi, Keawe'ikekahiali'iokamoku, Ke'eamoku, and Kalokuokamaile and Maka'aka Kamakaeheikuli, the firstborn son of Keōua Kalanikupuapa'īkalaninui Ahilapalapa, elder half-brother of Kamehameha I, through the line that preserves the House of Keōua Nui.

I say their names to honor them in every breath and every step as I live this earthly existence in the knowing that I will return in their presence upon departure to our spiritual realm. It is because they live through us And that is why I am here today again because we will no longer be bound by the confines of a system, political process, status Quo that has never truly served our people. I stand here today To honor the voices of our Kūpuna. I am here today to ask you to rectify the mistakes made along the way since 1893 so we may continue to heal as a people and community. Hawai'i is our home, and we deserve a say in decisions to be had. We know the committee

Chairs will have the last say so I kindly ask you today to please Honor the voices of our Kūpuna and make the decision which you will be able to feel at peace with.

I stand here today as a Lineal Descendant of Moku O Keawe and in solidarity with Lineal Descendants of Maka’oKū, Wāiakea Ahupua’a Crown Land Heirs.

We Strongly Oppose House Bill HB2616 HD1 in it’s amended State due to the following amendments made to the original draft to include:

2) Changing the name of the Banyan Drive-Makaokū Community Development District Special Fund to the Waiakea Community Development District Special Fund;

(3) Clarifying the boundaries of the Waiakea Community Development District;

(4) Deleting the proposed Banyan Drive-Makaokū Redevelopment Agency;

(5) Including the Chairperson of the Banyan Drive Hawaii Redevelopment Agency of the County of Hawaii, or a designee as a member of the Hawaii Community Development Authority, including as a voting member of the Authority for matters affecting the Waiakea Community Development District;

(6) Removing a lineal descendant of the Makaokū area as a voting member of the Hawaii Community Development Authority for matters affecting the Waiakea Community Development District;

(7) Requiring the Hawaii Community Development Authority to establish a Community Advisory Council, to consist of community stakeholders who are selected by the Authority and include at least one lineal or cultural descendant with ties to the Waiakea ahupuaa, who shall be selected with input from the Office of Hawaiian Affairs, to provide guidance and ensure effective citizen participation in the redevelopment of the Waiakea Community Development District;

relating to the Banyan Drive-Makaokū Community Development District / Waiākea Peninsula which seeks to formally NOT RECOGNIZE THE IMPORTANCE OF Lineal Descendants of Makaokū in decision-making, restore cultural recognition and protection of this wahi pana. FURTHER MORE HB2616 HD1 VIOLATES THE BIRTHRIGHT OF LINEAL DESCENDANTS BY REMOVING THEM FROM THE ORIGINAL INTENT AND HB Bill 2616 heard in the WAL committee which PASSED WITH THESE DISRESPECTFUL AMENDMENTS Provided in Representative Hashems Committee Report to the Honorable Nadine K. Nakamura, Speaker, House of Representatives

Thirty-Third State Legislature

Regular Session of 2026

State of Hawaii.

This is a reminder that Makaokū, is not merely a NAME TO BE REMOVED OR a redevelopment area on a checklist and must be treated with respect and dignity to its cultural significance. These amendments fail to recognize Makaokū and honor this living wahi pana as kūpuna, an 'āina rich with cultural history, genealogy, and ongoing stewardship amongst the Lineal Descendants of Makaokū who have stewarded this 'Āina for generations. They are formally recognized as Waiākea Ahupua'a Crown Land Heirs (WACH), royal patents of this wahi pana exist through their Ohana for generations and being ignored.

Makaokū is a culturally rich and historically significant wahi recognized by WACH (Direct Lineal Descendants) as their Home established in their Mo'okuahau, ceremony, and ongoing Kuleana to protect, restore, and re-establish hope while strengthening our communities at large while we acknowledge that this wahi and our people must Heal.

The original House Bill HB2616 which I testified in person in support of the original Bill to the House Committee WAL on Tuesday, 02-17-26 9:00AM in House conference room 411 VIA represented an opportunity to:

- Restore cultural recognition to Makaokū while participating in the Economic revival of this area.
- Protect sacred and historic sites while working with Stake Holders in restoring what has been neglected and loss.
- Ensure decision-making authority includes Lineal Descendants directly connected to the land to assure community voices have an EQUAL SAY.
- Align development practices with Hawai'i's constitutional and public trust responsibilities.

THE ABOVE MENTIONED AMENDMENTS FAIL TO ACKNOWLEDGE THE ORIGINAL INTENT OF HB2616 AND ITS PURPOSEFUL CREATION.

Direct Lineal Descendants who hold title to land in the area have a right to have a voice and a vote! To disregard this is a violation in so many ways and could incur legal ramifications for the State who will be held liable.

Specifically, By removing lineal descendants as voting members of the governing authority over Waiakea Ahupua'a Crown and ceded lands, HB2616 HD1 in its current State raises serious constitutional, statutory, and trust law concerns. Article XII, Section 7 of the Hawai'i Constitution requires the State to protect the customary and traditional rights of Native Hawaiians, which includes meaningful participation in decisions affecting ancestral lands. Removing Lineal descendants and down grading them to a purely advisory role fails to meet this constitutional obligation and does not provide adequate protection for cultural practices, burial sites, or historic resources within the district.

