



University of Hawaii at Manoa

Environmental Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 948-7361

RL:0809

HB 37 HD 1 RELATING TO PUBLIC LANDS

Statement for
House Committee on
Finance
Public Hearing - February 28, 1989

By
Jacquelin Miller, Environmental Center
Kem Lowry, Urban Regional Planning
Gordon Bigelow, General Science
George Losey, Hawaii Institute of Marine Biology

HB 37 HD 1 appropriately recognizes the need to preserve unique or special lands with present or future value such as historical, scientific, recreational, scenic, biological or geological resources and the need to provide or preserve access to strategic beach and mountain resources. HB 37 HD 1 would provide the statutory framework necessary for the state to establish a state land bank office within the Department of Land and Natural Resources. The purpose of the land bank office is to acquire title or long-term use and management of these environmentally special lands for public purpose.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

Lands with special value that are held in private ownership are difficult to protect and maintain for the future because economic pressures encourage owners to pursue the so called "highest and best use." The provision for state ownership of the types of lands that would be covered in this legislation would provide government with a mechanism to make land use decisions based on criteria related to long term public needs rather than solely on immediate economic return.

We strongly concur with the intent and purposes of HB 37 HD 1. However, we do wish to call your attention to provisions of the bill that may need further consideration or amendment.

Section 171(d) (page 5, line 3) provides ample opportunity for public review of proposed acquisitions but does not provide any specified guidelines as to the procedures that will be used to identify and select lands for banking or any provision for public input or review in these initial identifications of special lands. Furthermore, there is no opportunity for public participation in decision-making processes with respect to the use of banked lands. This issue becomes of particular importance in the case of the disposition or use of lands, "for temporary commercial, industrial, or agricultural uses", as permitted under Section 171(a)(3). It is not obvious how the use of lands for industrial purposes (or even some types of commercial or agricultural uses) is compatible with lands acquired because of their "archaeological, scientific, recreational, conservation, environmental, scenic, historic, cultural, geological, or hydrological resource values, or that provide access to strategic beach and mountain resources, or that serve some other public purposes.

We urge that the provision for short term commercial, industrial, or agricultural use under Section 171(a)(3) be restricted to land acquired for exchange purposes.

The amendment to HB 37 that directs the DLNR to give priority consideration to the purchase or acquisition of Coconut Island on Oahu is of particular interest to the Environmental Center. Coconut Island is critical to the University of Hawaii's education and research programs in the marine environment, in coral reef biology, and in aquaculture and fisheries biology. The purchase or acquisition of Coconut Island on Oahu would provide the state with potential room for expansion of the University of Hawaii Institute of Marine Biology as well as provide opportunities for development of a variety of complementary uses such as the coordination of field, laboratory, lecture/conference programs.