

LINDA LINGLE
GOVERNOR



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IN REPLY REFER TO:

March 24, 2008

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

SENATE BILL NO. 2441, HD 1

COMMITTEE ON WATER, LAND, OCEAN RESOURCES, AND HAWAIIAN AFFAIRS

We support this bill.

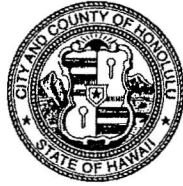
The Department of Transportation (DOT) supports the proposal to exempt state highway projects that involve acquisitions from county subdivision approvals. This exemption would help expedite project delivery.

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 24, 2008

The Honorable Ken Ito, Chair
and Members of the Committee on Water, Land,
Ocean Resources & Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

**Subject: SENATE BILL 2441, HD1
Relating to Highways**

The Department of Planning and Permitting (DPP) **reiterates its opposition to Senate Bill 2441, HD1 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.

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.


The Honorable Ken Ito, Chair
and Members of the Committee on Water, Land,
Ocean Resources & Hawaiian Affairs
House of Representatives
Re: Senate Bill 2441, HD1
March 24, 2006
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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 Senate Bill 2441, HD1 be amended as suggested herewith or filed if it remains in its current form.

Thank you for this opportunity to comment.

Very truly yours,

A handwritten signature in black ink, appearing to read "Henry Eng", written over a printed name and title.

Henry Eng, FAICP Director
Department of Planning and Permitting

HE: jmf
sb2441hd1-mh.doc