In addition, the State holds these lands in trust for the benefit of Native Hawaiians and the public under the public trust doctrine, the Hawai'i Admission Act, and state trust statutes. Excluding

lineal descendants from decision-making authority while transferring control to a state development agency and county redevelopment officials creates a governance structure that marginalizes trust beneficiaries and concentrates authority in non-beneficiary entities. This restructuring risks violating the State's fiduciary duties as trustee by prioritizing economic redevelopment without sufficient cultural safeguards or beneficiary consent. OHA acknowledged this in their testimony/comments regarding SB2001 to the Senate committees WLA/EDT public hearing on 02-19-26 1:02PM in which I testified via zoom where in which they advocated for Lineal Descendants to have a vote.

Furthermore, delegating land use and zoning authority to the Hawai'i Community Development Authority without guaranteed descendant representation raises administrative law concerns, as it removes community-based oversight and replaces it with centralized authority lacking direct cultural accountability. This structure increases the likelihood of future litigation under constitutional, trust, and environmental review laws, including challenges based on inadequate cultural impact analysis and failure to ensure meaningful participation. Restoring lineal descendant voting authority is therefore not merely a policy preference, but a necessary corrective measure to align this bill with Hawai'i's constitutional mandates, trust obligations, and established principles of land stewardship.

Hereby, Lineal Descendants myself included propose the following amendments for HB2616 HD2 Immediately upon the deliberations of the Finance Committee today:

1. Amend the bill to reinstate lineal descendant voting rights on the HCDA by re-inserting the following language:

“For matters affecting the Waiakea Community Development District, the Hawai'i Community Development Authority shall include as a voting member at least Two lineal descendants with direct genealogical ties to the Waiakea Ahupua'a, selected by the Governor in consultation with the Office of Hawaiian Affairs upon their consultation with Direct Lineal Descendants of Waiākea Ahupua'a Crown Land Heirs who can provide authenticity of their rights to have a vote and whom can be recognized by community organizations in direct affiliation to these heirs.”

2. Further amend the bill to provide that:

Amend the bill as follows:

By adding a new subsection to require that the establishment of any Community Advisory Council be conditioned upon lineal descendant representation, to read as follows:

“The establishment of a Community Advisory Council shall be contingent upon the inclusion of at least one lineal descendant as a voting member of the Hawai'i Community Development Authority for matters affecting the Makaokū–Waiākea Community Development District. In the absence of such representation, no Community Advisory Council shall be created.

If a Community Advisory Council is established, the council shall include not fewer than two and not more than three lineal descendants with genealogical and cultural ties to the Makaokū–

Waiākea ahupua‘a, selected in consultation with the Office of Hawaiian Affairs and recognized community organizations.

An advisory body without lineal descendant participation in decision-making fails to provide meaningful community involvement or adequate protection for cultural, historic, and traditional practices.”

TO BE CLEAR, IF THERE IS NO LINEAL DESCENDANT REPRESENTATION ON THE HCDA, THE ADVISORY COMMITTEE HAS NO FUNCTION, WE DO NOT CONSENT TO AN ADVISORY COMMITTEE WITHOUT A LINEAL DESCENDANT ON HCDA.

HB2616 HD1 is legally vulnerable unless corrected!! And I oppose this draft as it is currently written less the stated “suggested” amendments are restored!

WE ARE NOT STAKE HOLDERS WE ARE RIGHTFUL STEWARDS OF THIS WAHI PANA MAKAOKŪ.

I respectfully urge the Committee to restore lineal descendant voting authority in this measure. Without it, HB2616 HD1 risks violating Article XII, Section 7 of the Hawai‘i Constitution and the State’s public trust obligations by excluding beneficiaries of Crown and ceded lands from meaningful participation in governance leaving them with no voice and no vote. Advisory status alone is insufficient to protect cultural and traditional rights. Restoring descendant representation is necessary to cure these legal defects within both the HCDA and within the proposed Advisory Committee to ensure redevelopment proceeds in a manner consistent with Hawai‘i’s constitutional and fiduciary duties.

Mahalo nui,

Kanoeuluwehianuhea Case

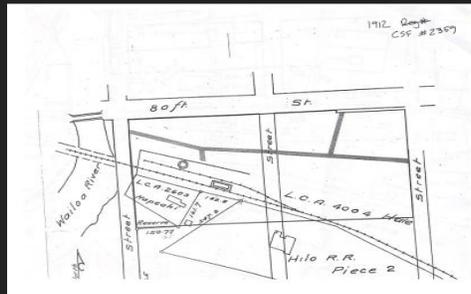
Na Wai Ho‘ola Nui La‘au Lapa‘au Foundation

Waiākea Crown Land Heirs

Keaukaha Action Network

Truth for the People

Napeahi & Waiakea Ahupua'a Crown Land Heirs



STRONG OPPOSITION TO HB2616 HDI

As it was amended on February 17, 2026:

Your Committee has amended this measure by:

