

**PUBLIC HEARING ON ADOPTION OF TITLE 15, CHAPTER 220, HAWAI‘I
ADMINISTRATIVE RULES, RELATING TO THE HE‘EIA COMMUNITY
DEVELOPMENT DISTRICT PLAN AND RULES**

STAFF REPORT

June 23, 2021

I. REQUEST

Adopt Title 15, Chapter 220, Hawai‘i Administrative Rules (“HAR”), He‘eia Community Development District Master Plan and Rules (“Plan and Rules”).

II. BACKGROUND

On July 8, 2011, Act 210 was signed into law creating the He‘eia Community Development District (“He‘eia CDD”). The HCDA was designated as the local redevelopment authority of the district to facilitate culturally appropriate agriculture, education, and natural-resource restoration and management of the wetlands.

Pursuant to Hawaii Revised Statutes (“HRS”) Chapter 206E-5, *Designation of community development districts, community development plans*, the Authority shall develop a community development plan for the designated district. The plan shall include but not be limited to, community development guidance policies, district-wide improvement program and community development rules.

HCDA Staff along with Project consultant Townscape, Inc. has prepared the Draft Plan and Rules. Development of the Draft Plan and Rules was based on background research of He‘eia and the He‘eia ahupua‘a; analysis of site resources and constraints; and consultations with stakeholders, community members, and government agencies, including the He‘eia Permitted Interaction Group.

On January 6, 2021, the Authority authorized the Executive Director to conduct community and stakeholder meetings and hold public hearings for adopting the proposed Plan and Rules.

Outreach and consultations were conducted, and comments incorporated into the proposed Final He‘eia Plan and Rules. In addition, a presentation was made to the Kahalu‘u Neighborhood Board on May 12, 2021. On May 13, 2021, an Informational Session via Zoom was held for He‘eia residents and stakeholders on the Draft Plan and Rules.

A presentation public hearing on the Draft Plan and Rules was held on May 26, 2021.

III. DISCUSSION

Community and Stakeholder Comments: Comments received from stakeholder consultations, the Kahalu‘u Neighborhood Board meeting, and the Informational Session were reviewed and incorporated where applicable. A list of the compiled comments is

provided as Exhibit A. Exhibit A also includes sections of the He‘eia Plan that were revised based on comments submitted.

Testimony from the May 26, 2021 Public Hearing: Staff received one written testimony in support of the He‘eia CDD Plan and Rules from the Kahalu‘u Neighborhood Board. In addition, four people also testified in support of the He‘eia CDD Plan and Rules.

There was no testimony or comments related to Title 15, Chapter 220, He‘eia CDD Rules, however, non-substantive minor edits were made to the He‘eia CDD Rules pertaining to the following:

- Compliance with the Hawaii Administrative Rules Drafting Manual, Third Edition, June 2016.
- Correct inadvertent typographical errors.

A copy of the proposed Plan and Rules and a Summary of HAR Chapter 15-220 is provided as Exhibit B.

IV. RECOMMENDATION

Staff recommends the adoption of Title 15, Chapter 220, HAR, relating to the He‘eia Community Development District Plan and Rules.

Attachments: Exhibit A: Summary of Public Comments and Staff Response
Exhibit B: He‘eia CDD Master Plan, HAR Chapter 15-220, and Summary of HAR Chapter 15-220