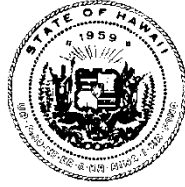


Hb77

DAVID Y. IGE  
GOVERNOR



DENISE ISERI-MATSUBARA  
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  
**DENISE ISERI-MATSUBARA**  
Hawaii Housing Finance and Development Corporation  
Before the

**SENATE COMMITTEE ON HOUSING  
SENATE COMMITTEE ON WATER AND LAND**

March 16, 2021 at 1:00 p.m.  
State Capitol, Room 225

In consideration of  
**H.B. 1311, H.D. 2**  
**RELATING TO AFFORDABLE HOUSING.**

The HHFDC supports H.B. 1311, H.D. 2, which amends Act 98, SLH 2019 to delete the 2022 deadline for completion of construction of the Lealii affordable housing project on Keawe Street in Lahaina, now named Kaiaulu O Kuku'ia. It also provides HHFDC with the ability to address historic preservation requirements as funding is appropriated for each segment within the Villages of Leiali'i project. Without this measure, the project would not be able to proceed for lack of financing.

Thank you for the opportunity to testify.



**HB1311 HD2**  
RELATING TO AFFORDABLE HOUSING  
Ke Kōmike ‘Aha Kenekoa o ka Wai a me ka ‘Āina  
Senate Committee on Water and Land  
Ke Kōmike ‘Aha Kenekoa o ka Ho‘ona‘auao Kulanui  
Senate Committee on Housing

Malaki 16, 2021

1:00 p.m.

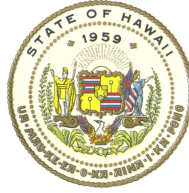
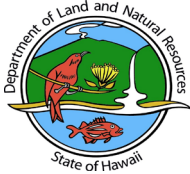
Lumi 225

The Office of Hawaiian Affairs (OHA) **OPPOSES** HB1311 HD2, which would allow the Leiali‘i affordable housing project to undergo HRS Chapter 6E historic preservation review in phases, for portions of the project as they are funded. OHA does appreciate the removal of the blanket Chapter 6E exemption from the previous draft of this measure, which would have allowed the project to proceed without complying with the laws and processes that protect Hawai‘i’s irreplaceable cultural resources from avoidable and irreparable impacts. **However, while OHA recognizes that this bill now includes language that would instead require some level of compliance with Chapter 6E, OHA believes that this new language is both unnecessary, and may potentially undermine Chapter 6E’s existing phased review process, including its established procedural protections.**

HRS 6E-42(a)(3) currently provides guidance on phased SHPD review for projects where “circumstances dictate that construction be done in stages.” Such phased review is allowable as long as a programmatic agreement is established between the State Historic Preservation Division (SHPD) and the project applicant that identifies each phase and estimated timelines for each phase. SECTION 3 of the current bill appears to contemplate a phased review approach, insofar as it proposes to allow SHPD review of portions of the Leiali‘i project as funding is appropriated for each portion. **Therefore, OHA believes that it would be more appropriate to achieve the intent of SECTION 3 using the existing phased review process, with its programmatic agreement requirement.** While phased reviews may be problematic in terms of limiting a full understanding of cumulative impacts prior to the onset of a project, the current statute at least provides for an established process for phased reviews that includes the protections of a programmatic agreement.

Accordingly, OHA respectfully requests that the Committees **HOLD** HB1311 HD2, **or remove the HRS Chapter 6E language by deleting SECTION 3 of this measure. We encourage the Committees to review SB607 SD3, the companion version of this bill, which has been amended to address all HRS Chapter 6E concerns appropriately.** Mahalo for the opportunity to testify on this matter.

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 Senate Committees on  
WATER AND LAND  
and  
HOUSING**

**Tuesday, March 16, 2021  
1:00 PM**

**State Capitol, Via Videoconference, Conference Room 225**

**In consideration of  
HOUSE BILL 1311, HOUSE DRAFT 2  
RELATING TO AFFORDABLE HOUSING**

House Bill 1311, House Draft 2 proposes to deadline for expenditure of appropriated funds for the Keawe Street Affordable Housing, and permit compliance with the requirements of Chapter 6E, Hawaii Revised Statutes (HRS), for the Leialii Villages Affordable Housing projects as funding is appropriated. **The Department of Land and Natural Resources (Department) supports this measure and offers comments.**

The Department recognizes the need for affordable housing throughout the State and supports expediting development of such housing. The Department appreciates that House Bill 1311 House Draft 2 has removed the waiver of Chapter 6E, HRS, for these projects as the Department had requested.

The Department does not request archaeological inventory surveys for every project. It makes such requests only in areas where existing knowledge suggests that there is a high potential for archaeological resources or iwi kupuna to be present. In this particular instance, there are known archaeological resources including possible burial sites in the vicinity of the Keawe Street Affordable Housing Project. Furthermore, the requested archaeological inventory survey is already underway for the Keawe Street Affordable Housing Project. Based on communications with the project developer and their archaeological consulting firm, the Department believes that this work will be completed and submitted for review and acceptance in time to meet deadlines for expending the appropriated funds for this project.