- (1) Changing the name of the Banyan Drive-Makaokū Community Development District to the Waiakea Community Development District;
- (2) Changing the name of the Banyan Drive-Makaokū Community Development District Special Fund to the Waiakea Community Development District Special Fund;
- (3) Clarifying the boundaries of the Waiakea Community Development District;
- (4) Deleting the proposed Banyan Drive-Makaokū Redevelopment Agency;
- (5) Including the Chairperson of the Banyan Drive Hawaii Redevelopment Agency of the County of Hawaii, or a designee as a member of the Hawaii Community Development Authority, including as a voting member of the Authority for matters affecting the Waiakea Community Development District;
- (6) Removing a lineal descendant of the Makaokū area as a voting member of the Hawaii Community Development Authority for matters affecting the Waiakea Community Development District;
- (7) Requiring the Hawaii Community Development Authority to establish a Community Advisory Council, to consist of community stakeholders who are selected by the Authority and include at least one lineal or cultural descendant with ties to the Waiakea ahupuaa, who shall be selected with input from the Office of Hawaiian Affairs,

to provide guidance and ensure effective citizen participation in the redevelopment of the Waiakea Community Development District;

- (8) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2616, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2616, H.D. 1, and be referred to your Committee on Finance.

I Terri Napeahi a Lineal Descendant of the Waiākea Ahupua‘a hereby **STRONGLY OPPOSE** the amendments above. We demand that the language of Lineal Descendants amendment in item No. 6 to be put back in its original submission of HB2616.

It is with tremendous **disappointment** that HCDA, Banyan Drive Hawaii Redevelopment Agency and other Legislators, saw it important to **REMOVE LINEAL DESCENDANTS** from the bill we authored, with Chair Representative Christopher Todd. There are no words to justify the action of these entities, as they sought to eliminate the opportunity PLANNERS could have to ensure the by-in of community with respect and honor as future decision making will be made for the area.

We see it **discriminatory** and **racist** to suggest that the Lineal Descendants who have been a stakeholder of the planning of the Banyan Drive initiatives for several years, and as Mr. Craig Nakamoto in a Senate hearing suggested that Hawaiian Lineal Descendants be in an Advisory Group doing all the heavy lifting in Planning, but to implicate that (Hawaiians) should not have the same powers as others in the PUBLIC process to VOTE!

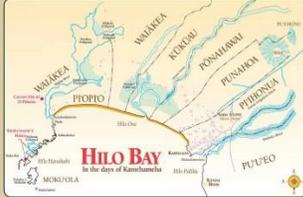
I am a graduate of the University of Hawai‘i College of Business and Economics with an emphasis in Marketing and Business Management. I am an entrepreneur and an owner of a Company promoting authentic Hawaiian products. We suggested that they reconstruct a replica of Heiau Kūaka‘anau‘u of Makaokū. We were participants of the Waiākea Assessment completed by PBR Hawai‘i LLC, and they mentioned that the Planners should prioritize the reconstruction of Kūaka‘anau‘u. We see the future Planning of the area, creating a “PIKO” or center point for the area, with the emphasis of recognizing the history and ancient ancestral memory, in genealogy and mo‘olelo passed down through generations, which continues to be told by the families who continue to live for hundreds of years in the Waiākea Ahupua‘a.

Our team has prepared a sophisticated plan for the reconstruction of the Heiau and the complex that would attract people to stay, enjoy and experience the ANCIENT HISTORY and SIGNIFICANCE of this CROWN LAND, where NĀ ALI‘I reside.

NOTE: PBR HAWAII LLC banyan drive assessment report 2023

Pōhaku o Kūaka‘anau‘u Heiāu

Since ancient times, Hilo has been renowned for its rain, fertile land, fishponds, and canoe landings. Many generations of ali‘i (chiefs) resided here, making Hilo an important political, religious, and economic center on Hawai‘i Island. Several heiāu (temples) were constructed along Hilo Bay, including Kūaka‘anau‘u Heiāu at Maka‘ōku near the island of Moku‘ōia (Coconut Island).



This heiāu had a unique pyramidal form with a thatched structure and middle chamber where ceremonies were performed. As a luakini heiāu, sacrifices would have been offered to the god Kū for success in war. The heiāu was also associated with the pu‘unohia (place of refuge) located on Moku‘ōia. The small island also served as a lā‘au lapau or place of healing.

Kūaka‘anau‘u Heiāu was dismantled in the 1860s by Capt. Thomas Spencer and the rocks were used to build a wharf at Ōhale near the mouth of the Waioa River. Pōhaku (rocks) from the middle chamber were taken by the Napeahi family and 23 stones were placed on their property. This land was acquired in 1923 for development of a small boat harbor in what is now Waioa River State Park.



Artist's Rendering of Kūaka‘anau‘u Heiāu

It is uncertain when Kūaka‘anau‘u Heiāu was built. There are no known drawings of the heiāu and this rendering is based on an interview of a fisherman named Kahaku and his brother Ha‘o by Theodore Kelsey in the early 1900s.

"The heiāu of Kūaka‘anau‘u on the land of Maka‘ōku was a pyramidal structure of two platforms; the lower about six feet high, the upper about four feet high. A room occupied the central portion." - From the interview of Kahaku by Kelsey



David Napeahi (left) and his father-in-law, George Kekaula, pose with Makaokuikalani, a ceremonial stone from Kūaka‘anau‘u Heiāu.

Makaokuikalani

The most important stone saved when Kūaka‘anau‘u Heiāu was dismantled is called Makaokuikalani. This stone was used in the ceremonial middle chamber of the heiāu and possesses a great deal of mana (power).



