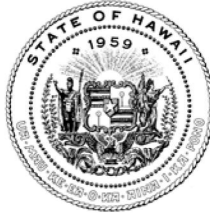


DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
WATER & LAND**

**Wednesday, February 15, 2017
10:00 A.M.
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 522, HOUSE DRAFT 1
RELATING TO LAND TRANSFER**

House Bill 522, House Draft 1, proposes to transfer title, custody and control of two state parcels on Maui to the Hawaii Housing Finance and Development Corporation (HHFDC). **The Department of Land and Natural Resources (Department) opposes this measure.**

The parcels at issue are designated as Tax Map Keys: (2) 3-7-012:007 (Parcel 7) with an area of 1.68 acres and 3-7-004:003 with an area of 5.57 acres (Parcel 3). Parcel 7 is currently set aside to the Department's Division of Conservation and Resources Enforcement (DOCARE) for office space, baseyard and related purposes under Executive Order No. 4148. Parcel 3 is currently set aside to the Department of Accounting and General Services (DAGS) for Kahului Civic Center purposes under Executive Order No. 3586.

When title to land is transferred, the conveyance generally includes existing encumbrances on the property. Accordingly, a transfer of title of the parcels to HHFDC would include the existing executive orders on title. If the intent of the bill is to remove the executive orders from title to the parcels, then a statutory procedure is in place under Section 171-11, Hawaii Revised Statutes, to cancel them. However, the Department has not received any request from DOCARE or DAGS to cancel their respective executive orders.

DOCARE explains that it currently uses Parcel 7 for its Maui branch office, which serves as an operations center for staff, and for storage of large, high value equipment such as vehicles and water craft. DOCARE would have no alternate site to relocate its facilities and equipment if DOCARE were requested to vacate Parcel 7. As a result, any relocation of DOCARE's facilities would result in increased costs for DOCARE, such as renting private property, or may impact

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

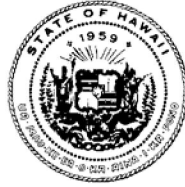
JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

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

other divisions of the Department if DOCARE is required to share space with them. We note that there is no provision in House Bill 522, House Draft 1, for funding the relocation of DOCARE or DAGS to alternate facilities.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

IN REPLY REFER TO:

Statement of
Craig K. Hirai
Hawaii Housing Finance and Development Corporation
Before the

HOUSE COMMITTEE ON WATER & LAND

February 15, 2017 at 10:00 a.m.
State Capitol, Room 325

In consideration of
H.B. 522, H.D. 1
RELATING TO LAND TRANSFER.

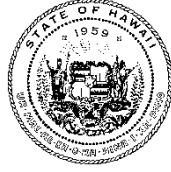
The HHFDC **supports the intent** of providing more land and resources for affordable housing development.

However, we defer to the Department of Accounting and General Services and the Department of Land and Natural Resources as to whether residential development of these specific parcels is feasible and in the best interests of the State given their current and proposed uses. We understand that the Kahului parcel is the current location of the Maui Community School for Adults, and the Puunene parcel is currently occupied by the Division of Conservation and Resources Enforcement and a part of DLNR's proposed Kakanilua Business Park.

Thank you for the opportunity to testify.

LATE

DAVID Y. IGE
GOVERNOR



RODERICK K. BECKER
Comptroller

AUDREY HIDANO
Deputy Comptroller

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

WRITTEN TESTIMONY OF
RODERICK K. BECKER, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
HOUSE COMMITTEE ON WATER & LAND
ON
WEDNESDAY, FEBRUARY 15, 2017
10:00 A.M.
CONFERENCE ROOM 325

H.B. 522, HD1

RELATING TO LAND TRANSFER.

Chair Yamane, Vice Chair Kong, and members of the Committee, thank you for the opportunity to submit testimony on H.B. 522, HD1.

The Department of Accounting and General Services (DAGS) opposes the measure and offers the following comments for the committee's consideration.

The measure proposes to transfer the title, custody, and control of Parcel 3, designated as Tax Map Key No. 3-7-004:003, to the Hawaii Housing Finance and Development Corporation (HHFDC). Parcel 3 is currently set aside to DAGS under Executive Order No. 3586 for Kahului Civic Center purposes, which includes the provision of facilities for State programs. However, as most of the facilities on the site have been demolished, and only the Department of Education's Adult Education and Lawnmower Operations remain there, DAGS opposes the

transfer on the basis of a loss of property that could be used for future development of State facilities and office space.

DAGS is open to discuss options with other stakeholders for the use of Parcel 3, such as an arrangement with HHFDC which would provide mixed use development and the commitment to also provide State office space. Another option might be to enter into a land swap with Maui County for certain lands in Wailuku, which would still allow the county to work with HHFDC to develop mixed use/housing in Kahului while also allowing the State to consider future development in Wailuku.

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

kong2 - Crystal

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 12:29 PM
To: waltestimony
Cc: carol.reimann@mauicounty.gov
Subject: *Submitted testimony for HB522 on Feb 15, 2017 10:00AM*

Follow Up Flag: Follow up
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HB522

Submitted on: 2/14/2017

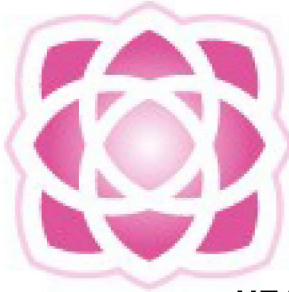
Testimony for WAL on Feb 15, 2017 10:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Reimann	County of Maui Department of Housing & Human Concerns	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON WATER & LAND
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325
WEDNESDAY, FEBRUARY 15, 2017 AT 10:00AM**

To The Honorable Ryan I. Yamane, Chair;
The Honorable Sam Satoru Kong, Vice Chair; and
Members of the Committee Water & Land

**TESTIMONY IN STRONG SUPPORT FOR HB 522 TO TRANSFER TWO PARCELS OF LAND
TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION**

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce representing approximately 600 businesses and 16,000 employees. I am writing share our strong support of HB 522.

With the median price for buying a home constantly increasing along with high rental pricing, affordable and workforce housing is necessary to the residents of Maui. Because of the high prices for housing, many residents are forced to relocate and businesses have a difficult time retaining employees.

Currently there are two parcels of land in the central Maui location that are under utilized and would be ideal for affordable and workforce housing, as they are in close proximity to neighboring businesses, grocery, and retail stores.

Please allow these parcels to be transferred to the HHFDC who can then make them available for affordable and workforce housing, which will benefit our community tremendously.

We appreciate the opportunity to testify on this matter and therefore ask that this bill be passed.

Mahalo for your consideration of our testimony and we hope you will move this bill forward.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

waltestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 10:54 AM
To: waltestimony
Cc: pluta@maui.net
Subject: Submitted testimony for HB522 on Feb 15, 2017 10:00AM

HB522

Submitted on: 2/14/2017
Testimony for WAL on Feb 15, 2017 10:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph D Pluta	WEST MAUI TAXPAYERS ASSOCIATION INC.	Support	No

Comments: On behalf of the West Maui Taxpayers Association INC. DBA; WMTA, we STRONGLY SUPPORT HB522 PASSAGE. The County of Maui Administration ability to make a meaningful contribution towards our homeless crisis is contingent upon ability to increase affordable housing. The Housing First model is supported by WMTA as a member of the Maui Homeless Alliance. Please pass this Bill!~ Malama Pono ame Mahalo, Joseph D Pluta, V.P. - Treasurer, President Emeritus, WMTA 808-661-7990 www.westmaui.org

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Testimony of
Christopher Delaunay
Pacific Resource Partnership

House of Representatives
COMMITTEE ON WATER & LAND
Rep. Ryan I. Yamane, Chair
Rep. Sam Satoru Kong, Vice Chair

HB 522, HD1 – Relating to Land Transfer

Wednesday, February 15, 2017
10:00 A.M.
State Capitol – Room 325

Aloha Chair Yamane, Vice Chair Kong and Members of the Committee:

We **support** HB 522, HD1 Relating to Land Transfer, which transfers title, custody, and control of two parcels of land located in Central Maui, from the State of Hawaii to the Hawaii Housing Finance and Development Corporation (HHFDC).

Like the entire state, Maui County is in critical need of affordable housing. Allowing these underutilized parcels to be transferred to HHFDC will help make available the land needed to develop affordable housing.

For the reasons mentioned above, we respectfully request your support on HB 522, HD1. Thank you for the opportunity to share our views with you.

About PRP

Pacific Resource Partnership (PRP) is a not-for-profit organization that represents the Hawaii Regional Council of Carpenters, the largest construction union in the state, and more than 240 of Hawaii's top contractors. Through this unique partnership, PRP has become an influential voice for responsible construction and an advocate for creating a stronger, more sustainable Hawaii in a way that promotes a vibrant economy, creates jobs and enhances the quality of life for all residents.



waltestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 11:14 AM
To: waltestimony
Cc: tominmaui@icloud.com
Subject: Submitted testimony for HB522 on Feb 15, 2017 10:00AM

HB522

Submitted on: 2/14/2017

Testimony for WAL on Feb 15, 2017 10:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Blackburn-Rodriguez	Go Maui, Inc.	Support	No

Comments: Go Maui is a nonprofit involved in the fight for affordable housing on Maui and is in strong support of HB522 to be heard on February 15, 2017, 10 am. Conference Room 325

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February 14, 2017

Honorable Ryan I Yamane
House Committee on Water & Land
Hawaii State Capital
Honolulu, Hawaii 96813

Subject: HB522 HD1 Relating to Land Transfer

Dear Mr. Yamane and Committee Members:

We strongly support HB522 Relating to Land Transfer to transfer title, custody, and control of two real property parcels located in Kahului to HHFDC so that they may be developed into affordable rentals.

