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Statement of  
**MARY LOU KOBAYASHI**  
Planning Program Administrator, Office of Planning  
Department of Business, Economic Development, and Tourism  
before the  
**SENATE COMMITTEE ON WATER, LAND, AND HOUSING**  
Thursday, February 3, 2011  
1:15 PM  
State Capitol, Conference Room 225

in consideration of  
**SB 735**  
**RELATING TO LAND USE.**

Chair Dela Cruz, Vice Chair Solomon, and Members of the Senate Committee on Water, Land, and Housing.

SB 735 requires that the Office of Planning convene a task force to review all requirements under Chapter 205, HRS, and make recommendations to ensure that the Land Use Commission considers the cumulative and long-term impacts of development requests.

We do not support SB 735 because the Office of Planning (OP) does not have the staff and fiscal resources to convene this task force. During the 2009 reduction-in-force, approximately 37% of OP's general funded staff were cut. OP is not able to undertake new tasks at this time.

In addition, most large land use district boundary amendments trigger an environmental assessment under Chapter 343, HRS, Environmental Impact Statements. The Administrative Rules for Environmental Impact Statements, Chapter 200, provide that in considering the significance of potential environmental effects, agencies shall consider the sum of effects on the

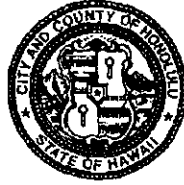
quality of the environment, and shall evaluate the overall and cumulative effects of an action. In addition, in determining whether an action may have a significant effect on the environment, the agency shall consider every phase of a proposed action, the expected consequences, both primary and secondary, and the cumulative as well as the short-term and long-term effects of the action. Therefore, cumulative and secondary impacts are required to be addressed through the environmental review process.

Thank you for the opportunity to testify.

DEPARTMENT OF PLANNING AND PERMITTING  
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February 3, 2011

The Honorable Donovan M. Dela Cruz, Chair  
and Members of the Committee on Water, Land,  
and Housing  
State Senate  
State Capitol  
Honolulu, Hawaii 96813

Dear Chairs Dela Cruz and Members:

**Subject: Senate Bill No. 735  
Related to Land Use**

The Department of Planning and Permitting **supports, with revision**, the intent of Senate Bill No. 735, which requires the convening of a task force to review the Land Use Commission's criteria for granting State Land Use District Boundary amendments.

Inasmuch as each county's planning department is currently implementing smart growth strategies, we suggest that language on the qualification for a planning department representative include smart growth implementation experience is redundant and should be removed from the bill.

Please pass Senate Bill No. 735 with the above suggested modification. Thank you for the opportunity to comment.

Very truly yours,

A handwritten signature in black ink, appearing to read "David K. Tanoue", is written over a horizontal line.

David K. Tanoue, Director  
Department of Planning and Permitting

DKT:jfm

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