Waioa River State Recreation Area
STATE OF HAWAII / Department of Land and Natural Resources / Division of State Parks



Reconstruction of Kūāka‘anu‘u

Waiākea Ahapua‘a Crown Land A

1. Introduction of Napeahi
2. PAST -

History and Cultural significance of Waiākea Ahapua‘a

1. PRESENT -

Waiākea Peninsula Redevelopment to include the reconstruction of Kūāka‘anu‘u.

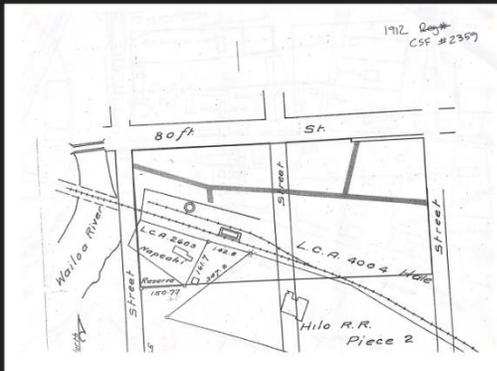
1. FUTURE -

Waiākea Redevelopment on Ceded Lands (Crown Lands)



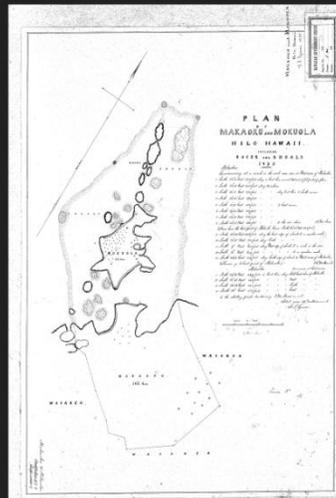
Waiakea was retained as personal land by Kamehameha 1. Later held by Chiefess Kaunohua, granddaughter of Keawemauhili who later surrendered it in the Mahale of 1848.

Napeahi & Waiakea Ahupua'a Crown Land Heirs



Wahi Pana of Waiakea

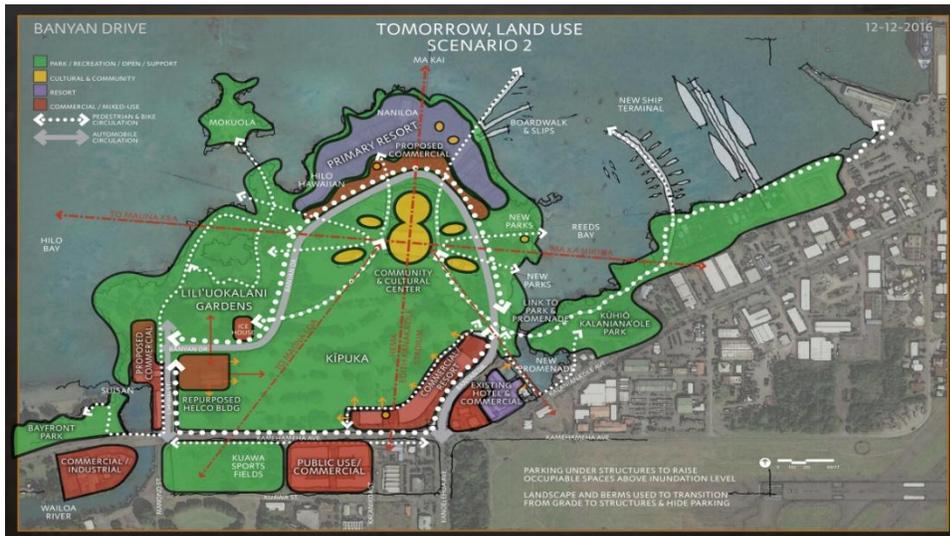
Makaok'u & Mokuola - Kuaka'ananu'u Heiau



FUTURE

- Waiakea Ahupua'a Crown Land Heirs be involved with conceptual design, process and consulted on matters of development
- The County of Hawaii requires permitting conditions for the use of Native Hawaiian Plants and ensures the project details to include Native Hawaiian Plants.
- The traditional place names of Waiakea Ahupua'a be publicly utilized and an educational board be created with displaying of traditional practices, sports, and use of area.

PRESENT





Kūaka‘ananu‘u Heiau – Napeahi Cultural and Educational Center – Amenities, Layout, Flow & Proposal

- **Core Cultural & Educational Traditional Structures**
- Hale Halawai – (Gathering Hale)
- Cultural Protocol Buffer (Wahi Pana)
- Interpretive pathways (‘Ala Ho‘ike)
- Native Plant Garden – (Kīpuka mea kanu – La‘au Lapa‘au)
- Cultural Demonstrations Hale
- Hale Ku‘i Poi or Imu Training Area
- Archival & Research Room
- Exhibit Hall & Interpretive Center
- Keiki Learning Zone
- **Environmental & Cultural Landscape**
- Coastal Cultural Area
- Wahi Maluhia (Reflection Garden)
- View Corridor Preservation
- **Support Structures**
- Visitors Orientation Center
- Small Performance / Presentation stage
- Parking (Set Back)
- Stewardship Restoration Hub (Hale Malama)
- Emergency / First Aid Area

I have a business and economics background and presently work as a City Planner. We have licensed contractors who are working on the site-plan, floor plan and elevation plans, along with licensed builders, to reconstruct the heiau and the entire complex. We are ready to build the heiau with appropriate protocol. We are ready to move; we are just asking for space to build and have a VOTING VOICE at the DECISION TABLE!

