

# SB3063

**Measure Title:** RELATING TO DISPOSITION OF LANDS IN WAIPIO VALLEY.  
**Report Title:** Waipio Valley; DLNR; Appropriation (\$)  
**Description:** Makes an appropriation for the purchase of land in Waipio valley.  
**Companion:**  
**Package:** None  
**Current Referral:** WTL, WAM  
**Introducer(s):** SOLOMON, Kahele

<b><u>Sort by Date</u></b>		<b>Status Text</b>
1/23/2014	S	Introduced.
1/27/2014	S	Passed First Reading.
1/27/2014	S	Referred to WTL, WAM.
1/30/2014	S	The committee(s) on WTL has scheduled a public hearing on 02-05-14 2:00PM in conference room 225.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
WILLIAM J. AILA, JR.  
Chairperson**

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

**Wednesday, February 5, 2014  
2:00 PM  
State Capitol, Conference Room 225**

**In consideration of  
SENATE BILL 3063  
RELATING TO DISPOSITION OF LANDS IN WAIPIO VALLEY**

Senate Bill 3063 proposes an appropriation of general funds for the purchase of land located in Waipi'o Valley, Island of Hawai'i, from the Bernice Pauahi Bishop Museum. **The Department of Land and Natural Resources (Department) supports the intent of the bill and recommends the attached amendments.**

The Department supports planning and preliminary due diligence for the possible acquisition by the State of lands in Waipi'o as the first step in providing resource management and access for the public's benefit. Acquisition would be subject to regular due diligence procedures of the Department, including the approval of the Board of Land and Natural Resources under Section 171-30, Hawaii Revised Statutes (HRS), and the approval of the Attorney General required under Section 107-10, HRS.

The Department suggests a cooperative effort with the landowner and other appropriate agencies and organizations to consider the next step of planning the protection, management and public access to the parcel, and, provided that additional management funding is not dedicated, suggests alternative management solutions such as acquisition and lease or transfer to an agency or nonprofit organization that can provide public access to the extent feasible in light of public safety and preservation of cultural and natural resource; appropriate preservation and treatment of cultural sites and resources; and active management of natural resources against threats such as invasive species, vandalism, overuse.

To effect these changes, the Department proposes the attached amendments to Senate bill 3063.

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

**ESTHER KIA'AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

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

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## A BILL FOR AN ACT

RELATING TO DISPOSITION OF LANDS IN WAIPIO VALLEY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Waipio valley in the  
2    district of Hamakua, Island of Hawaii, possesses cultural,  
3    historic, and natural resources that are of high value to the  
4    State. These resources are central to the historic, cultural,  
5    and natural identity of the State of Hawaii, and protection and  
6    management of these resources will benefit to the people of  
7    Hawaii.

8           The legislature further finds that the acquisition of  
9    privately owned lands or interests in lands in Waipio Valley  
10   would further public access and permanent protection of these  
11   resources.

12          The legislature also finds that active management of the  
13   resources in Waipio valley is necessary to protect them against  
14   overuse, invasive species, and other threats to their continued  
15   existence.

16          The department of land and natural resources is considering  
17   a purchase of land located in Waipio valley from the Bernice

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1 Pauahi Bishop Museum. The purpose of this Act is to direct the  
2 department to cooperate with other appropriate agencies and  
3 organizations, and to make an appropriation for planning and  
4 preliminary due diligence for purchase of land located in Waipio  
5 valley.

6 SECTION 2. The department shall establish a working group  
7 to investigate possibilities for partnerships to acquire lands  
8 in Waipio valley. The working group shall consist of the  
9 following members, provided that private parties are willing to  
10 participate:

11 (1) The Chief Executive Officer of the Office of Hawaiian  
12 Affairs or the Chief Executive Officer's designee;

13 (2) The Chair of the Agribusiness Development Corporation  
14 or the Chair's designee;

15 (3) The Mayor of the County of Hawaii or the Mayor's  
16 designee;

17 (4) The President of the Waipio Taro Farmer's Association  
18 or the President's designee;

19 (5) The Executive Director of the Hawaiian Islands Land  
20 trust or the Executive Director's designee;

21 (6) The Chief Executive Officer of Kamehameha Schools or  
22 the Chief Executive Officer's designee;

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1           (7) Any other parties that the group deems necessary.

