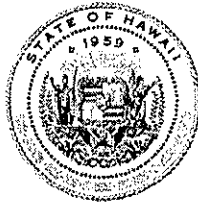
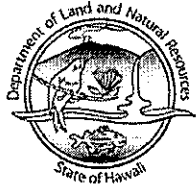


# **SB 2437**

Requires all state agencies within one-half mile of proposed rail stations to enter into memoranda of understanding with each other and convene working groups that include representatives of the Honolulu authority for rapid transportation. Requires the working groups to submit annual reports to the legislature.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
WILLIAM J. AILA, JR.  
Chairperson

Before the Senate Committees on  
ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING  
and  
TRANSPORTATION AND INTERNATIONAL AFFAIRS  
and  
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

Monday, February 3, 2014  
2:45 P.M.  
State Capitol, Conference Room 16

In consideration of  
SENATE BILL 2437  
RELATING TO TRANSIT

Senate Bill 2437 proposes to require all state agencies within one-half mile of proposed rail stations to enter into memoranda of understanding with each other and convene working groups that include representatives of the Honolulu Authority for Rapid Transportation (HART), and additionally requires the submission of annual reports to the legislature. **The Department of Land and Natural Resources (Department) will participate in any relevant working group established under this bill, but offers the following comments.**

The Department is responsible for managing approximately 1.3 million acres of public lands comprised of sensitive natural, cultural and recreational resources. The Department's responsibilities include managing and maintaining the State's coastal lands and waters, water resources, conservation and forestry lands, historical sites, small boat harbors, parks, and recreational facilities; performing public safety duties (e.g., flood and rockfall prevention); issuing and managing leases of public lands (agriculture, pasture, commercial, industrial, and resort leases); maintaining unencumbered public lands; and enforcing the Department's rules/regulations. To properly perform these fiduciary duties, the Board of Land and Natural Resources (BLNR) determined that the Department should utilize a portion of the lands it manages to generate revenues to support the Department's operations and management of public lands/programs.

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA  
FIRST DEPUTY

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  
KAIHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

The BLNR manages lands within a one-half mile radius of the proposed Kapolei transit station. The Department intends to develop these lands for commercial purposes to generate revenues to support its above-described mission. The Department's mission does not extend to transportation or workforce housing. However, the Department is amenable to meeting with HART and other affected agencies regarding the Department's development plans for its lands.

NEIL ABERCROMBIE  
GOVERNOR



Dean H. Seki  
Comptroller

Marla E. Ziehlinski  
Deputy Comptroller

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING  
AND GENERAL SERVICES  
P.O. BOX 119  
HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY  
OF  
DEAN H. SEKI, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
SENATE COMMITTEES  
ON  
ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING  
AND  
TRANSPORTATION AND INTERNATIONAL AFFAIRS  
AND  
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS  
ON  
February 3, 2014

S.B. 2437

RELATING TO TRANSIT

Chairs Dela Cruz, English, Espero, and members of the Committees, thank you for the opportunity to submit written testimony on S.B. 2437.

The Department of Accounting and General Services (DAGS) supports the intent of S.B. 2437 and provides the following concerns:

1. Pursuant to Section 26-6, Hawaii Revised Statutes (HRS), DAGS has jurisdictional authority to execute a Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU) only for State office building purposes;
2. Pursuant to Chapter 171, HRS, the Department of Land and Natural Resources has jurisdictional authority for management of most State-owned property. Therefore,

any MOA/MOU impacting future use of those State-owned properties will need Board of Land and Natural Resources approval prior to final execution; and

3. Even though DAGS was issued an Executive Order for the Aloha Stadium property, the Aloha Stadium Board (which is administratively attached to DAGS) is ultimately responsible for overview management and control of “day-to-day” activities on the Aloha Stadium property. Also, a portion of the Aloha Stadium property is subject to a Federal deed reversion clause that limits use of portions of the Aloha Stadium property for “public recreational purposes”.

DAGS defers to the Department of Business, Economic Development and Tourism, Office of State Planning as it has the jurisdictional authority (pursuant to Sections 226-51 and 226-52, HRS) to coordinate and guide all major State and County activities and implement the overall theme, goals, objectives, policies, and priority guidelines for a statewide planning system.