Mahalo a nui loa!

Please OPPOSE THE AMENDMENTS TO HB2616 HD 1 and PUT BACK LINEAL DESCENDANTS AS A VOTING MEMBER TO THE HCDA AUTHORITY GROUP!



*Testimony of
Mufi Hannemann
President & CEO
Hawai'i Lodging & Tourism Association*

*Committee on Finance
Tuesday, March 3, 2026*

HB 2616– RELATING TO THE BANYAN DRIVE-MAKAOKŪ COMMUNITY DEVELOPMENT DISTRICT

Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

The Hawai'i Lodging & Tourism Association (HLTA), representing hotels and lodging operators statewide, submits this testimony in strong support of HB 2616 which establishes the Waiākea Community Development District and provides a framework for the revitalization of the Banyan Drive–Makaoku area.

As the state's largest private sector tourism organization, representing nearly 50,000 hotel rooms, and 40,000 lodging employees, HLTA is committed to maintaining a strong and flourishing tourism industry to keep our economy strong and our state moving forward.

Banyan Drive and the surrounding Waiākea Peninsula have long served as one of Hilo's most iconic visitor corridors and a gateway to East Hawai'i. Its proximity to Hilo Bay, the cruise ship terminal, and major cultural and community events such as the Merrie Monarch Festival uniquely positions the area as both a welcoming entry point for visitors and an important gathering place for residents. However, persistent issues related to blight, public safety, aging infrastructure, and declining landscape conditions have limited the area's ability to function as a true cultural and economic asset.

From a tourism industry perspective, revitalizing this district is essential to strengthening Hilo's visitor economy and ensuring that the island of Hawai'i remains competitive with other destinations. A clean, safe, and attractive waterfront district encourages longer stays, increased visitor spending, and repeat visitation. Investments in pedestrian amenities, lighting, landscaping, and public facilities will enhance the visitor experience while also improving quality of life for the surrounding community.

HLTA strongly supports the bill's focus on cultural stewardship and community engagement. The establishment of a community advisory council and the requirement that redevelopment efforts consider cultural, historical, and environmental values help ensure that revitalization is not only economically successful, but also respectful of the area's significance and identity. This approach aligns

with the visitor industry's broader commitment to destination management and to ensuring that tourism growth complements community priorities.

Importantly, HB 2616, HD1 recognizes that successful revitalization requires a stable and coordinated governance and funding structure. By placing the district under the Hawaii Community Development Authority and creating a dedicated special fund, the bill provides a mechanism for long-term planning, maintenance, and reinvestment. This predictability is critical for restoring confidence among businesses, residents, and visitors alike.

For the visitor industry, the Banyan Drive–Makaoku area represents more than a hotel corridor. It is a symbol of Hilo's sense of place and a vital link between tourism, culture, and the local community. Reinvesting in this district will help restore pride in place, improve safety and accessibility, and reinforce tourism as a driver of opportunity for East Hawai'i residents.

For these reasons, HLTA supports HB 2616, HD1, and respectfully urges the Legislature to continue prioritizing the revitalization of the Waiākea Peninsula and Banyan Drive as part of the State's broader destination management and economic development strategy.

Mahalo for the opportunity to provide testimony in support.

Mufi Hannemann
President & CEO
Hawai'i Lodging & Tourism Association

HB-2616-HD-1

Submitted on: 3/1/2026 6:57:23 PM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG STRONG SUPPORT!!!

EXTREMELY IMPORTANT TO GET THE BANYAN DRIVE AREA BACK TO ITS GLORY DAYS! MAHALO!

Glen Kagamida, Hilo

HB-2616-HD-1

Submitted on: 3/1/2026 7:44:04 PM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Pua Case	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Representative Chris Todd and Vice Chair Representative Jenna Takenouchi and members of the Finance Committee,

I, Pua Case, submit this testimony in Strong Support of House Bill HB2616 HD2 relating to the Banyan Drive-Makaokū Community Development District / Waiākea Peninsula seeks to formally include Lineal Descendants of Makaokū in decision-making, restore cultural recognition and protection of this wahi pana. The proper place name, Makaokū, also known by the state-led proposed development as Waiākea Peninsula Community Development Plan, is not merely a redevelopment area and must be treated with respect and dignity.

Makaokū is honored as kūpuna, an ‘āina rich with cultural history, genealogy, and ongoing stewardship amongst the Lineal Descendants of Makaokū known as Waiākea Ahupua’a Crown Land Heirs. This predates the Hawai’i State Legislature Act 153, session laws of Hawai’i 1976 codified in chapter 206E-3 of the Hawai’i revised statutes establishment of the Hawai’i Community Development Authority (HCDA) and the State of Hawai’i itself.

