



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 1, 2010

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 2751

COMMITTEE ON TRANSPORTATION

The Department of Transportation opposes this bill for the following reasons:

- The U.S. Navy and U.S. Air Force have both informed the DOT and made statements at a public meeting on August 9, 2005, that for national security reasons they will not allow a highway open to the general public to exit, enter, or traverse through their military installations or facilities.
- The U.S. Air Force, in a September 9, 2005 letter, further stated that they "would not support any effort that would result in a portal into or out of Hickam Air Force Base or a route that goes through the base (on or in close proximity to the surface)."
- "Major" regional transportation improvements, such as this proposed tunnel project, would not be eligible for federal transportation funds unless they are included in the Oahu Metropolitan Planning Organization's (OMPO) plan.
- This project is currently not included in OMPO's Oahu Regional Transportation Plan (ORTP) list of approved projects, utilized by the DOT to select and prioritize Oahu projects for further development.

We also question the legality of using impact fee revenues to pay for a feasibility study or to charge larger impact fees to housing priced over \$600,000. Under Section 46-143(d), Hawaii Revised Statutes:

An impact fee shall be substantially related to the needs arising from the development and shall not exceed a proportionate share of the costs incurred or to be incurred in accommodating the development.

TESTIMONY BY GEORGINA K. KAWAMURA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON TRANSPORTATION
ON
HOUSE BILL NO. 2751

February 1, 2010

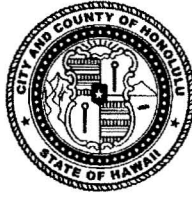
RELATING TO TRANSPORTATION

House Bill No. 2751 creates a Pearl Harbor special fund to be administered by the Director of Transportation. Moneys in the special fund would be expended by the Director of Transportation to fund an initial feasibility study and planning costs for an underwater or submerged transportation tunnel across the Pearl Harbor channel.

As a matter of general policy, we do not support the creation of any new special fund or revolving fund that does not meet the requirements of Sections 37-52.3 and 37-52.4, Hawaii Revised Statutes. Special and revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. It is unclear if the Pearl Harbor special fund reflects a clear nexus between the benefits sought and charges made upon the users of the program and whether the fund would be self-sustaining.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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MUFI HANNEMANN
MAYOR

DAVID K. TANOUE
DIRECTOR
ROBERT M. SUMITOMO
DEPUTY DIRECTOR

February 1, 2010

The Honorable Representative Joseph M. Souki, Chair
and Members of the Committee on Transportation
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Souki and Members:

**Subject: House Bill No. 2751
Relating to Transportation**

The Department of Planning and Permitting has **comments** on this proposed legislation, which would require the City and County of Honolulu to establish a new impact fee program. These fees would be deposited into a new state fund which would pay for a feasibility study on a Pearl Harbor underwater tunnel.

We have a number of concerns, including the need for the city to essentially intrude into a state function, regional highway project planning. We would also need justification for the mandate to collect \$1 million in two years.

More importantly, the legislature should first determine whether the United States Navy is agreeable to a public transportation tunnel in Pearl Harbor. In past discussions, we recall that the Navy had deep reservations, if not objections, about the concept. Rather than immediately mandate the counties to expend time and resources on collecting a new impact fee that may never be used, Navy concurrence with the proposal should first be confirmed.

Thank you for the opportunity to testify.

Sincerely yours,


for David K. Tanoue, Director
Department of Planning and Permitting

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