Thank you for the opportunity to submit written testimony on this matter.

**NEIL ABERCROMBIE**  
GOVERNOR

**DEAN H. SEKI**  
COMPTROLLER



**ALOHA STADIUM**  
*An Agency of the State of Hawaii*

**SCOTT L. CHAN**  
MANAGER

**LOIS M. MANIN**  
DEPUTY MANAGER

TESTIMONY  
OF  
SCOTT L. CHAN, STADIUM MANAGER  
STADIUM AUTHORITY  
TO THE  
SENATE COMMITTEES  
ON  
ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS AND HOUSING  
AND  
TRANSPORTATION AND INTERNATIONAL AFFAIRS  
AND  
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS  
ON  
February 3, 2014

S.B. 2437

RELATING TO TRANSIT

Chair Dela Cruz, Chair English, Chair Espero, and members of the respective Committees, thank you for the opportunity to testify on S.B. 2437.

The Stadium Authority supports the intent of S.B. 2437 and understands the importance of collaborating with other State government agencies affected by the establishment of a rail transit station on the Aloha Stadium property. The collaborative efforts of a working group will help to address the needs and priorities of the surrounding community.

Thank you for the opportunity to testify on this matter.

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

850 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov/dpp](http://www.honolulu.gov/dpp) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



GEORGE I. ATTA, FAICP  
DIRECTOR

ARTHUR D. CHALLACOMBE  
DEPUTY DIRECTOR

February 3, 2014

The Honorable Donovan Dela Cruz, Chair  
and Members of the Committee on Economic Development,  
Government Operations and Housing  
The Honorable J. Kalani English, Chair  
and Members of the Committee on Transportation  
and International Affairs  
The Honorable Will Espero, Chair  
and Members of the Committee on Public Safety,  
Intergovernmental and Military Affairs  
Hawaii State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chairs Dela Cruz, English, Espero and Committee Members:

**Subject: Senate Bill No. 2437  
Relating to Transit**

The Department of Planning and Permitting (DPP) and the City's Transit Oriented Development (TOD) Program **oppose** Senate Bill No. 2437, but we appreciate the Senate's intent in encouraging State agencies to work together in the TOD areas. The Bill would require all State agencies within one-half mile of proposed rail stations to enter into a Memorandum of Understanding (MOU) and convene working groups with the Honolulu Authority for Rapid Transportation (HART) to address how the transit stations will affect the surrounding workforce and housing.

We applaud interest in involving State agencies in implementing TOD projects. The State owns a significant amount of land around transit stations, and has access to resources, partnerships, incentives and financing capacity that can be used to catalyze development on those parcels. We share your interest in maximizing the impact of State policies, land, and resources to support TOD projects that will enhance Oahu's neighborhoods, and look forward to continuing our partnership with the State.

However, the working groups' tasks appear to duplicate some of what the City's TOD Program and our partners have been working on for the last seven years. The Bill mentions working with HART, which is responsible only for the actual transit stations or development directly on limited HART-owned station sites, rather than the DPP and our TOD Program, which are responsible for developing plans, updated zoning, financial tools, and implementation strategies in the TOD areas. The Bill focuses on the impact of the transit station itself, rather than the TOD plans, policies, codes, investments, and implementation strategies. The

Honorable Donovan Dela Cruz, Chair  
and Members of the Committee on Economic Development,  
Government Operations and Housing  
Honorable J. Kalani English, Chair  
and Members of the Committee on Transportation  
and International Affairs  
Honorable Will Espero, Chair  
and Members of the Committee on Public Safety,  
Intergovernmental and Military Affairs  
Hawaii State Senate  
Re: Senate Bill No. 2437  
February 3, 2014  
Page 2

proposed process seems overly complex, requiring separate working groups and MOUs for each of the eight stations selected, which could take a significant amount of agency staff time for limited results.

