

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
VETERANS, MILITARY & INTERNATIONAL AFFAIRS & CULTURE AND THE  
ARTS**

**Monday, February 1, 2016  
9:00 AM  
State Capitol, Conference Room 312**

**In consideration of  
HOUSE BILL 2046  
RELATING TO MILITARY LAND**

House Bill 2046 proposes to transfer all state land leased by the United States Army to the state Department of Defense (DOD) by June 30, 2017. **The Department of Land and Natural Resources (Department) has no position and wishes to discuss the intent of this bill with DOD. At this time, we offer the following comments.**

This measure would amend Section 121-10, Hawaii Revised Statutes (HRS), to give the adjutant general charge of "all property of the State leased to the United States Army." DOD does not appear to have authority to hold fee title to real property. In such cases, the mechanism for transferring State lands between agencies is a set-aside by executive order pursuant to Section 171-11, HRS. Under that section, the receiving agency has management control of the land. Setting aside state lands leased by the United States Army under the management of DOD is consistent with prior practice, an example being lands leased for agricultural purposes set aside to the Department of Agriculture. This would allow for the appropriate State agency with the relevant expertise to ensure that the lands are managed in a manner consistent with the purpose of the lease.

Additionally, Section 171-11, HRS, requires that, if the lease terminates and the land is no longer used for the stated public purpose for which it was set aside, the executive order shall be withdrawn and the land returned to the Department. In such event, the lands subject to this measure must be remediated from environmental hazards, including but limited to unexploded ordnance, prior to its return to the Department.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**JEFFREY T. PEARSON, P.E.**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



# SIERRA CLUB OF HAWAII

**MĀLAMA I KA HONUA. Cherish the Earth.**

HOUSE COMMITTEE ON VETERANS, MILITARY AND INTERNATIONAL AFFAIRS AND CULTURE AND THE ARTS

Monday February 1, 2016 9:00AM Room 312  
**In Opposition HB2046** Relating to Military Land

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Aloha Chairman Ito and members of the VMI Committee,

On behalf of our 12,000 members and supporters, the Sierra Club of Hawaii strongly opposes HB2046 relating to military lands.

U.S. military training in Hawaii has destroyed thousands of acres of once productive and healthy land. For this reason alone, the Committee should not advanced this bill that proposes to give all public land currently leased by the U.S. military in fee simple.

But one does not need to oppose military training in Hawaii to oppose this bill. HB2046 cannot be supported because it is so vague and incomplete. This bill does not provide the Committee with the information necessary to make an informed decision about this proposal.

Some of the information the Committee needs to know to evaluate this bill, but is not given includes:

- How many acres of public land are affected?
- What is the value of those acres of land?
- Does this affect all lands leased by the Army or just those lands used in training?
- Does the Hawaii Department of Defense have the resources to manage these leases and the public lands affected? Do they have land management division?
- How does taking over ALL leases between the state and the U.S. Army affect the mission of the Hawaii Department of Defense?
- What about the other divisions of the U.S. military in Hawaii, they also lease land?
- What would be the fate of land under this bill after a lease with the U.S. Army ends?

HB2046 is so vague and incomplete that if adopted it would likely trigger far larger problems than it purports to solve. It is a small inconvenience for the U.S. Army to work with the expert state agencies with which it has already brokered leases.

Thank you for the opportunity to testify on this measure.

Mahalo,

Martha Townsend  
Director