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# A BILL FOR AN ACT

RELATING TO LAND USE.

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

1           SECTION 1. The legislature finds that there is an area in  
2 the Heeia ahupua'a, which is located in Koolaupoko, Oahu, in  
3 close proximity to the Heeia fishpond that is commonly known as  
4 the "Heeia wetlands." The Heeia wetlands, consisting of  
5 approximately four hundred five acres, were acquired by the  
6 Hawaii community development authority on July 2, 1991, by  
7 assuming the buyer's position in an existing purchase agreement  
8 and folding it into an exchange agreement with Kamehameha  
9 Schools. This transaction provided Kamehameha Schools with what  
10 is now the makai gateway park and the parcel of land commonly  
11 known as the "Honolulu Ford parcel" in addition to \$11,667,917  
12 in public facility credits in exchange for the Heeia wetlands.

13           Approximately eighty acres adjacent to the Heeia wetlands  
14 were added into the acquisition and subsequently reconveyed to  
15 Kamehameha Schools in 1994, in accordance with the terms of the  
16 original exchange agreement, when the Hawaii housing finance and  
17 development corporation declined to use it for the development  
18 of affordable housing. This eighty-acre parcel is included in



1 the new Heeia community development district. Kakoo Oiwi, a  
2 Hawaii nonprofit corporation, approached the Hawaii community  
3 development authority to request a long-term lease to restore  
4 the wetlands, eliminate invasive species, and establish an  
5 agricultural and educational center that will contribute to the  
6 community at large. A thirty-eight year lease was granted to  
7 Kakoo Oiwi in March 2010 for these purposes.

8 The purpose of this Act is to establish the Heeia community  
9 development district to develop culturally appropriate  
10 agriculture, education, and natural-resource restoration and  
11 management of the Heeia wetlands.

12 SECTION 2. Chapter 206E, Hawaii Revised Statutes, is  
13 amended by adding a new part to be appropriately designated to  
14 read as follows:

15 **"PART . HEEIA COMMUNITY DEVELOPMENT DISTRICT**

16 **§206E- Definitions.** As used in this part:

17 "District" means the Heeia community development district.

18 "Fund" means the Heeia community development revolving  
19 fund.

20 **§206E- District established; boundaries.** (a) The Heeia  
21 community development district is hereby established. The  
22 district shall include that area within the boundaries described



1 as follows: the southern boundary begins at the residential  
2 portion of lands owned by the Kamehameha Schools and runs west  
3 to Kahekili highway and east to Kamehameha highway. The  
4 northern boundary borders the McCabe property where it runs west  
5 to Kahekili highway and east to Kamehameha highway. The tax map  
6 key numbers are 4-6-16:001 and 4-6-16:002 (owned by the  
7 authority), 4-6-16:036 (owned by Kamehameha Schools), and 4-6-  
8 16:004, 011, 012, and 017 (owned by various owners of *kuleana*  
9 parcels).

10 (b) The authority shall serve as the local redevelopment  
11 authority of the district to facilitate culturally appropriate  
12 agriculture, education, and natural-resource restoration and  
13 management of the Heeia wetlands, in alignment with the Honolulu  
14 board of water supply's most current "Koolau Poko Watershed  
15 Management Plan" and the city and county of Honolulu's most  
16 current "Koolaupoko Sustainable Communities Plan." In addition  
17 to any other of its duties under this chapter, the authority  
18 shall:

19 (1) Coordinate with landowners in the district and  
20 immediately surrounding area and other entities to  
21 implement activities related to and supportive of



- 1 cultural practices, agriculture, education, and  
2 natural-resource restoration and management;
- 3 (2) Assist land users to manage their properties and  
4 implement activities related to and supportive of  
5 cultural practices, agriculture, education, and  
6 natural-resource restoration and management;
- 7 (3) Work with federal, state, county, and other agencies  
8 to ensure that infrastructural support is provided for  
9 the district;
- 10 (4) Develop the infrastructure necessary to support the  
11 implementation of the Heeia community development  
12 district master plan; and
- 13 (5) Provide, to the extent feasible, maximum opportunity  
14 for the restoration and implementation of sustainable,  
15 culturally appropriate, biologically responsible, or  
16 agriculturally beneficial enterprises.
- 17 (c) Three additional voting members shall, except as  
18 otherwise provided in this subsection, be appointed to the  
19 authority by the governor pursuant to section 26-34 to represent  
20 the district. These three members shall be considered in  
21 determining quorum and majority only on issues relating to the  
22 district and may vote only on issues related to the district.



