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IN REPLY REFER TO:

March 17, 2008

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 2428

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

COMMITTEE ON INTERGOVERNMENTAL AND MILITARY AFFAIRS

We support this bill.

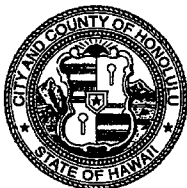
The Department of Transportation (DOT) supports the proposal to exempt state highway projects that involve acquisitions from county subdivision approvals. This exemption would help expedite project delivery.

The current county approval process duplicates many of the practices already required in long range planning, environmental studies, the public involvement process and the legislative approval of each project. The county process requires an application for each subdivision taking, an application fee, tax clearances, a response to numerous reviewing agencies and requires the owners to sign off on subdivision applications before negotiations are completed. The bill would eliminate this lengthy and redundant review process.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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DEPUTY DIRECTOR

March 14, 2008

The Honorable J. Kalani English, Chair
and Members of the Committee on Transportation,
and International Affairs

The Honorable Lorraine R. Inouye, Chair
and Members of the Committee on Intergovernmental
and Military Affairs
Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chairs English, Inouye and Members:

**Subject: HOUSE BILL NO. 2428
Relating to Highways**

The Department of Planning and Permitting (DPP) **reiterates its opposition to House Bill 2428 in its present form**, which exempts acquisition of lands for highway projects by the state department of transportation from the requirements of the county subdivision regulations, is unnecessary for subdivisions processed in the City and County of Honolulu, and would potentially be harmful to private landowners.

In recent discussions with staff at the State Department of Transportation (SDOT), they have expressed the desire to maintain the existing working relationship with the City and County of Honolulu, recognizing that it enables their subdivisions to be processed with minimal or no delays. Unlike some of the neighbor island counties, the subdivision process in Honolulu is purely ministerial and administered entirely by the DPP. In addition, SDOT has also recognized the advantage of going through our subdivision review process to minimize the risk that their agency will be stuck with land that cannot be developed and which they cannot dispose of in the future.

The Honorable J. Kalani English, Chair
and Members of the Committee on Transportation,
and International Affairs

The Honorable Lorraine R. Inouye, Chair
and Members of the Committee on Intergovernmental
and Military Affairs

Senate

Re: House Bill 2428

March 14, 2008

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In this regard, we suggest that the bill be amended to state that it shall **not** apply to counties with a population of more than 500,000.

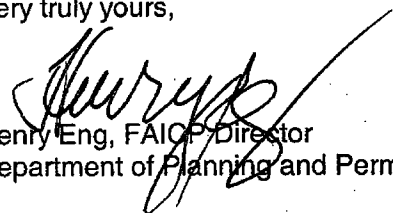
As explained in our previous testimonies, if the bill remains in its present form allowing the state department of transportation to subdivide private lots without county review, it may result in remnant lots that are substandard in dimensions or land area, or being in lack of the adequate access and facilities necessary to support future development. The department of transportation does not have staff that is knowledgeable in the county zoning regulations and building permitting process that regulates private development, and understandably, will not be aware of how their subdivisions may impact the ability to develop those remainder lots in the future.

We have also pointed out that the county will have no records of the department of transportation's subdivisions and that such absence of records may be detrimental to private landowners and a hindrance to the issuance of future building or other development permits on the remainder lots.

Accordingly, we respectfully request that House Bill 2428 be amended as suggested herewith or filed if it remains in its current form.

Thank you for this opportunity to comment.

Very truly yours,



Henry Eng, FAICP Director
Department of Planning and Permitting

HE: jmf
hb2428b-mh.doc



**The Chamber of
Commerce of Hawaii**

Since 1850

**Testimony to the Committees on Transportation and International Affairs and
Intergovernmental and Military Affairs
Monday, March 17, 2008 at 1:30 p.m.
Room 224, State Capitol**

RE: H.B. 2428 Relating to Highways

Chairs English and Inouye, Vice Chairs Gabbard and Tsutsui, and Members of the Committees:

My name is Christine H. Camp, Chair of The Chamber of Commerce of Hawaii, Land Use and Transportation Committee. The Chamber strongly supports HB 2428.

The Chamber is the largest business organization in Hawaii, representing over 1100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. The organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

H.B. No. 2428 purposes to speed up project delivery and save time and money on state highway projects by exempting the acquisition of lands for state highway projects by the Department of Transportation (DOT) from the requirements of county subdivision regulations.

Passage of this bill would provide significant savings in time and project costs for state highway projects. Overtime, we have witnessed the County's "ministerial" approvals gravitate towards become more of a "discretionary" approval. Subdivisions in general should be viewed simply from a public health and safety standpoint. As long as the subdivision falls within the parameters set by the individual county, it should be approved.

The proposed legislation illustrates how the process is becoming more subjective and discretionary even for other government projects, which in theory must meet a similar or higher public health and safety test.

Thank you for this opportunity to express our views.