Thank you for the opportunity to comment on this measure.

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

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
ACTING 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

**HB-1311-HD-2**

Submitted on: 3/14/2021 10:19:04 PM

Testimony for HOU on 3/16/2021 1:00:00 PM

| <b>Submitted By</b>    | <b>Organization</b>            | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|------------------------|--------------------------------|---------------------------|---------------------------|
| Dean Minakami<br>HHFDC | Testifying for DBEDT-<br>HHFDC | Support                   | No                        |

Comments:

I am available for questions if needed.

Michael P. Victorino  
Mayor

Sananda K. Baz  
Managing Director



**OFFICE OF THE MAYOR**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov](http://www.mauicounty.gov)

March 15, 2021

TESTIMONY OF MICHAEL P. VICTORINO  
MAYOR  
COUNTY OF MAUI

BEFORE THE SENATE COMMITTEES ON WATER AND LAND and ON HOUSING

Tuesday, March 16, 2021, 1:00 p.m.  
Senate Conference Room 225 and Videoconference

**HB1311 HD2, RELATING TO AFFORDABLE HOUSING**

Honorable Lorraine R. Inouye and Stanley Chang, Chairs  
Honorable Gilbert S.C. Keith-Agaran and Dru Mamo Kanuha, Vice Chairs  
Honorable Members of the Senate Committees on Water and Land and on Housing

---

Thank you for this opportunity to testify in **STRONG SUPPORT** of **HB1311 HD2**.

This bill removes the land entitlements deadline for the Leialii affordable housing project and Keawe Street Apartments. It also allows the Hawaii Housing Finance and Development Corporation to address historic preservation laws when funding is appropriated for each portion of the Leialii affordable housing project.

This project will provide for 200 affordable multi-family rental housing units to Maui families earning up to 60% of the Housing and Urban Development area median income. The West Maui community has shown strong support for this project. The Maui County Council approved the 201H process for this project by a vote of 9-0 in February 2020.

**I strongly urge you to pass this measure, HB1311 HD2.**

# **HAWAI'I LEGISLATURE BREAKING THE LAW!**

**STOP HB 1311, HD 2!**

**STOP TAKING PUBLIC LANDS FOR "UNAFFORDABLE" HOUSING!**

## **Testimony of Kūpuna for the Mo'opuna**

HB 1311, HD 2 - RELATING TO THE REMOVAL OF PROCEDURAL PROTECTIONS.

### **STRONG OPPOSITION**

COMMITTEE ON WATER & LAND, Chair Inouye & Vice Chair Keith-Agaran  
COMMITTEE ON HOUSING, Chair Chang & Vice Chair Kanuha  
March 16, 2021 @ 1pm



### **STOP LEGAL THIEVERY!**

*The lands granted to the State of Hawai'i by Section 5 (b) (f) of the Admission Act and pursuant to Article XVI, Section 7, of the Hawai'i State Constitution, .... **shall be held by the State as a public trust for native Hawaiians and the general public.***

These lands are to be held in trust by the state for the betterment of the conditions of native Hawaiians and the general public (for public institutions such as public schools, public hospitals, etc.), not to make private citizens rich. **STOP BREAKING THE LAW!**

#### **To Whom It May Concern:**

**1.) Watch "PUBLIC LAND TRUST: JUSTICE DELAYED IS JUSTICE DENIED."**

<https://www.kamakakoi.com/plt>

**2.) Read "PUBLIC-PRIVATE PARTNERSHIPS HAVE A TROUBLED HISTORY IN HAWAII."**

<https://www.staradvertiser.com/2021/03/14/hawaii-news/public-private-partnerships-have-a-troubled-history-in-hawaii/>

Council Chair  
Alice L. Lee

Vice-Chair  
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Gabe Johnson  
Kelly Takaya King  
Michael J. Molina  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura



Director of Council Services  
Traci N. T. Fujita, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

March 14, 2021

TO: Honorable Lorraine R. Inouye, Chair  
Senate Committee on Water and Land  
  
Honorable Stanley Chang, Chair  
Senate Committee on Housing

FROM: Alice L. Lee  
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

DATE: March 16, 2021

SUBJECT: **SUPPORT OF HB 1311 HD2, RELATING TO AFFORDABLE HOUSING**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is remove the construction completion deadline for the Leialii affordable-housing project, now named Kaiaulu O Kuku`ia, and allow the Hawaii Housing Finance and Development Corporation to address historic preservation laws when funding is appropriated for each portion of the project.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **SUPPORT** this measure for the following reasons:

1. This bill would allow development of the Kaiaulu O Kuku`ia, a 28.5 acre project in Lahaina supported by Maui County Council Resolution 20-11.
2. Kaiaulu O Kuku`ia will provide 200 multifamily rental housing units to Maui County families earning up to 60 percent of the area median income. The West Maui community has shown strong support for this project.

For the foregoing reasons, I **SUPPORT** this measure.