
A BILL FOR AN ACT

RELATING TO LAND USE.

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

1 **PART I**

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

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



1 of affordable housing. This eighty-acre parcel is not included
2 in the new Heeia community development district. Kakoo Oiwi, a
3 Hawaii nonprofit corporation, approached the Hawaii community
4 development authority to request a long-term lease to restore
5 the wetlands, eliminate invasive species, and establish an
6 agricultural and educational center that will contribute to the
7 community at large. A thirty-eight year lease was granted to
8 Kakoo Oiwi in March 2010 for these purposes.

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

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

16 **"PART HEEIA COMMUNITY DEVELOPMENT DISTRICT**

17 **§206E- Definitions.** As used in this part:

18 "District" means the Heeia community development district.

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

21 **§206E- District established; boundaries.** (a) The Heeia
22 community development district is hereby established. The



1 district shall include that area within the boundaries described
2 as follows: the southern boundary begins at the southern
3 property line of tax map key number (1) 4-6-16:001 and runs west
4 to Kahekili highway and east to Kamehameha highway. The
5 northern boundary begins at the northern property line of tax
6 map key number (1) 4-6-16:001 and runs west to Kahekili highway
7 and east to Kamehameha highway. The tax map key numbers are (1)
8 4-6-16:001 and (1) 4-6-16:002 (owned by the authority), and (1)
9 4-6-16:004, :011, :012, and :017 (owned by various owners of
10 kuleana parcels).

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

20 (1) Consult with the following persons and entities:

21 (A) Recorded landowners in the district;



- 1 (B) Recorded landowners in section 6 of zone 4 of the
- 2 first tax map key division;
- 3 (C) Koolaupoko Hawaiian Civic Club;
- 4 (D) Kailua neighborhood board;
- 5 (E) Kahaluu neighborhood board; and
- 6 (F) Kaneohe neighborhood board,
- 7 to implement activities related to and supportive of
- 8 cultural practices, agriculture, education, and
- 9 natural-resource restoration and management;
- 10 (2) Assist land users to manage their properties and
- 11 implement activities related to and supportive of
- 12 cultural practices, agriculture, education, and
- 13 natural-resource restoration and management;
- 14 (3) Work with federal, state, county, and other agencies
- 15 to ensure that infrastructural support is provided for
- 16 the district;
- 17 (4) Develop the infrastructure necessary to support the
- 18 implementation of the Heeia community development
- 19 district master plan; and
- 20 (5) Provide, to the extent feasible, maximum opportunity
- 21 for the restoration and implementation of sustainable,



1 culturally appropriate, biologically responsible, or
2 agriculturally beneficial enterprises.

3 (c) Three additional voting members shall, except as
4 otherwise provided in this subsection, be appointed to the
5 authority by the governor pursuant to section 26-34 to represent
6 the district. These three members shall be considered in
7 determining quorum and majority only on issues relating to the
8 district and may vote only on issues related to the district.
9 The three members shall be residents of the district or the
10 Koolaupoko district which consists of section 1 through 9 of
11 zone 4 of the first tax map key division.

12 **§206E- Heeia community development district; policies to**
13 **guide development.** The following general policies to guide
14 development shall govern the authority's actions in the
15 district:

- 16 (1) Development shall be in accordance with the Heeia
17 master plan, except as it conflicts with the Hawaii
18 State Constitution and the Hawaii Revised Statutes;
- 19 (2) With the approval of the governor, and in accordance
20 with law, the authority, upon the concurrence of a
21 majority of its voting members, may modify and make
22 changes to the Heeia master plan to respond to



1 changing conditions; provided that prior to amending
2 the Heeia master plan, the authority shall conduct a
3 public meeting pursuant to chapter 92 to inform the
4 public of the proposed changes and receive public
5 input;

6 (3) The authority shall provide, to the extent feasible,
7 maximum opportunity for the restoration and
8 implementation of sustainable, culturally appropriate,
9 biologically responsible, or agriculturally beneficial
10 enterprises;

11 (4) The authority may engage in planning, design, and
12 construction activities within and outside the
13 district; provided that activities outside the
14 district shall relate to infrastructural development,
15 area-wide drainage improvements and sediment transport
16 mitigation, roadway realignments and improvements, and
17 other activities the authority deems necessary to
18 carry out redevelopment of the district and implement
19 this part. Studies or coordinating activities may be
20 undertaken by the authority in conjunction with the
21 county and appropriate federal and state agencies and



- 1 may address infrastructural systems, natural-resource
2 systems, and other activities;
- 3 (5) Planning, replanning, rehabilitation, development,
4 redevelopment, and other preparations for the
5 restoration of cultural practices, education, natural
6 resources, and agriculture related activities shall be
7 pursued;
- 8 (6) Hawaiian archaeological, historic, and cultural sites
9 shall be preserved and protected to the extent
10 feasible while allowing for continued use of the
11 property for cultural activities, education,
12 agricultural and economic pursuits, and natural-
13 resource restoration;
- 14 (7) Endangered species of flora and fauna shall be
15 preserved and protected to the extent feasible;
- 16 (8) Land use and redevelopment activities within the
17 district shall be coordinated with and, to the extent
18 possible, complement existing county and state
19 policies, plans, and programs affecting the district;
- 20 (9) Public facilities within the district shall be
21 planned, located, and developed to support the
22 redevelopment policies established by this part for



1 the district, the master plan approved by the
2 governor, and rules adopted pursuant to this chapter;
3 and

4 (10) Special management area permit administration for the
5 district shall continue to be under the authority of
6 the city and county of Honolulu.

7 **§206E- Heeia community development revolving fund. (a)**

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

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

13 (2) Moneys directed, allocated, or disbursed to the
14 district from government agencies or private
15 individuals or organizations, including grants, gifts,
16 awards, donations, and assessments of landowners for
17 costs to administer and operate the district; and

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

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

21 (c) Investment earnings credited to the assets of the fund
22 shall become part of the fund.



1 §206E- **Rules; adoption.** The authority shall adopt rules
2 in accordance with chapter 91 to carry out the purposes of this
3 part."

4 SECTION 3. This Act shall take effect upon its approval.

5



Report Title:

Land Use; Heeia Community Development District

Description:

Establishes the Heeia community development district in Koolaupoko, Oahu. (SD1)

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