I offer this testimony in solidarity with the Lineal Descendants of Makaokū, cultural practitioners, and community advocates who maintain deep genealogical, cultural, and spiritual ties to this ‘āina. House Bill HB 2616 HD2 represents an important and necessary corrective step toward restoring trust, honoring ‘ike kūpuna, and ensuring that development planning is grounded in place-based stewardship on designated Crown Lands in which the HCDA has proposed this re-development. By including Lineal Descendants, HB2616 HD2 gives an opportunity for the State of Hawai’i to uphold its fiduciary duty and public trust obligations to protect our Crown Lands.

Makaokū is a culturally rich and historically significant landscape, recognized by Lineal Descendants as a place of genealogy, ceremony, and ongoing Kuleana to protect, restore, and re-establish hope while strengthening our communities at large.

This bill appropriately acknowledges that:

- Lineal Descendants of Makaokū maintain genealogical ties to the ‘āina
- They carry kuleana to protect cultural and natural resources
- They hold ‘ike that cannot be replicated through consultants or advisory groups

By formally including Lineal Descendants of Makaokū in governance, planning, and decision-making, this measure moves Hawai‘i away from extractive and exclusionary development practices and toward a model of pono and restorative land management. Meaningful inclusion of Lineal Descendants in the deliberations of Crown Lands is not symbolic-It is Essential. Development that excludes them risks repeating historic patterns of dispossession and cultural erasure.

Development that prioritizes Lineal Descendants in these developmental planning affirms cultural continuity, community well-being, and responsible stewardship for future generations.

House Bill HB2616 HD2 represents an opportunity to:

- Restore cultural recognition to Makaokū
- Protect sacred and historic sites
- Ensure decision-making authority includes Lineal Descendants directly connected to the land
- Align development practices with Hawai‘i’s constitutional and public trust responsibilities

I respectfully urge the Legislature to advance this bill and demonstrate a commitment to cultural integrity, community inclusion, and long-term sustainability for the Banyan Drive-Makaokū / Waiākea Peninsula region.

Mahalo for the opportunity to provide testimony in strong support.

Laulima I Ka Hāpai Pōhaku,

Many hands carrying the stones,

Pua Case

HB-2616-HD-1

Submitted on: 3/2/2026 4:33:08 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Deron Akiona	Individual	Support	Written Testimony Only

Comments:

I strongly support the addition of a lineal descendant into this legislation as a voting member of the HCDA Board in reference to further decisions on the Banyan Drive district. This is definitely a home rule issue as pass State Agencies have neglected their duties and commitment to this area. Māhalo

HB-2616-HD-1

Submitted on: 3/2/2026 4:42:16 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Seb Choe	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I am an architect and community planner based in Kona. This is now the 3rd meeting for which I have submitted testimony regarding the BANYAN DRIVE-MAKAOKŪ COMMUNITY DEVELOPMENT DISTRICT.

I am writing to express my opposition for HB2616 HD1, and urge you to make amendments that re-instate (as in the original bill), lineal descendents in the decisionmaking process.

It is critical that any legislation pertaining to the redevelopment of MakaOku (Banyan Drive / Waiākea Peninsula) in Hilo includes lineal descendants in the decision-making process -- to reflect all stakeholders, as it is vital to include the perspectives of Native Hawaiians with ancestral roots in the area.

As an architect and as a resident, I want to see the built environment reflect Native Hawaiian history. I am also an arts educator with East Hawaii Cultural Center, Vibrant Hawai'i, and other local organizations - and would love to be able to bring my students to this area and have it reflect its rich history.

HB2616 is a watershed opportunity to incorporate place-based 'ike kūpuna into the urban planning process for a wahi pana that once included the pu'uhonua of Moku Ola (Coconut Island) and Kuaka'ananu'u Heiau - important sites for our island's past, present and future.

*Mahalo for your time,
Seb Choe*

HB-2616-HD-1

Submitted on: 3/2/2026 6:05:37 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Leona Leialoha	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

I strongly oppose HB 2616.

Mahalo for your consideration.

Leona Leialoha

Keaukaha, Hawaii island

HB-2616-HD-1

Submitted on: 3/2/2026 7:44:06 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

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

Comments:

HB2616 - Should Include Lineal Descendants.

HB-2616-HD-1

Submitted on: 3/2/2026 8:16:27 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

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

Comments:

These lands are not only environmentally valuable—they are culturally sacred and deeply rooted in the living history of our community. Decisions affecting this area must reflect that reality.

At a minimum, there should be no fewer than two lineal descendants, mutually agreed upon by the residents of Keaukaha and Pana‘ewa, serving as voting members on the HCDA Authority. Their inclusion is not symbolic; it is essential.

The ‘ike (knowledge), lived experience, and ancestral connection of these descendants are critical to ensuring that this project is guided with integrity, cultural sensitivity, and long-term stewardship. Their voices will help safeguard the land in a way that honors both its heritage and its future.

Bob Douglas

Pana'ewa

Hilo, HI

HB-2616-HD-1

Submitted on: 3/2/2026 8:25:23 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Jimenez-Ward	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Bec Jimenez-Ward. I am testifying in strong support of the **original version** of HB2616, which includes lineal descendants as vote-holding decision-makers for the Banyan Drive–Makaokū Community Development District.

I stand in strong opposition to HB2616 HD1, which removes lineal descendants from that role.

I have had the privilege of working alongside (Waiākea Ahupua‘a Crownland Heirs) WACH, Truth for the People, and Keaukaha Action Network for the past two years. I also serve as a Senior Coordinator for Environmental Justice programs with the National Wildlife Federation. I am an active member of the arts community on this island, and I am an apprenticing midwife.