Rather than convening eight separate working groups focused on analyzing the impact of transit stations alone, we respectfully suggest that it may be more effective – and quicker – to use our TOD program’s efforts as a starting point. Perhaps the DPP could host a series of work sessions with key state agencies to walk through each of the TOD Plans, present what we have learned about community goals, needs and potential, explore infrastructure issues, and highlight key development opportunities. This effort could identify several potential sites, projects, and policies where the State’s efforts could help leverage City and private developer investments. We suggest that the emphasis should be more on implementing projects – getting State resources directed geographically to the transit corridor – rather than on how State agencies should talk to each other. This effort could also help locate any new State facilities, especially offices, near rail stations. This is in keeping with last year’s recommendations from Smart Growth America in a study led by the State Office of Planning.

The DPP’s TOD Program has developed six draft Neighborhood TOD Plans for the areas around 15 of the transit stations, and we are preparing to conduct the Airport and Aloha Stadium TOD plans for four stations (the remaining two station areas are under Hawaii Community Development Authority jurisdiction). Each plan is based on extensive community participation, with three to four public workshops in each area, smaller stakeholder meetings with land owners, business and community groups, and detailed community surveys. Thorough technical analysis underlies each plan, including market analysis and feasibility studies. All of this work is available at [www.todhonorolulu.org](http://www.todhonorolulu.org) and has been shared with State agencies. In fact, we are pleased to share with you that State staff and directors have participated in the formulation of these plans as advisory committee members and participants at community meetings.

For the last year, we have focused on an implementation strategy to catalyze development opportunities, infrastructure investments, and neighborhood enhancements. We have started drafting land use ordinance and zoning updates, based on the Neighborhood TOD plans, which will make it easier to develop mixed-use projects that reflect the community’s vision. The City’s new TOD Sub-cabinet is a working group of infrastructure, transportation, environmental, housing, and planning directors who meet weekly to focus inter-agency efforts on expediting catalytic projects in the TOD areas. Three catalytic projects were selected for this year, along with multimodal access and safety improvements around the first half of the rail



Honorable Donovan Dela Cruz, Chair  
and Members of the Committee on Economic Development,  
Government Operations and Housing  
Honorable J. Kalani English, Chair  
and Members of the Committee on Transportation  
and International Affairs  
Honorable Will Espero, Chair  
and Members of the Committee on Public Safety,  
Intergovernmental and Military Affairs  
Hawaii State Senate  
Re: Senate Bill No. 2437  
February 3, 2014  
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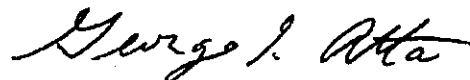
stations that will open in 2017. We are also working with landowners and developers to generate interest in potential projects in key areas.

The DPP has already been working with several state agencies on TOD-related issues, including the Department of Education (potential redevelopment opportunities and school access); Department of Health (potential bike share system and environmental/brownfields issues); Department of Accounting and General Services (potential State facilities and projects in TOD areas); HCDA (mobility and infrastructure improvements in Kakaako); and the University of Hawaii system (West Oahu, Leeward Community College and Honolulu Community College campuses, and long-term redevelopment potential). We are preparing to initiate the Aloha Stadium TOD Plan, and have been meeting with DAGS and the Stadium Authority. We are also initiating the Airport Neighborhood TOD Plan, and will be working closely with HDOT on that plan, as well as transit station access and safety improvements for the station areas along Farrington and Kamehameha highways.

In summary, the DPP and the Transit Oriented Development Program **oppose** Senate Bill No. 2437 as being counter-productive, and we ask that the Bill be held in Committee. We have included State agencies from the beginning of our TOD program in 2007 – initially in the formulation of neighborhood TOD plans, and then broadening into defining regional policies and development of actual TOD projects. In lieu of Senate Bill No. 2437, we would support a Resolution that endorses the continued joint efforts being done by State agencies with the City, with focus on constructing projects that meet public goals related to economic development, affordable housing, and sustainability.

Thank you for the opportunity to testify.

