

# SB 2132

Measure Title: RELATING TO THE BANYAN DRIVE COMMUNITY.

Report Title: Banyan Drive; DLNR; Community Development Board

Description: Establishes the Banyan drive community development board to advise the DLNR on the redevelopment and maintenance of Banyan Drive in Hilo on Hawaii island.

Companion:

Package: None

Current Referral: WTL/EGH/TSM, WAM

Introducer(s): KAHELE, CHUN OAKLAND, GALUTERIA, SOLOMON, Dela Cruz, Keith-Agaran, Shimabukuro, Tokuda

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of**  
**WILLIAM J. AILA, JR**  
**Chairperson**

**Before the Senate Committees on**  
**WATER AND LAND,**  
**ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING,**  
**and**  
**TOURISM**

**Wednesday, January 29, 2014**  
**1:20 PM**  
**State Capitol, Conference Room 225**

**In consideration of**  
**SENATE BILL 2132**  
**RELATING TO BANYAN DRIVE COMMUNITY**

Senate Bill 2132 proposes to establish the Banyan Drive Community Development Board (Board) to advise the Department of Land and Natural Resources (Department) on the redevelopment and maintenance of Banyan Drive in Hilo on Hawaii Island. **The Department opposes this bill for the following reasons.**

The bill provides that the nine-member board is to be a policy-making board for the Banyan Drive area and is to be attached to the Department for administrative purposes. The bill directs the Department to appoint staff as necessary to support the functions of the Board. The board would require a secretary and perhaps additional staff for proper administration, as well as office equipment, supplies, and travel expenses for Board members. In addition to those expenses, the proposed Board would be a planning committee created by law and would be subject to Hawaii Revised Statutes Chapter 92's sunshine law requirements. The Board's actions may be subject to contested case hearings and appeals. No general appropriation is made in the bill to carry out the purposes of the measure, which means the expense of maintaining the Board will likely be borne primarily by the Department. A conservative budget for such a board, including payroll, fringe benefits, hearing officer fees, and other costs and expenses, would be \$500,000 annually.

Moreover, the bill proposes an unnecessary, bureaucratic addition to the Department's operations. The Department already has planning and development staff to assess appropriate uses of land in its inventory. Additionally, the Department has procured a consultant specifically

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CHAIRPERSON  
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COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER KIA'AINA**  
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**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

for the Banyan Drive to analyze market trends, and explore options for redevelopment and rehabilitation of specific parcels or areas. After last year's legislative session, the Governor approved the formation of a Banyan Drive Task Force that met three times in 2013 to discuss many of the issues covered by the bill. The task force members include representatives from local businesses, the former executive director of the Big Island Visitors Bureau, the executive director of the 'Imiloa Astronomy Center of Hawaii, and representatives from the Hawaii County Mayor's Office and State legislators also attend the meetings. This informal task force has worked well and at limited expense to the State.



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

**NEIL ABERCROMBIE**  
GOVERNOR

**RICHARD C. LIM**  
DIRECTOR

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DEPUTY DIRECTOR

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Written Statement of  
**RICHARD C. LIM**  
**Director**  
Department of Business, Economic Development, and Tourism  
before the  
**SENATE COMMITTEES ON WATER AND LAND,  
ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING**  
and  
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in consideration of  
**SB 2132**  
**RELATING TO BANYAN DRIVE COMMUNITY.**

Chairs Solomon, Dela Cruz, and Kahele, Vice Chairs Galuteria, Slom, and Keith-Agaran and Members of the Committees.

The Department of Business and Economic Development and Tourism (DBEDT) defers to the DLNR with respect to the merits of the proposal and provides the following comments as it relates to the inclusion of the DBEDT director or representative on the proposed advisory Community Development Board.

SB 2132 charges the board to advise the DLNR as to community development policies, develop management and restoration guidelines of the state lands in the Banyan Drive area of Hilo.

Please note that the proposal does not provide any appropriation. DLNR estimates that operating and staff costs may amount to \$500,000. Further, the board's work may duplicate the Banyan Drive Task Force that was established in 2013.

Thank you for the opportunity to comment on this legislative proposal.