



1 Waiahole and Waikane valleys who were threatened with eviction  
2 during the 1970s, to promote diversified agriculture, and to  
3 preserve the rural lifestyle of the valleys.

4       There are ten parcels abutting the [HFDC] Hawaii housing  
5 finance and development corporation property under control of  
6 the department of land and natural resources [~~DLNR~~]. These  
7 lands are farmed by the tenants, who are a part of the wider  
8 Waiahole-Waikane community. [~~Combining these lots with the HFDC~~  
9 ~~property~~] Transferring jurisdiction over these parcels and  
10 other lands comprising the Waiahole and Waikane valleys from the  
11 Hawaii housing finance and development corporation and the  
12 department of land and natural resources to the Hawaii community  
13 development authority on July 1, 2011 would promote the master  
14 planning of diversified agriculture in Waiahole, make government  
15 functions more efficient by having one state agency overseeing  
16 the area, and help bring the community together.

17       The purpose of this Act is to transfer title to these ten  
18 parcels of land [~~to HFDC~~] and other lands comprising the  
19 Waiahole and Waikane valleys from the Hawaii housing finance and  
20 development corporation and the department of land and natural  
21 resources to the Hawaii community development authority so that



1 [they] the parcels may be consolidated in the Waiahole  
2 agricultural park.

3 SECTION 2. (a) The following parcels of land are [hereby]  
4 transferred from [~~DLNR to HFDC~~] the Hawaii housing finance and  
5 development corporation to the Hawaii community development  
6 authority:

	Tax map key number	Lot size
8	4-8-01:19	3.0 acres
9	4-8-07:07	2.0 acres
10	4-8-07:06	2.0 acres
11	4-8-01:20	3.5 acres
12	4-8-07:03	17.0 acres
13	4-8-07:09	4.0 acres
14	4-8-07:08	2.0 acres
15	4-8-07:10	5.0 acres
16	4-8-07:11	62.5 acres
17	4-8-07:12	5.0 acres

18 (b) All other lands comprising the Waiahole and Waikane  
19 valleys are transferred from the department of land and natural  
20 resources to the Hawaii community development authority.

21 (c) The transfer from the Hawaii housing finance and  
22 development corporation and the department of land and natural



1 resources, as applicable, to the Hawaii community development  
2 authority shall be effective [~~immediately and DLNR~~] on July 1,  
3 2011. The Hawaii housing finance and development corporation or  
4 the department of land and natural resources, as appropriate,  
5 shall be responsible for properly documenting the change in  
6 title.

7 SECTION 3. (a) Upon taking title to the above-listed  
8 parcels [~~HFDC~~] the Hawaii community development authority shall  
9 immediately offer new leases to those persons who hold revocable  
10 permits to the parcels [~~from DLNR~~] as of [~~the effective date of~~  
11 this Act] July 1, 2011, and those lessees who have not  
12 negotiated new leases with the Hawaii housing finance and  
13 development corporation as of the July 1, 2011. The leases  
14 shall be negotiated and shall be on the same terms as leases  
15 offered to all other persons leasing parcels from [~~HFDC~~] the  
16 Hawaii housing finance and development corporation within the  
17 Waiahole agricultural park.

18 (b) Leases in effect as of July 1, 2011 with the Hawaii  
19 housing finance and development corporation shall be transferred  
20 to the Hawaii community development authority.

21 SECTION 4. This Act shall take effect upon its  
22 approval[-]; provided that the amendments made to this Act by



1 Act \_\_\_\_\_, Session Laws of Hawaii 2011, shall take effect on  
2 July 1, 2011."

3 SECTION 3. Any eviction proceedings with regard to any of  
4 the lots affected by this Act shall be stayed pending the  
5 disposition of new leases pursuant to this Act.

6 SECTION 4. All deeds, leases, permits, appropriations,  
7 records, equipment, machines, files, supplies, contracts, books,  
8 papers, documents, maps, and other personal property heretofore  
9 made, used, acquired, or held by the Hawaii housing finance and  
10 development corporation relating to the functions transferred to  
11 the Hawaii community development authority shall be transferred  
12 with the functions to which they relate.

