

Public Hearing on the Adoption of Title 15, Chapter 220, Hawai‘i Administrative Rules (“HAR”), Relating to the He‘eia Community Development District (“CDD”) Plan and Rules

STAFF REPORT

May 26, 2021

I. 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.

At its meeting of June 7, 2017, the Authority approved the expenditure of funds to retain a consultant to develop a plan and administrative rules for the He‘eia CDD. On September 12, 2017, a consultant contract was executed between the HCDA and Townscape, Inc. to prepare the He‘eia CDD Plan and Rules.

HCDA Staff along with Project consultant Townscape, Inc. has prepared the Draft He‘eia CDD Plan and Rules. Development of the Draft He‘eia CDD 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. Approximately 140 individuals participated in the consultations and meetings. Presentations were also made to the Kāne‘ohe, Kailua, and Kahalu‘u Neighborhood Boards.

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

Outreach and consultations were conducted and comments incorporated into the Draft He‘eia Plan and Rules.

II. DISCUSSION

The Draft He‘eia CDD Plan is consistent with applicable development guidance policies of HRS Chapter 206E-203, He‘eia Community Development District, Policies to Guide Development, including:

- The Authority shall provide, to the extent feasible, maximum opportunity for the restoration and implementation of sustainable, culturally appropriate, biologically responsible, or agriculturally beneficial enterprises;
- Planning, replanning, rehabilitation, development, redevelopment, and other preparations for the restoration of cultural practices, education, natural resources, and agriculture related activities shall be pursued;
- Hawaiian archaeological, historic, and cultural sites shall be preserved and protected to the extent feasible while allowing for continued use of the property for cultural activities, education, agricultural and economic pursuits, and natural-resource restoration;
- Endangered species of flora and fauna shall be preserved and protected to the extent feasible;
- Land use and redevelopment activities within the district shall be coordinated with and, to the extent possible, complement existing county and state policies, plans, and programs affecting the district; and
- Public facilities within the district shall be planned, located, and developed to support the redevelopment policies established by this part for the district, the master plan approved by the governor, and rules adopted pursuant to this chapter.

A copy of the Draft He‘eia CDD Plan and HAR Chapter 15-220 is provided as Exhibit A.

Attachments: Exhibit A – Draft He‘eia CDD Plan and HAR Chapter 15-220, including a Summary of the He‘eia CDD Rules.