Housing and Land Enterprise of Maui, dba Na Hale O Maui is a Nonprofit 501 (c) 3 organization formed to provide affordable housing in Maui County in perpetuity. Our Mission is "To secure and preserve a permanent supply of affordable housing alternatives for low and moderate income households in Maui County."

The State of Hawaii Consolidated Plan for Program Years 2015 through 2019 estimates the projected housing need for Maui County as approximately 13,994 housing units comprised of 4,857 affordable rentals and 9,137 affordable for sale units.

Tax map Key 370120070000 (175 S Pu'unene Avenue) is approximately 1.68 acres, currently identified as a warehouse. Pu'unene Avenue is a major thoroughfare lined with existing houses and retail shops that is best suited for affordable housing.

Tax map key 370040030000 (153 Ka'ahumanu Avenue). This 5.57 acre parcel is partially (less than 50%) occupied by the Maui Community School for Adults. Maui County is interested in developing all, or part, of the property into affordable rentals.

Approving HB522 will result much needed affordable rentals on both parcels, adding to our inventory of affordable housing in Maui that is so critically needed.

We respectfully request your support of HB522 to increase affordable housing in Maui.

Sincerely

Cassandra Abdul
Executive Director

To: House Committee on Water and Land

From: Charles Kaaiai (cmkaaiai@hawaiiantel.net)

RE: Testimony providing comments to HB522

Regarding HB522

Thank you for the opportunity to provide comment on SB1309, relating to land exchange.

I would like to request that the legislature in approving any land exchange or any measure that changes the disposition of the ceded lands to please review HRS 171-64.7 that I quote here in part below. Any change in the disposition of ceded lands requires a two-thirds vote of the legislature. This is a high bar that was set to protect native beneficiaries as well as the public from decrease and devaluation of the public land trust.

“2013 Hawaii Revised Statutes

TITLE 12. CONSERVATION AND RESOURCES

171. Public Lands, Management and Disposition of

171-64.7 Legislative approval of sale or gift of lands.

Universal Citation: HI Rev Stat § 171-64.7 (2013)

(b) Notwithstanding any law to the contrary, no sale of lands described in subsection (a) in fee simple including land sold for roads and streets, or gift of lands described in subsection (a) in fee simple to the extent such gift is otherwise permitted by law, shall occur without the prior approval of the sale or gift by the legislature by concurrent resolution to be adopted by each house by at least a two-thirds majority vote of the members to which each house is entitled in a regular or special session at which a concurrent resolution is submitted for approval of the sale; provided that the provisions of this section shall not apply to remnants, as that term is defined in section 171-52, or portions thereof; provided further that this section shall not apply to the issuance of licenses, permits, easements, and leases executed in conformance with the laws applicable to the lands listed in subsection (a); provided further that this section shall not apply to non-ceded lands conveyed to the University of Hawaii after December 31, 1989 to which the University of Hawaii holds title.

(c) The state department or agency proposing to sell or give any state land described in subsection (a) shall submit for introduction to the legislature a concurrent resolution for review of the proposed sale or gift. The concurrent resolution shall contain a list of all sales or gifts of state land proposed by the state department or agency. The concurrent resolution shall contain the following information:

- (1) The specific location and size in square feet or in other precise measure of the parcels of land to be sold or given;
- (2) The appraisal value of the land to be sold or given;
- (3) The names of all appraisers performing appraisals of the land to be sold or given;
- (4) The date of the appraisal valuation;
- (5) The purpose for which the land is being sold or given;
- (6) A detailed summary of any development plans for the land to be sold or given; and
- (7) A statement of whether the land is, or is not, land that was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands, and a detailed explanation of how the state department or agency made this determination.

A draft of the concurrent resolution for the prior approval of a sale or gift of land shall also be submitted to the office of Hawaiian affairs at least three months prior to the convening of a regular or special session of the legislature to allow the office to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands.

(d) If the legislature fails to approve the concurrent resolution by at least a two-thirds majority vote of both houses, the transaction shall be abandoned by the state department or agency.

(e) Prior to finalizing any proposal for the sale or gift of lands described in subsection (a) to a person or entity other than the State, its agencies, or its entities, and prior to submission of the concurrent resolution to the legislature under subsection (c), the State, agency, or entity, as appropriate, shall hold an informational briefing on the proposed sale or gift in the community where the land to be sold or given is located.

(f) This section shall not apply to sales or gifts of lands described in subsection (a) between state departments or agencies, to sales of available lands under the Hawaiian Homes Commission Act, or to the fee simple sale of affordable homes on lands not classified as government or crown lands previous to August 15, 1895, or exchanged subsequent to August 15, 1895, for lands classified as government or crown lands previous to August 15, 1895, that are subject to resale restrictions as set forth in section 201H-47 and that were acquired by the Hawaii housing finance and development corporation either at a foreclosure sale or under a buyback as authorized in section 201H-47. [L 2009, c 176, §2; am L 2010, c 56, §1 and c 174, §2; am L 2011, c 169, §2; am L 2012, c 282, §3; am L 2013, c 38, §3]”

Thank you for the opportunity to provide this testimony.