



SCR134

APPROVING THE SALE OF CERTAIN LAND OWNED BY THE OFFICE OF HAWAIIAN AFFAIRS TO THE CITY AND COUNTY OF HONOLULU

Senate Committee on Hawaiian Affairs
Senate Committee on Water and Land

March 27, 2018

1:15 p.m.

Room 016

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SCR134, which seeks legislative approval for a potential sale of Parcel I (tax map key no. (1) 2-1-015:061) located in Kaka'ako Makai, to the City and County of Honolulu (C&C Honolulu) for its use as a site for a wastewater pump station to service most of urban Honolulu. Parcel I is located on Ala Moana Boulevard and Forest Avenue, adjacent to the existing Ala Moana wastewater pump station and the Nā Kūpuna Makamae center.

SCR134 has been offered for consideration by the Legislature in accordance with Hawai'i Revised Statutes (HRS), section 171-64.7, as amended. Among other things, HRS §171-64.7 requires a two-thirds approval by both houses of the Legislature before any specific lands controlled by a state department or agency can be sold (including, but not limited to, "ceded" lands). Although there is some uncertainty as to this law's applicability to OHA, OHA is nevertheless seeking legislative approval for this potential transaction. The final terms and approval of sale are still subject to a vote of the OHA Board of Trustees.

In general, sales of "ceded" lands raise significant concerns for OHA and its beneficiaries, because the Native Hawaiian people's unrelinquished claims to "ceded" lands have yet to be resolved. While SCR134 proposes the sale of former government lands of the Kingdom of Hawai'i, Parcel I will remain a part of the ceded land corpus because the purchaser, the C&C Honolulu, is a political subdivision of the State of Hawai'i. Further, the proposed use of the parcel by the C&C Honolulu for a municipal wastewater pump station makes it highly unlikely that the parcel will be sold or transferred to a non-government entity in the future.

Accordingly, OHA urges the Committees to pass this measure. Mahalo nui loa for the opportunity to testify.

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



LORI M.K. KAHIKINA, P.E.
DIRECTOR

TIMOTHY A. HOUGHTON
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 18-130

March 22, 2018

The Honorable Maile Shimabukuro, Chair
and Members of the Committee on Hawaiian Affairs
The Honorable Karl Rhodes, Chair
and Members of the Committee on Water and Land
State Senate
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Shimabukuro, Chair Rhodes, and Members:

SUBJECT: SCR 134: Approving the Sale of Certain Land Owned by the
Office of Hawaiian Affairs to the City and County of Honolulu

The Department of Environmental Services, City and County of Honolulu,
strongly supports SCR 134 and the proposed sale of Parcel I located on Forrest Avenue
and Ala Moana Boulevard, Honolulu, Hawaii, to the City and County of Honolulu.

The Department of Environmental Services requires this land, adjacent to our
current Ala Moana 1 and 2 Wastewater Pumping Stations (WWPS) to provide for future
flow capacity to service areas in urban Honolulu and to further reduce the potential of
future wastewater spills as the terminus for a large sewer tunnel from the Waikiki end of
Ala Moana Park. This is an important investment in the future of our island and in the
protection of our environment.

Thank you for your consideration and support.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori M.K. Kahikina", is written over a horizontal line.

Lori M.K. Kahikina, P.E.
Director

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Submitted on: 3/22/2018 7:47:17 PM

Testimony for HWN on 3/27/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Testifying for Ho'omanapono Political Action Committee (HPAC)	Oppose	Yes

Comments:

We STRONGLY OPPOSE this resolution, on the basis that OHA has done NO CONSULTATIONS with its beneficiaries to do this unilateral decision to sell this parcel to the City & County of Honolulu. Our OPPOSITION is further based upon the fact that OHA doesn't have to sell the property at the "appraised" price, it could sell the property at a higher price. Further, OHA need NOT just settle for cash. It could negotiate for other additional property and/or City&County Services. This is part of the reason why OHA is constantly criticized, as it makes unilateral decisions without beneficiary consultation. This committee should defer or hold this resolution, so that the beneficiaries could have their voice heard at OHA. This must also be a teachable moment for OHA. Mahalo.

SCR-134

Submitted on: 3/27/2018 7:22:06 AM

Testimony for HWN on 3/27/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Razon-DeCosta	Individual	Oppose	No

Comments:

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Submitted on: 3/27/2018 7:24:45 AM

Testimony for HWN on 3/27/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
nathaniel abitbol	Individual	Oppose	No

Comments: