



HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



KAKA'KO
KALAELOA

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STATEMENT OF

ANTHONY J. H. CHING, EXECUTIVE DIRECTOR
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE

SENATE COMMITTEE ON WATER, LAND, AND HOUSING

AND

SENATE COMMITTEE ON WAYS AND MEANS

Tuesday, April 3, 2012

2:35 P.M.

State Capitol, Conference Room 225

in consideration of

H. B. 2398, H. D. 2 – RELATING TO LAND USE.

Purpose: Establishes the Honokohau Marina Development District on the island of Hawaii.

Position: The Hawaii Community Development Authority (“HCDA”) takes no position and provides the following comments.

The preamble of the proposal notes that “the Honokohau harbor and marina in Kailua-Kona, county of Hawaii, while created over forty years ago, has never been completed and does not currently serve the needs of the west Hawaii community. Ocean recreational facilities established to serve the boating community are polluting lands and waterways. . . .Existing facilities need improvements. The harbor and marina should be redeveloped.” Within that context, I provide the following comments.

- The need and objectives of the proposal as described above is consistent with the mission and capacity of the HCDA – to build a marina community where redevelopment is needed.
- The proposed marina development district is comprised of 6 Tax Map Key parcels totaling 122.94 acres of land owned by the State of Hawaii. Given that the lands in the proposed district are owned by the State of Hawaii, there is opportunity to plan and construct appropriate marina facilities efficiently.
- We note that testimony from the Department of the Attorney General proposes an amendment to subsection (b) of section 206E-3. The proposed amendment provides clarity to the proposal with respect to the proposed appointment of three additional voting members to the Hawaii Community Development Authority from several categories of marine users.
- However, as it is my understanding that the Public Land Development Corporation (“PLDC”) has identified this as its priority project, the HCDA defers to the PLDC in pursuing the redevelopment of the State lands involved in the proposed marina development district.

Thank you for the opportunity to provide comments on this proposal.

April 03, 2012

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The Senate

Committees on Water, Land, and Housing / Ways and Means

Joint Hearing on HB 2398, HD 2

Relating to Land Use - Establishes the Honokohau marina development district
on the island of Hawaii

OPPOSED

Unlike most of the harbor tenants and boaters who have slips at the harbor, I know the history of the area and the harbor. This is a **harbor in the wrong place**, put there because some of them wanted a so-called safe place. Since being at the harbor, their complaints have been endless. How typical --- against the vehement and demonstrative protest of the hawaiian and kona community who advised against it, the harbor was created by blasting the shoreline and interior at Honokohau.

The blasting broke the caprock holding fresh water, so there is constant spilling of fresh water. There is pollution of the water, of the ocean resources, of the cultural resources. This affects resident, visitor, cultural practitioner. The pollution is caused by harbor and boat activity. It won't end by creating a marina district to make pretty and supposedly, more money. Re-development is development. Pollution is pollution' degradation of resources and ecosystem is degradation; loss of irreplaceable habitat is irreplaceable loss. Re-development should not take place as priority over the historical and cultural significance of the area.

Marinas can be anywhere. Our ahupua'a --- Kaloko, Honokohau, and Kealakehe --- are at this area, and will suffer significant negative impact: more pollution, more degradation, more loss. Protection of the historical and cultural resources along the entire shoreline between Kailua and Keahole **should be THE priority** of the state. **This area is a singular cultural landscape. It is unique, one-of-a-kind.**

The only entity with a mandate to preserve, protect, and conserve historical and cultural resources is the National Park Service, which is present as the Kaloko-Honokohau National Historical Park. The boundaries of the Park actually extend beyond the harbor, in the direction of Kailua. In fact, the harbor entrance is located at the spot which marks the **Honokohau Settlement**, as a site, on the (United States) National Register of Historic Sites. It is not as if no one knew that there are significant historical/ cultural resources present. It was probably said to be "...not feasible..." to save, in favor of those who wanted a harbor with slips for their charter boats.

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If there is to be any change in authority, it should be in favor of the Kaloko-Honokohau National Historical Park. The Park should master plan the area, as it would fit, and befit, the historical and cultural significance of the Kealakehe, Honokohau, and Kaloko ahupua'a. At the very least, there should be on-going and continuing dialogue with the Park Service. This should take place before any legislative change in authority, or legislative mandate.

Thank you,
John Doe
Kona Resident



United States Department of the Interior
NATIONAL PARK SERVICE
Kaloko Honokohau National Historical Park
73-1486 Kana'ani Street, #14
Kailua Kona, Hawaii 96740



IN REPLY REFER TO:

February 06, 2012

To: House Committee on Water, Land & Ocean Resources
Representative Jerry L. Chang, Chair
Representative Sharon E. Har, Vice Chair
Representative Rida T.R. Cabanilla
Representative Derek S.K. Kawakami
Representative Mele Carroll
Representative Mark M. Nakashima
Representative Gil Riviere
Representative Robert N. Herkes
Representative Cynthia Thielen
Representative Ken Ito
Representative Denny Coffman
Representative Cindy Evans

Subject: PROPOSED HONOKOHAU MARINA DEVELOPMENT DISTRICT ON THE ISLAND OF HAWAII HB2398 RELATING TO LAND USE – Establishes the Honokohau Marina Development District on the Island of Hawaii

I am providing comments on behalf of the National Park Service regarding HB2398 Proposed Honokohau Marina Development District on the Island of Hawaii. This bill proposes designation of the Honokohau harbor and marina area as a Marina Development District. The boundary of the proposed district includes twenty-five acres of State lands in the Kealakehe *ahupua`a* within Kaloko-Honokohau National Historical Park (National Park) and Honokohau Settlement National Historic Landmark (NHL), and is immediately adjacent to the National Park/NHL's southern boundary.

Any large-scale development project on lands within or adjacent to the National Park/National Historic Landmark will significantly impact its cultural landscape, traditional and customary practices by Native Hawaiians in the Park, and cultural and natural resources. The National Park Service remains supportive of infrastructure and operational improvements to the existing Honokohau Harbor for health and safety reasons, traffic management, and access, but for the reasons set out below, we are highly concerned about the appropriateness of the designation of a Marina Development District. Given the significance of the area and National Historic Landmark designation, the public, Native Hawaiian Organizations, and the local community must be allowed every opportunity to fully participate in environmental and cultural review and analyses of any and all proposed development or "improvement" projects in this area.

Kaloko-Honokohau National Historical Park is part of the National Park System and was established by Congress to protect its nationally significant cultural and natural resources. The National Park Service and the State of Hawaii share a commitment to care for and preserve public trust resources including cultural and natural resources, and associated values, for the people of Hawaii and the United States. Congress has mandated that the National Park Service preserve and protect the resources and values of the National Park in an unimpaired condition in order to perpetuate their inherent integrity for the benefit and inspiration of present and future generations. (16 USC §1 et seq.) Kaloko-Honokohau National Historical Park was created in 1978, through the efforts of the local community to preserve, interpret, and perpetuate traditional Hawaiian activities and culture. In particular, residents of Kona were concerned that this place of great significance to Hawaiians would be lost to urban development.

Congress's decision to create the Park came primarily from the 1974 Hono-kohau Study Advisory Commission Report ("The Spirit of Ka-loko Hono-kohau ") that recommended that the existing Honokohau Settlement National Historical Landmark (designated in 1962) and its adjacent waters be preserved for the benefit of the Hawaiian people and the nation as part of the National Park System. Even at the time of the Spirit Report in the early 1970's, the Advisory Commission was concerned about future land use adjacent to the National Park. They stated:

"Furthermore, since most of the land in the *ahupuaa* of Ke-ala-kehe is owned by the state, its use will have direct impact on Ka-loko, Hono-kohau. Finally, lands that are designated or owned by the state in the area should be given special zoning limiting their uses to activities compatible to a cultural park. The County General Plan and zoning ordinances of the area should limit the uses of the lands immediately surrounding Ka-loko, Hono-ko-hau to compatible activities. Lands further mauka should be restricted in density in order to preserve the integrity of the park and protect its water resources." (p.54)

The Spirit Report and the 1994 General Management Plan for the Park point out that Kaloko-Honokohau is a small and fragile portion of the larger environment that has influenced the history of the entire area and that continues to affect the Kona community today. In creating the National Park, Congress stated that it shall be administered generally in accordance with the guidelines provided in the Spirit Report and that management "shall to the maximum extent feasible utilize the traditional Native Hawaiian *ahupua`a* concept of land and water management." (16 USC § 396d). The Spirit Report reminds us:

"Each *ahupua`a* developed around a recognition that all of its elements were interdependent. What affected the mauka regions, affected the makai. What affected the neighboring *ahupu'a* affected it. What affected the land affected the fishponds and the sea. What affected the water cycle affected the total environment. This is the way it was and is at Ka-loko, Hono-ko-hau." (p. 51)

The urban expansion foreseen by the Advisory Commission in 1974 is now underway. The direct and cumulative impacts of development projects on lands adjacent to the National Park are leading to the long term degradation of the National Park, threaten the integrity of the

Honokohau Settlement NHL, and are further diminishing the rapidly disappearing Hawaiian cultural landscape. Large-scale development adjacent to the National Park will fundamentally alter the water, air, sounds, sights, and traditional and customary practices by native Hawaiians in the National Park and the NHL. Water quality and quantity will be altered forever by fresh and brackish groundwater withdrawals, and non-point source pollution inputs.

As currently drafted, the bill creating the marina development district is inconsistent with the purposes of the National Park and with local land-use decisions. A "world-class, full-service marina," as well as the type and range of "ancillary amenities" contemplated in the proposed legislation are fundamentally in conflict with reasons for establishing Kaloko-Honokohau National Historical Park's identified in the Spirit Report and by Congress in the National Park's enabling legislation. The type of development set out in the proposed bill also seems at odds with other language in the bill that states that development should be "sustainable, culturally appropriate, [and] biologically responsible." In addition, despite language in the proposed bill, the designation of a district and the contemplated development seems at odds with recent decisions of the local community. In 2009, in response to a previously proposed development on the same lands, the Hawaii County Council unanimously passed an Amendment to the Hawaii County General Plan (Bill 156) changing the Land Use Designation from Urban Expansion to Open for the State-owned lands in the vicinity of and south of Honokohau Harbor. Finally, the proposed membership of the authority does not represent the full range of interests from the local community as there are no stakeholders from cultural, environmental or local planning groups.

As you are well aware, development of coastal lands has irreversible and far-reaching consequences. The National Park Service requests that you carefully review the need for designating this area as a development district. Preservation of coastal open space and cultural landscape will benefit the quality of life in the Kona community, Native Hawaiian values and traditional and customary practices, and nationally significant natural and cultural resources. We appreciate your consideration of protecting these irreplaceable Hawaiian resources. If we can answer any questions or provide information, please contact me at (808) 329-6881, ext. 1201.

Sincerely,


Kathy Billings
Superintendent