I moved to Hilo in 2019 as a graduate student, and over the past seven years, this place has become home. In particular, Keaukaha and Makaokū — often referred to as Banyan Drive or the Waiākea Peninsula — hold deep significance for me and for many in our community.

Makaokū is storied land. It carries generations of ancestral stewardship, cultural practice, and ‘ike kūpuna. Decisions made about this land will shape not only infrastructure and economics, but the cultural integrity and historical memory of this place.

Including lineal descendants as **vote-holding decision-makers** is not a new practice. It reflects longstanding recognition in Hawai'i that those with genealogical ties to land carry unique rights and responsibilities to steward it.

The 27 Waiakea Ahupua'a Crownland Heirs and their families are genealogically and historically tied to this place. Their relationship to Makaokū is not transactional — it is ancestral, cultural, and ongoing. **Excluding them as vote-holding decision-makers diminishes the very people whose families have stewarded and maintained relationship to this land for generations.**

As an environmental justice practitioner, I know that equitable development requires meaningful power-sharing — not consultation without authority, and not symbolic inclusion. If this redevelopment is truly meant to serve the community, then it must include those with ancestral ties and kuleana to this land. **Including lineal descendants only in the advisory board and failing to give them a vote is not sufficient or just.**

I respectfully urge you to revise HB2616 to include lineal descendants included as vote-holding decision-makers, and to reject any bill that excludes them.

Mahalo for the opportunity to testify.

HB-2616-HD-1

Submitted on: 3/2/2026 11:15:16 AM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Roxane Keliikipikaneokolohaka	Individual	Oppose	Written Testimony Only

Comments:

I oppose the current draft of this bill, which, in it amendmending the original bill, removed lineal descendants from the bill. Lineal descendants need to be authentically consulted and collaborated with in all planning and action.

HB-2616-HD-1

Submitted on: 3/2/2026 8:28:54 PM

Testimony for FIN on 3/3/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Oppose	Written Testimony Only

Comments:

I, Dana Keawe, a Lineal Descendant of Moku O Keawe stand in solidarity with Lineal Descendants of Maka'okū, Wāiakea Ahupua'a Crown Land Heirs.

I Strongly Oppose House Bill HB2616 HD1 in it's amended State due to the following amendments made to the original draft to include:

2) Changing the name of the Banyan Drive-Makaokū Community Development District Special Fund to the Waiakea Community Development District Special Fund;

(3) Clarifying the boundaries of the Waiakea Community Development District;

(4) Deleting the proposed Banyan Drive-Makaokū Redevelopment Agency;

(5) Including the Chairperson of the Banyan Drive Hawaii Redevelopment Agency of the County of Hawaii, or a designee as a member of the Hawaii Community Development Authority, including as a voting member of the Authority for matters affecting the Waiakea Community Development District;

(6) Removing a lineal descendant of the Makaokū area as a voting member of the Hawaii Community Development Authority for matters affecting the Waiakea Community Development District;

(7) Requiring the Hawaii Community Development Authority to establish a Community Advisory Council, to consist of community stakeholders who are selected by the Authority and include at least one lineal or cultural descendant with ties to the Waiakea ahupuaa, who shall be selected with input from the Office of Hawaiian Affairs, to provide guidance and ensure effective citizen participation in the redevelopment of the Waiakea Community Development District; relating to the Banyan Drive-Makaokū Community Development District / Waiākea Peninsula which seeks to formally NOT RECOGNIZE THE IMPORTANCE OF Lineal Descendants of

Makaokū in decision-making, restore cultural recognition and protection of this wahi pana.

FURTHER MORE HB2616 HD1 VIOLATES THE BIRTHRIGHT OF LINEAL DESCENDANTS BY REMOVING THEM FROM THE ORIGINAL INTENT AND HB Bill 2616 heard in the WAL committee which PASSED WITH THESE DISRESPECTFUL AMENDMENTS Provided in Representative Hashems Committee Report to the Honorable Nadine K. Nakamura, Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2026 State of Hawaii.

This is a reminder that Makaokū, is not merely a NAME TO BE REMOVED OR a redevelopment area on a checklist and must be treated with respect and dignity to it's cultural significance. These amendments fail to recognize Makaokū and honor this living wahi pana as kūpuna, an 'āina rich with cultural history, genealogy, and ongoing stewardship amongst the

Lineal Descendants of Makaokū who have stewarded this ‘Āina for generations. They are formally recognized as Waiākea Ahupua’a Crown Land Heirs (WACH), royal patents of this wahi pana exist through their Ohana for generations and being ignored.

Makaokū is a culturally rich and historically significant wahi recognized by WACH (Direct Lineal Descendants) as their Home established in their Mo’okuahau, ceremony, and ongoing Kuleana to protect, restore, and re-establish hope while strengthening our communities at large while we acknowledge that this wahi and our people must Heal.

The original House Bill HB2616 which I sent in testimony in Strong Support represented an opportunity to:

- Restore cultural recognition to Makaokū while participating in the Economic revival of this area.
- Protect sacred and historic sites while working with Stake Holders in restoring what has been neglected and loss.
- Ensure decision-making authority includes Lineal Descendants directly connected to the land to assure community voices have an EQUAL SAY.
- Align development practices with Hawai‘i’s constitutional and public trust responsibilities.

