

H .B. NO. 2424

A BILL FOR AN ACT

RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT

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

1 SECTION 1. The legislature finds that maritime lands are a
2 finite resource of the State. In particular, Piers 1 and 2,
3 Honolulu harbor, support vital and unique maritime activities
4 including berthing piers for cargo ships and passenger vessels,
5 container cargo facilities, a cruise ship terminal, and the
6 foreign trade zone no. 9. These maritime functions are crucial
7 and cannot be relocated. Piers 1 and 2, the contiguous backup
8 fast lands and access roads, comprising approximately 65 acres,
9 must be protected and preserved for maritime operations. The
10 various maritime operations, and the related foreign trade zone
11 no. 9, are an integral part of the commercial harbor system that
12 represents the lifeblood of the economy of the State of Hawaii.
13 Nearly 80 per cent of all goods used in our State is imported,
14 and of this amount, 98.6 per cent is brought through the
15 commercial harbor system. Our current robust economy has
16 continued to add to the demand placed particularly on manifested
17 cargo processing operations and the State can ill afford to lose

1 any prime berthing and back up fast lands to other non-maritime
2 uses.

3 The purpose of this Act is to revise the boundaries of the
4 Kakaako community development district to specifically delete
5 certain parcels, more particularly described below, from the
6 district's established boundaries. The Hawaii community
7 development authority shall convey the identified parcels back
8 to the department of land and natural resources by quitclaim
9 deed in order that the governor can issue executive orders to
10 the department of transportation, harbors division, and the
11 department of business, economic development and tourism,
12 foreign trade zone division, respectively, to ensure
13 preservation of these lands for continued maritime use.

14 SECTION 2. Section 206E-32, Hawaii Revised Statutes, is
15 amended to read as follows:

16 **"§206E-32 District; established, boundaries.** The Kakaako
17 community development district is established. The district
18 shall include that area bounded by King Street; Piikoi Street
19 from its intersection with King Street to Ala Moana Boulevard;
20 Ala Moana Boulevard, inclusive, from Piikoi Street to its
21 intersection with the Ewa boundary of Ala Moana Park also
22 identified as the Ewa boundary of tax map key 2-3-37:01; the Ewa

1 boundary of tax map key 2-3-37:01 from its intersection with Ala
2 Moana Boulevard to the shoreline; the shoreline from its
3 intersection with the property line representing the Ewa
4 boundary of property identified by tax map key 2-3-37:01 to the
5 property line between Pier 2 and Pier 4; the property line
6 between Pier 2 and Pier 4 from its intersection with the
7 shoreline to Ala Moana Boulevard; Ala Moana Boulevard from its
8 intersection with the property line between lands identified by
9 Pier 2 and Pier 4 to Punchbowl Street; and Punchbowl Street to
10 its intersection with King Street[-]; provided that the
11 following parcels located at piers 1 and 2 shall be deleted from
12 the Kakaako community development district boundaries and
13 conveyed to the department of land and natural resources to be
14 set aside for the department of transportation and the
15 department of business, economic development and tourism,
16 foreign trade zone division, to ensure continued maritime and
17 foreign commerce use: all of lot 3 of the Forest Avenue
18 subdivision, as shown on the map filed in the bureau of
19 conveyances of the State of Hawaii, as file plan 2335; lot A-2,
20 as shown on map 2, filed in the office of the assistant
21 registrar of the land court of the State of Hawaii with land
22 court application 1328; parcel 3-A, as shown on a map filed in

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1 the bureau of conveyances of the State of Hawaii, as file plan
 2 2335; parcel 2, as shown on a map filed in the bureau of
 3 conveyances of the State of Hawaii, as file plan 2335; lot A-1,
 4 as shown on map 2, filed in the office of the assistant
 5 registrar of the land court of the State of Hawaii with land
 6 court application 1328; parcel A, as shown on a map filed in the
 7 bureau of conveyances of the State of Hawaii, as file plan 2335;
 8 parcel B, as shown on a map filed in the bureau of conveyances
 9 of the State of Hawaii, as file plan 2335; and provided further
 10 that all existing easements affecting and appurtenant to the
 11 parcels to be deleted from the Kakaako community development
 12 district boundaries shall not be affected by this change.

13 The district shall also include that parcel of land
 14 identified by tax map key 2-1-14:16, situated mauka of piers 6
 15 and 7 and makai of Nimitz Highway, being the site for the
 16 existing Hawaiian Electric power plant and related facilities.

17 SECTION 3. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Calvin K. Y. Bay

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BY REQUEST
JAN 23 2006

JUSTIFICATION SHEET

1st DRAFT DATE: November 22, 2005

DEPARTMENT: Department of Transportation

TITLE: A BILL FOR AN ACT RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.

PURPOSE: The purpose of this bill is to exclude certain land parcels that comprise Piers 1 and 2, at Honolulu Harbor, from land designated for inclusion in the Kakaako Community Development District. The subject parcels are currently being utilized by the Department of Transportation, Harbors Division, and the Foreign Trade Zone No. 9 for maritime operations.

MEANS: Amend section 206E-32, Hawaii Revised Statutes.

JUSTIFICATION: The parcels are to be conveyed by quitclaim deed from the Hawaii Community Development Authority (HCDA) to the Department of Land and Natural Resources (DLNR) in order that the DLNR can issue an Executive Order to the Department of Transportation, Harbors Division, and the Foreign Trade Zone No. 9, respectively, to ensure preservation of these lands for continued maritime use.

Maritime lands are a finite resource for the State. In particular, Piers 1 and 2, at Honolulu Harbor, support vital and unique maritime activities including berthing piers for cargo ships and passenger vessels, container cargo facilities, a cruise ship terminal, and the Foreign Trade Zone No. 9. These maritime functions are crucial and cannot be relocated.

The various maritime operations and the related Foreign Trade Zone No. 9 activities, are an integral part of the commercial harbor system that is the lifeblood of the economy of the State of Hawaii. Nearly 80 percent of all

goods used in our State is imported, and of this amount, 98.6 percent brought into the State through the commercial harbor system. Our current robust economy has continued to add to the demand placed on manifested cargo processing operations, and the State can ill afford to lose any prime berthing and back up fast lands to other non-maritime uses.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: TRN

OTHER AFFECTED
AGENCIES: Department of Business, Economic Development,
and Tourism, Hawaii Community Development
Authority, Foreign Trade Zone No. 9, Department
of Land and Natural Resources

EFFECTIVE DATE: Upon approval.