1 The three members shall be residents of Heeia or the immediately  
2 surrounding area.

3 **§206E- Heeia community development district; policies to**  
4 **guide development.** The following general policies to guide  
5 development shall govern the authority's actions in the  
6 district:

- 7 (1) Development shall be in accordance with the Heeia  
8 master plan, except as it conflicts with the Hawaii  
9 State Constitution and the Hawaii Revised Statutes;
- 10 (2) With the approval of the governor, and in accordance  
11 with law, the authority, upon the concurrence of a  
12 majority of its voting members, may modify and make  
13 changes to the Heeia master plan to respond to  
14 changing conditions; provided that prior to amending  
15 the Heeia master plan, the authority shall conduct a  
16 public meeting pursuant to chapter 92 to inform the  
17 public of the proposed changes and receive public  
18 input;
- 19 (3) The authority shall provide, to the extent feasible,  
20 maximum opportunity for the restoration and  
21 implementation of sustainable, culturally appropriate,



1 biologically responsible, or agriculturally beneficial  
2 enterprises;

3 (4) The authority may engage in planning, design, and  
4 construction activities within and outside the  
5 district; provided that activities outside the  
6 district shall relate to infrastructural development,  
7 area-wide drainage improvements and sediment transport  
8 mitigation, roadway realignments and improvements, and  
9 other activities the authority deems necessary to  
10 carry out redevelopment of the district and implement  
11 this part. Studies or coordinating activities may be  
12 undertaken by the authority in conjunction with the  
13 county and appropriate federal and state agencies and  
14 may address infrastructural systems, natural-resource  
15 systems, and other activities;

16 (5) Planning, replanning, rehabilitation, development,  
17 redevelopment, and other preparations for the  
18 restoration of cultural practices, education, natural  
19 resources, and agriculture related activities shall be  
20 pursued;

21 (6) Hawaiian archaeological, historic, and cultural sites  
22 shall be preserved and protected to the extent



1 feasible while allowing for continued use of the  
2 property for cultural activities, education,  
3 agricultural and economic pursuits, and natural-  
4 resource restoration. Endangered species of flora and  
5 fauna shall be preserved and protected to the extent  
6 feasible;

7 (7) Land use and redevelopment activities within the  
8 district shall be coordinated with and, to the extent  
9 possible, complement existing county and state  
10 policies, plans, and programs affecting the district;

11 (8) Public facilities within the district shall be  
12 planned, located, and developed to support the  
13 redevelopment policies established by this part for  
14 the district, the master plan approved by the  
15 governor, and rules adopted pursuant to this chapter;  
16 and

17 (9) Special management area permit administration for the  
18 district shall continue to be under the authority of  
19 the city and county of Honolulu.

20 **§206E- Heeia community development revolving fund. (a)**

21 There is established in the state treasury the Heeia community  
22 development revolving fund, into which shall be deposited:



1 (1) All revenues, income, and receipts of the authority  
2 for the district, notwithstanding any other law to the  
3 contrary, including section 206E-16;

4 (2) Moneys directed, allocated, or disbursed to the  
5 district from government agencies or private  
6 individuals or organizations, including grants, gifts,  
7 awards, donations, and assessments of landowners for  
8 costs to administer and operate the district; and

9 (3) Moneys appropriated to the fund by the legislature.

10 (b) Moneys in the fund shall be used only for the purposes  
11 of this part.

12 (c) Investment earnings credited to the assets of the fund  
13 shall become part of the fund.

14 **§206E- Rules; adoption.** The authority shall adopt rules  
15 in accordance with chapter 91 to carry out the purposes of this  
16 part."

17 SECTION 3. This Act shall take effect on July 1, 2030.





**Report Title:**

Heeia Community Development District

**Description:**

Establishes the Heeia Community Development District in Koolaupoko, Oahu. Effective July 1, 2030. (HB389 HD3)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

