



March 1, 2011

Senator Donovan Dela Cruz, Chair and Senator Malama Solomon, Vice Chair  
Senate Committee on Water Land and Housing

**Support of and Suggested Amendments to SB 283, Relating to Sustainability  
(Incorporates Hawaii 2050 Sustainability Task Force report into Hawaii State  
Planning Act.)**

**Tuesday, March 1, 2011 at 1:15 p.m. in CR 225**

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

**SB 283.** The purpose of this bill is to implement the recommendations of the Hawaii 2050 update report, commissioned by Act 225, Session Laws of Hawaii 2008, to establish sustainability as a state priority by adopting the Hawaii 2050 sustainability definitions, guiding principles, and goals.

**Background.** During the 2005 Special Session, the Legislature adopted Act 8, to create the Hawaii 2050 Task Force to review the Hawaii State Plan and the State's planning process, and develop the Hawaii 2050 Sustainability Plan. In 2008, the Legislature adopted Act 225, requesting the University of Hawaii at Manoa College of Social Sciences Public Policy Center to review the Hawaii 2050 Sustainability Plan and provide a definitive framework for policy makers including defined data, data sources, and benchmarks for each of the major goals. This measure is one of the recommendations of the Public Policy Center's final report submitted prior to this legislative session. In 2010, SB 2532, HD1 was also introduced and is almost identical to SB 283. SB 2532, HD1 was considered in Conference Committee, but Conferees were unable to come to an agreement and the bill died.

**LURF'S COMMENTS AND SUGGESTED REVISIONS TO SB 283.** LURF generally supports the intent of this bill to incorporate the definitions, guiding principles, and goals of the Hawaii 2050 Sustainability Task Force Report into the Hawaii State Planning Act, codified as Chapter 226, Hawaii Revised Statutes (HRS). We do have, however, some **concerns, comments and recommended revisions**, which include, but are not limited to the following:

- **“Ahupuaa resource management system” should be clearly defined. Would it allow a certain natural resource within a single ahupuaa to be shared**

**across the island? Or, could be interpreted to prohibit the use of Central Maui water to be used by farmers in other parts of Maui.**

- o Proposed §226-C Sustainability; guiding principles (b)(6) provides as follows:

“(6) To observe the principles of the ahupuaa system to guide resource management decisions.

While we support the principles of the “ahupuaa system,” the “principles of the ahupuaa system” are not specifically defined in the bill. As you know, state and county resource management decisions are based on the benefit and welfare of the entire island or state. That is why government has infrastructure that crosses through traditional ahupuaa boundary lines and has centralized government facilities and services (instead of government offices in each ahupuaa). We are concerned about someone interpreting this provision to require strictly observing and implementing the principles and values of the ahupuaa system as part of the State Plan, which could be interpreted by some to mean that it is a violation of the State Plan to have roadway, sewer, water and other infrastructure services provided on an island-wide basis, outside of a single ahupuaa’s boundaries. One of the major issues is the use of water between various ahupuaa for agricultural purposes or to service homes.

To assure that resource management decisions and natural resources can be shared for the overall benefit of the entire island, for agriculture, housing for residents, economic, social, community and environmental needs, etc., we would **respectfully propose the following revision as highlighted below:**

**§226- Sustainability; guiding principles.** (a) Hawaii residents desire a balance between economic, cultural, and environmental concerns and priorities. Thus, sustainability in Hawaii shall be established as the overall theme and guiding principles of sustainability policy:

- (1) To balance economic, social, community, and environmental priorities;
- (2) To respect and live within the natural resources and limits of the State;
- (3) To achieve a diversified and dynamic economy;
- (4) To honor the host culture;
- (5) To make decisions based on meeting the needs of the present without compromising the needs of future generations;
- (6) To **[observe] consider** the principles of the ahupuaa system **[to guide resource management decisions]**; and
- (7) To emphasize that everyone, including individuals, families, communities, businesses, and government, has the responsibility for achieving a sustainable Hawaii.

- **The Task Force has identified the need for government (administration and agencies) and public support, encouragement and incentives to make these goals a reality. Thus, the description of the five major goals should include the concept of incentives.** Proposed §226-D Sustainability goals provides as follows:

“There are established five major goals that are designed to achieve a preferred future by the year 2050, which shall include the following:”

This statement is followed by a number of goals, all of which LURF supports. However, the Task Force has identified the need for government (administration and agencies) and public support, encouragement and incentives to make these goals a reality. In this spirit, we would **respectfully propose the following revision:**

“There are established five major goals that are designed to achieve a preferred future by the year 2050, which shall include encouraging, supporting and incentivizing the following:...”

Thank you for the opportunity to express our concerns and suggested revisions to SB 283.

March 1, 2011

Senator Donovan Dela Cruz, Chair  
Senate Committee on Water, Land, and Housing  
State Capital Building - Senate Conference room 225  
Honolulu

RE: Testimony in Support of S.B. 283, Relating to Sustainability

Dear Chair and Committee Members,

I, Stacie Thorlakson, a Hawaii 2050 Task Force member, appreciate this opportunity to testify in support of SB 283, relating to sustainability.

Sustainability is a critical component for the future of our islands and as a group, we worked very hard to collect data on various issues, educate our resident's island-wide, and represent the views of our youth for a comprehensive plan.

Please take in consideration the many voices heard and man hours dedicated to create a long-term planning process for Hawaii's future. This plan was created with the goal to implement and use as a guideline to set benchmarks so that we all can work together and do our part to make Hawaii more sustainable for years ahead.

Today, I stress the importance to continue the progress being made towards Hawaii's sustainable future by putting this sustainability policy into the Hawaii State Plan.

Thank you for your time and if you have any questions, please contact me.

Sincerely,

Stacie Thorlakson  
PO Box 985  
Kihei, HI 96753  
808.250.3999  
Stacie@thorlakson.com