13 SECTION 5. All rights, powers, functions, and duties of  
14 the Hawaii housing finance and development corporation with  
15 respect to Waiahole and Waikane valleys are transferred to the  
16 Hawaii community development authority.

17 All officers and employees whose functions are transferred  
18 by this Act shall be transferred with their functions and shall  
19 continue to perform their regular duties upon their transfer,  
20 subject to the state personnel laws and this Act.

21 No officer or employee of the State having tenure shall  
22 suffer any loss of salary, seniority, prior service credit,



1 vacation, sick leave, or other employee benefit or privilege as  
2 a consequence of this Act, and such officer or employee may be  
3 transferred or appointed to a civil service position without the  
4 necessity of examination; provided that the officer or employee  
5 possesses the minimum qualifications for the position to which  
6 transferred or appointed; and provided that subsequent changes  
7 in status may be made pursuant to applicable civil service and  
8 compensation laws.

9 An officer or employee of the State who does not have  
10 tenure and who may be transferred or appointed to a civil  
11 service position as a consequence of this Act shall become a  
12 civil service employee without the loss of salary, seniority,  
13 prior service credit, vacation, sick leave, or other employee  
14 benefits or privileges and without the necessity of examination;  
15 provided that such officer or employee possesses the minimum  
16 qualifications for the position to which transferred or  
17 appointed.

18 If an office or position held by an officer or employee  
19 having tenure is abolished, the officer or employee shall not  
20 thereby be separated from public employment, but shall remain in  
21 the employment of the State with the same pay and classification  
22 and shall be transferred to some other office or position for



1 which the officer or employee is eligible under the personnel  
2 laws of the State as determined by the head of the department or  
3 the governor.

4 SECTION 6. For purposes of article III, section 14, of the  
5 Hawaii state constitution, Waiahole valley shall be deemed to  
6 include the related Waikane valley, which together form the  
7 greater area commonly referred to as Waiahole-Waikane.

8 **Part II**

9 SECTION 7. Section 205-44.5, Hawaii Revised Statutes, is  
10 amended as follows:

11 1. By amending subsection (a) to read:

12 "(a) Notwithstanding any law to the contrary, before  
13 December 31, 2009, the department of agriculture and the  
14 department of land and natural resources shall collaborate to  
15 identify public lands as defined under section 171-2 that should  
16 be designated important agricultural lands as defined in section  
17 205-42 and shall cause to be prepared maps delineating those  
18 lands. In making the designations, the departments shall use  
19 the standards and criteria of section 205-44[-]; provided that  
20 the lands comprising Waiahole valley on Oahu are hereby  
21 designated important agricultural lands. For purposes of this  
22 section, Waiahole valley shall be deemed to include the related



1 Waikane valley, which together form the greater area commonly  
2 referred to as Waiahole-Waikane."

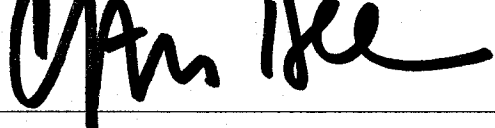
3 2. By amending subsection (c) to read:

4 "(c) Notwithstanding any law to the contrary, beginning  
5 January 1, 2010, after receipt of the maps of public lands  
6 identified as important agricultural lands pursuant to  
7 subsection (a), the commission shall designate the public lands  
8 as important agricultural lands and adopt the maps of those  
9 public lands[-]; provided that the lands comprising Waiahole  
10 valley on Oahu are hereby designated important agricultural  
11 lands. Upon designation, the public lands shall be subject to  
12 this chapter."

13 **Part III**

14 SECTION 8. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 9. This Act shall take effect on July 1, 2011;  
17 provided that section 3 shall take effect upon the approval of  
18 this Act.

19  
INTRODUCED BY: 





**Report Title:**

Waiahole-Waikane Valley

**Description:**

Transfers jurisdiction of Waiahole-Waikane valley and leases therein from the Hawaii housing finance and development corporation to the Hawaii community development authority. Designates lands in Waiahole valley as important agricultural lands.

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