THE ABOVE MENTIONED AMENDMENTS FAIL TO ACKNOWLEDGE THE ORIGINAL INTENT OF HB2616 AND ITS PURPOSEFUL CREATION.

Direct Lineal Descendants who hold title to land in the area have a right to have a voice and a vote! To disregard this is a violation in so many ways and could incur legal ramifications for the State who will be held liable.

Specifically, By removing lineal descendants as voting members of the governing authority over Waiākea Ahupua’a Crown and ceded lands, HB2616 HD1 in its current State raises serious constitutional, statutory, and trust law concerns. Article XII, Section 7 of the Hawai‘i Constitution requires the State to protect the customary and traditional rights of Native Hawaiians, which includes meaningful participation in decisions affecting ancestral lands. Removing Lineal descendants and down grading them to a purely advisory role fails to meet this constitutional obligation and does not provide adequate protection for cultural practices, burial sites, or historic resources within the district.

In addition, the State holds these lands in trust for the benefit of Native Hawaiians and the public under the public trust doctrine, the Hawai‘i Admission Act, and state trust statutes.

Excluding lineal descendants from decision-making authority while transferring control to a state development agency and county redevelopment officials creates a governance structure that marginalizes trust beneficiaries and concentrates authority in non-beneficiary entities. This restructuring risks violating the State’s fiduciary duties as trustee by prioritizing economic redevelopment without sufficient cultural safeguards or beneficiary consent. OHA acknowledged this in their testimony/comments regarding SB2001 to the Senate committees WLA/EDT public hearing on 02-19-26 they advocated for Lineal Descendants to have a vote. Furthermore, delegating land use and zoning authority to the Hawai‘i Community Development Authority without guaranteed descendant representation raises administrative law concerns, as it removes community-based oversight and replaces it with centralized authority lacking direct cultural accountability. This structure increases the likelihood of future litigation under constitutional, trust, and environmental review laws, including challenges based on inadequate cultural impact analysis and failure to ensure meaningful participation. Restoring lineal descendant voting authority is therefore not merely a policy preference, but a necessary

corrective measure to align this bill with Hawai‘i’s constitutional mandates, trust obligations, and established principles of land stewardship.

Hereby, Lineal Descendants myself included propose the following amendments for HB2616 HD2 Immediately upon the deliberations of the Finance Committee today:

1. Amend the bill to reinstate lineal descendant voting rights on the HCDA by re-inserting the following language: “For matters affecting the Waiakea Community Development District, the Hawai‘i Community Development Authority shall include as a voting member at least Two lineal descendants with direct genealogical ties to the Waiakea Ahupua‘a, selected by the Governor in consultation with the Office of Hawaiian Affairs upon their consultation with Direct Lineal Descendants of Waiākea Ahupua‘a Crown Land Heirs who can provide authenticity of their rights to have a vote and whom can be recognized by community organizations in direct affiliation to these heirs.”

2. Further amend the bill to provide that: Amend the bill as follows:

By adding a new subsection to require that the establishment of any Community Advisory Council be conditioned upon lineal descendant representation, to read as follows: “The establishment of a Community Advisory Council shall be contingent upon the inclusion of at least one lineal descendant as a voting member of the Hawai‘i Community Development Authority for matters affecting the Makaokū–Waiākea Community Development District. In the absence of such representation, no Community Advisory Council shall be created. If a Community Advisory Council is established, the council shall include not fewer than two and not more than three lineal descendants with genealogical and cultural ties to the Makaokū–Waiākea ahupua‘a, selected in consultation with the Office of Hawaiian Affairs and recognized community organizations.

An advisory body without lineal descendant participation in decision-making fails to provide meaningful community involvement or adequate protection for cultural, historic, and traditional practices.”

TO BE CLEAR, IF THERE IS NO LINEAL DESCENDANT REPRESENTATION ON THE HCDA, THE ADVISORY COMMITTEE HAS NO FUNCTION, WE DO NOT CONSENT TO AN ADVISORY COMMITTEE WITHOUT A LINEAL DESCENDANT ON HCDA.

HB2616 HD1 is legally vulnerable unless corrected!! And I oppose this draft as it is currently written less the stated “suggested” amendments are restored!

WE ARE NOT STAKE HOLDERS WE ARE RIGHTFUL STEWARDS OF THIS WAHI PANA MAKAOKŪ.

I respectfully urge the Committee to restore lineal descendant voting authority in this measure. Without it, HB2616 HD1 risks violating Article XII, Section 7 of the Hawai‘i Constitution and the State’s public trust obligations by excluding beneficiaries of Crown and ceded lands from meaningful participation in governance leaving them with no voice and no vote. Advisory status alone is insufficient to protect cultural and traditional rights. Restoring descendant representation is necessary to cure these legal defects within both the HCDA and within the proposed Advisory Committee to ensure redevelopment proceeds in a manner consistent with Hawai‘i’s constitutional and fiduciary duties.

Laulima I Ka Hāpai Pōhaku,

Many hands carrying the stones

Dana Keawe

Moku o Keawe

Keaukaha Action Nerwork (KAN)

Wāiakea Crown Land Heirs (WACH)