Very truly yours,



George I. Atta, FAICP  
Director

GIA: cl  
SB2437-hbr



IN REPLY REFER TO:  
CMS-AP00-00593

**HONOLULU AUTHORITY for RAPID TRANSPORTATION**

Daniel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

**BOARD OF DIRECTORS**

Ivan M. Lui-Kwan, Esq.  
CHAIR

Donald G. Horner  
VICE CHAIR

George I. Atta  
Robert Bunda  
Michael D. Formby  
William "Buzz" Hong  
Kessie W.K. Hui  
Damien T.K. Kim  
Glenn M. Okimoto, Ph.D.  
Carrie K.S. Okinaga, Esq.

January 31, 2014

Via Email: [EGHtestimony@capitol.hawaii.gov](mailto:EGHtestimony@capitol.hawaii.gov)

The Honorable Donovan M. Dela Cruz, Chair  
The Honorable J. Kalani English, Chair  
The Honorable Will Espero, Chair  
and Members of the Committees on Economic Development,  
Government Operations and Housing; and Transportation and  
International Affairs; and Public Safety, Intergovernmental and  
Military Affairs  
State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Dela Cruz, Chair English, Chair Espero, and Senators:

Subject: SB2436 Relating to Community Planning.  
SB2437 Relating to Transit.  
Committees on Economic Development, Government Operations and  
Housing; and Transportation and International Affairs; and Public Safety,  
Intergovernmental and Military Affairs  
Monday, February 3, 2014, at 2:45 PM

The Honolulu Authority for Rapid Transportation (HART) supports the intent of Senate Bills 2436 and 2437, which encourage collaboration and coordination between State agencies that own property within transit-oriented development (TOD) zones around stations. Also attached is a copy of HART Board Resolution 2013-12, which reflects the Board of Directors' position regarding TOD-related legislation. HART is committed to working with State agencies, as well as the City Department of Planning and Permitting (DPP), Department of Transportation Services (DTS), and other City departments, to develop TOD and joint development projects.

HART respectfully recommends that the City should maintain advisory capacity over areas under its control, unless they are State-owned properties. HART also recommends that the mission of the advisory committee should be to identify TOD projects for development on State property. The identified projects can result in a memorandum of understanding (MOU) as described in Senate Bill 2437.

We respectfully suggest limiting advisory capacity to areas with adjacent State property owners, and limiting the advisory group to nine (9) members with staggered terms, and membership as described below:

- (3) Community representatives: developer, resident living in a TOD area, and cultural representative

The Honorable Donovan M. Dela Cruz, Chair  
The Honorable J. Kalani English, Chair  
The Honorable Will Espero, Chair  
and Members of the Committees on Economic Development, Government  
Operations and Housing; and Transportation and International Affairs; and  
Public Safety, Intergovernmental and Military Affairs

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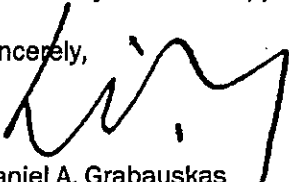
January 31, 2014

- (2) City representatives: DPP-TOD (Chair), DTS
- (3) State agency representatives: Hawaii Department of Transportation, State Office of Planning, Governor appointee
- (1) HART representative

HART respectfully suggests that Senate Bill 2437 be combined with Senate Bill 2436, as it duplicates existing relationships between HART and State agencies that hold properties adjacent to station sites. HART notes the proposed legislation requires agencies to enter into an MOU but does not address prioritization of agency activities or resources in TOD areas. It should be noted that DPP is the lead City agency for TOD as HART is a supporting agency for DPP in its efforts to perform TOD studies and capital projects in these areas. As such, DPP may be a more appropriate agency for this legislation. The identification of TOD opportunities and State-DPP-HART collaboration of the eight (8) project areas can be further discussed in revisions to Senate Bill 2436.

We thank you for this opportunity to provide written testimony.

