
HOUSE CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR TO PROVIDE FOR THE SUPPORT OF
INFRASTRUCTURE RELATING TO TURTLE BAY DEVELOPMENT AND
CONSERVATION EASEMENTS, INCLUDING SUPPORTING SURROUNDING
SCHOOLS IN KOOLAULOA AND WAIALUA MOKU.

1 WHEREAS, Act 140, Session Laws of Hawaii 2008, authorized
2 the Governor to negotiate on behalf of the State with private
3 interested parties to purchase the Turtle Bay property, and the
4 Governor established a working group pursuant to Senate
5 Concurrent Resolution 164, Session Laws of Hawaii 2013, to
6 develop a conservation action plan to explore and identify
7 conservation alternatives for the undeveloped portions of the
8 Turtle Bay Hotel and Resort Property and surrounding lands with
9 conservation or historic value; and

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11 WHEREAS, the Governor's working group engaged multiple
12 stakeholders to negotiate between the State and the developer of
13 Turtle Bay Resorts, LLC, resulting in pending conservation
14 options of conservation easements over the land financed through
15 general obligation bonds authorized by the legislature in the
16 Governor's proposed budget, rather than a fee purchase because
17 the Turtle Bay Resort is unwilling to sell the land in fee; and

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19 WHEREAS, the State is invested in both efforts to protect
20 the remarkable natural resources of undeveloped lands
21 surrounding Turtle Bay Resort's expansion on Koolauloa-North
22 Shore area, while also supporting the economic opportunities and
23 quality of life issues for the surrounding Koolauloa and Waialua
24 moku, specifically in the Kahuku and Waialua communities; and

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26 WHEREAS, the Legislature recognizes that providing a
27 capable workforce for the Turtle Bay expansion and integrated
28 conservation easement management is connected to well-maintained



1 public education facilities and programs, to support and
2 encourage a capable workforce; and

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4 WHEREAS, ensuring that Hawaii's schoolchildren learn in
5 facilities that are safe, secure, and in good repair is critical
6 to successful education, and a necessary infrastructure
7 component of any increased development and conservation plans of
8 Turtle Bay; and

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10 WHEREAS, older facilities that are poorly maintained
11 present serious risks to the health and well-being of those who
12 use them, illustrated most recently by the collapse of the
13 auditorium roof at Farrington High School in November 2012; and

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15 WHEREAS, older facilities, by nature, require more funding
16 for maintenance and upgrades, particularly for water and
17 electrical systems, and are difficult and expensive to
18 undertake; and

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20 WHEREAS, recognizing the extraordinary costs of capital
21 improvements to ensure the proper maintenance and repair of the
22 State's public schools, the legislature established the State
23 Educational Facilities Improvement Special Fund through Act 368,
24 Session Laws of Hawaii 1989, to earmark a portion of general
25 excise tax revenues to improve school facilities; and

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27 WHEREAS, codified in section 36-32, Hawaii Revised
28 Statutes, the State Educational Facilities Improvement Special
29 Fund is to be used solely to plan, design, acquire lands for,
30 and construct public school facilities and to provide equipment
31 and technology infrastructure to improve public schools and
32 other Department of Education facilities, except public
33 libraries; and

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35 WHEREAS, the Department of Education may also use moneys in
36 the State Educational Facilities Improvement Special Fund or the
37 General Fund for activities intended to eliminate the gap
38 between schools' facility needs and available resources; and

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40 WHEREAS, expenditures from the State Educational Facilities
41 Improvement Special Fund are limited to projects authorized by



1 the Legislature, are subject to certain provisions of the
2 State's allotment system, and must be expended by the
3 Superintendent of Education; and

4 WHEREAS, there continues to be a backlog of capital
5 improvement projects under the Department of Education's
6 jurisdiction; and

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8 WHEREAS, the Governor's Turtle Bay working group resulted
9 in pending conservation options of conservation easements over
10 the land, financed through general obligation bonds authorized
11 by the legislature in the Governor's current proposed budget;
12 and

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14 WHEREAS, in the interests of fairness, a viable compromise
15 that best serves the various interests of the impacted
16 community, from environmental preservation to infrastructure
17 upgrades such as quality education for the area's workforce,
18 would be to require that surrounding community school upgrades
19 be included as a component to infrastructure funded by the
20 general obligation bonds issued for conservation easement
21 purchases in the Koolauloa-North Shore area; and

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23 WHEREAS, the legislature finds a direct connection between
24 the State purchase of conservation easements at Turtle Bay and a
25 desperate need for surrounding community school upgrades to be
26 included as a component to infrastructure funded by the general
27 obligation bonds issued for conservation easement purchases in
28 the Koolauloa-North Shore area; now, therefore,

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30 BE IT RESOLVED by the House of Representatives of the
31 Twenty-seventh Legislature of the State of Hawaii, Regular
32 Session of 2014, the Senate concurring, that proceeds from the
33 general obligation bonds issued for the purchase of Turtle Bay
34 lands shall go to the purchase of conservation easements and
35 related infrastructure upgrades, including public school
36 improvements in surrounding communities of Kahuku and Waialua;
37 and

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39 BE IT FURTHER RESOLVED that certified copies of this
40 Concurrent Resolution be transmitted to the Governor, to the



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1 Superintendent of Education, and the Chief Executive Officer of
2 Turtle Bay Resorts, LLC.

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OFFERED BY:

Richard L Fide

FEB 26 2014