2           The Chief Executive Officer of Kamehameha Schools or the  
3 Chief Executive Officer's designee, if willing, shall lead the  
4 working group. In the event that the Chief Executive Officer of  
5 Kamehameha Schools or the Chief Executive Officer's designee is  
6 not willing to lead the working group, the department shall lead  
7 the working group.

8           The purpose of the working group is to provide information  
9 and make recommendations to the legislature. The working group  
10 shall:

11           (1) Develop an action plan that explores and  
12 identifies important natural, cultural, and historic resources  
13 for protection at Waipio valley and identifies conservation  
14 options for the protection of these resources;

15           (2) Submit a written final action plan, including  
16 recommendations and any proposed legislation, to the Legislature  
17 20 days prior to the first day of the 2015 legislative session.

18           The working group shall cease to exist upon submission of  
19 the report to legislature.

20           SECTION 4.       There is appropriated out of the  
21 general revenues of the State of Hawaii the sum of \$100,000 or  
22 so much thereof as may be necessary for fiscal year 2014-2015

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1 for the purchase of land located in Waipio valley. The sum  
2 appropriated shall be expended by the department of land and  
3 natural resources for the purposes of this Act.

4 SECTION 5. This Act shall take effect on July 1,  
5 2014.

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INTRODUCED BY: \_\_\_\_\_

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BY REQUEST

Senate Committee on Water and Land  
Wednesday, February 5, 2014 at 2:00 p.m.  
Conference Room 225

FROM: Blair D. Collis  
President & CEO  
Bernice Pauahi Bishop Museum  
1525 Bernice Street  
Honolulu, Hawai'i 96817

RE: Senate Bill 3063: Relating to Disposition of Lands in Waipio Valley

Thank you for this opportunity to testify on behalf of Bishop Museum with respect to SB 3063 relating to the disposition of lands in Waipio Valley. We acknowledge the cultural and historical importance of Waipio Valley and seeking the best stewardship of an invaluable resource is always at the forefront of Bishop Museum's mission.

The purpose of this bill is to make an appropriation for the purchase of land in Waipio Valley. We thank the legislature for taking up this important issue. We wish to work collaboratively with legislators involved in crafting this measure and to contribute positively to the ongoing discussion about the feasibility of the state acquiring Waipio Valley lands. We support the intent of SB 3063 and request to be a part of the ongoing conversation about the specific details should this bill move forward. We would request that this measure either continue to blank out the funding amounts or to defect the date so that concerns about implementation can be identified and addressed prior to final passage.

Bishop Museum was founded in 1889 by Charles Reed Bishop in honor of his late wife, Princess Bernice Pauahi Bishop, the last descendant of the royal Kamehameha family. Bishop Museum is designated the State Museum of Cultural and Natural History and is a non-profit organization with the mission to engage people in the presentation, exploration and preservation of Hawaii's cultural heritage and natural history.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [aloha-cobeen@hawaii.rr.com](mailto:aloha-cobeen@hawaii.rr.com)  
**Subject:** Submitted testimony for SB3063 on Feb 5, 2014 14:00PM  
**Date:** Thursday, January 30, 2014 8:12:01 PM

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**SB3063**

Submitted on: 1/30/2014

Testimony for WTL on Feb 5, 2014 14:00PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
K. Cobeen	Individual	Oppose	No

Comments: Aloha: Last year we saw efforts to shed DLNR of many of it's taxpayer assets. It's odd now to see this effort to have DLNR purchase a leasehold property in Waipio Valley on Hawaii Island. There is no disclosure in this bill what the purpose of this transaction is. Perhaps it's a way to get title to the land to pass off to a third party? I sure hope someone on this committee would ask that question. What's the point of this bill? Respectfully, Karen K. Cobeen

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

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