Sincerely,



Daniel A. Grabauskas  
Executive Director and CEO

Attachment

cc: HART Board of Directors

**Honolulu Authority for Rapid Transportation**

**RESOLUTION NO. 2013 - 12**

**REGARDING THE POSITION OF THE BOARD OF DIRECTORS OF  
THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION ON  
TRANSIT-ORIENTED DEVELOPMENT**

WHEREAS, the Honolulu Authority for Rapid Transportation (HART) has been established pursuant to Article XVII of the Revised Charter of the City and County of Honolulu 1973, as amended (RCH); and

WHEREAS, RCH Section 17-103.1 authorizes HART to "develop, operate, maintain and expand the city fixed guideway system;" and

WHEREAS, RCH Section 17-103.2(n) empowers HART to "promote, create and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning"; and

WHEREAS, the HART Board of Directors recognizes that transit oriented development (TOD) will benefit the Honolulu Rail Transit Project (H RTP) and its ridership through:

- Encouraging convenient, safe multi-modal access to transit;
- Encouraging the creation of mixed-use, pedestrian and bicycle-friendly communities that provide employment, housing, and services;
- Creating housing options including market-rate and affordable units;
- Supporting economic development efforts; and
- Promoting sustainability by reducing pollution, noise and reliance on automobiles; and

WHEREAS, TOD provides a unique opportunity to foster more livable communities that take advantage of the benefits of transit, specifically, reducing transportation costs for residents, businesses and workers while improving mobility and circulation in the station area for all modes of travel; and


WHEREAS, In order to capitalize on this tremendous opportunity, development around future rail station stations needs to be focused, balanced and well-planned.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of HART as follows:

1. The HART Board of Directors favors and supports legislative measures which maximize the potential for TOD, promote effective community planning and provide a vision for neighborhood improvements and future urban redevelopment.
2. The HART Executive Director and CEO is authorized to submit testimony on pertinent legislation consistent with the overall policies set forth herein.

3. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on  
DEC 19 2013.

  
Board Chair

ATTEST:

  
Board Administrator

The Pacific Resource  
**PARTNERSHIP**



Testimony of Cindy McMillan  
The Pacific Resource Partnership

Committee on Economic Development, Government Operations and Housing  
Senator Donovan M. Dela Cruz, Chair  
Senator Sam Slom, Vice Chair

Committee on Transportation and International Affairs  
Senator J. Kalani English, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Committee on Public Safety, Intergovernmental and Military Affairs  
Senator Will Espero, Chair  
Senator Rosalyn H. Baker, Vice Chair

SB 2436 – RELATING TO COMMUNITY PLANNING  
SB 2437 – RELATING TO TRANSIT  
Monday, February 3, 2014  
2:45 PM  
Conference Room 016

Dear Chairs Dela Cruz, English and Espero, Vice Chairs Slom and Baker, and Members of the Committees:

The Pacific Resource Partnership (PRP) is a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters.

PRP supports the intent of these bills, which is to ensure that the state, city and the Honolulu Authority for Rapid Transportation are working together to maximize our investment in rail transit and achieve the promise of transit-oriented development (TOD).

PRP believes rail transit and growth focused around transit can play a major role in addressing some of the most pressing challenges facing Oahu today and into the next decades. Specifically, we already have a severe housing shortage that is driving prices beyond the reach of local families. Using current state and county projections for population and job growth through the next several decades, we anticipate the need for about 104,500 additional homes to accommodate the city's resident population. Our community can realize significant benefits if we focus much (not all) of this projected development

February 3, 2014

Testimony relating to SB 2436 – Relating to Community Planning and SB 2437 – Relating to Transit  
Page 2

along the rail transit alignment. Some of the most important benefits of a well-managed growth strategy include:

- Housing that people can afford will be close to good-paying jobs, local parks, restaurants and other services. And all of this will be near public transit in a community designed for walking, biking and transit to reduce automobile use and traffic.
- New and proposed projects are close to public transit – both bus and rail. This type of community can provide residents with the ability to save time and money that would otherwise be spent on gas and automobile maintenance.
- Integrated communities along the rail line will consume less land overall, lead to fewer vehicle miles traveled, and produce environmental benefits to the community as a whole. We will be able to protect our valuable open space and keep the country undeveloped. Additionally, energy efficient technologies in the new homes will use much less energy than that used by older buildings.

We respectfully ask for your continued support of an integrated planning process that benefits all stakeholders. Thank you for the opportunity to share our views on this important issue with you.