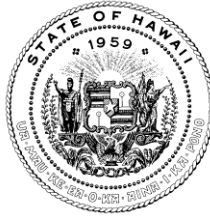


SB 762

EDT/PGM/WLH

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committees on
ECONOMIC DEVELOPMENT AND TECHNOLOGY,
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS
and
WATER, LAND, AND HOUSING**

**Monday, January 31, 2011
1:30 PM
State Capitol, Conference Room 016**

**In consideration of
SENATE BILL 762 -
RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL
APPLICATION PROCESSING**

Senate Bill 762 proposes to streamline the permitting process to promote the construction industry in Hawaii, including changing review times and guidelines for the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources (Department). The Department opposes the bill as written.

SECTION 3 of the measure proposes a maximum of sixty days to complete a review and comment "beginning from the time the department is advised of the proposed project by the agency or officer." This language is problematic for the following reasons:

1. While SHPD could agree to a maximum of 60 days to complete its comments, we sometimes need to wait more than 60 days for project proponents to respond to our comments, and even then, on complicated projects it may take more discussion to come to an agreement about mitigation for a resource. If SHPD does not complete its initial review within 30 days, the Counties have the ability to move forward with a project (13-284.5, Hawaii Administrative Rules (HAR)), thus we believe that the current law addresses the need of construction project to move forward.

2. The start time for the 60 day clock is when the Department is "advised of the proposed project by the agency or officer." Merely advising the Department of a project does not ensure that the required information (HAR 13-284) is provided to the Department. HAR 13-284 clearly defines

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

the materials needed for the clock to start, including the receipt of required fees. We believe the rules as they exist provide sufficient guidance.

3. The new language states, "Projects previously reviewed by the department pursuant to this section and found to have no impact . . . shall not be subject to subsequent department reviews under this section. Again, the rules provide guidance on this area (see HAR 13-284 generally and specifically HAR 13-284 (5) (4), and allow for SHPD or an agency to determine that a project will have "no effect" based on previous studies or ground disturbance. The language provide in the bill as written could lead to confusion and further delay. For example, inventory studies done over ten years ago may have found no impact, but only tested a limited area. New information could change SHPD's determination on a project (i.e. Brescia).

In summary, SHPD feels that the current rules already allow for the Counties to take control of the Historic Preservation Review process through either moving forward if SHPD does not comment within 30 days, or hiring their own staff to do reviews per HAR 13-284-5 (5) (2).



SB 762
RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL
APPLICATION PROCESSING

Senate Committee Economic Development and Technology
Senate Committee on Public Safety, Government Operations, and Military Affairs
Senate Committee on Water, Land, and Housing

January 31, 2011 1:30 p.m. Room 016

The Office of Hawaiian Affairs (OHA) offers the following comments on SB 762, which would streamline portions of the review process for various county and state permits, licenses, and approvals.

The OHA Administration will recommend that the OHA Board of Trustees oppose SB 762 because the bill grants counties the authority to delegate their mandates to protect Hawai'i's natural and cultural resources to "third-party reviewers." This is unacceptable. Article XI, Section 1 of the state Constitution expressly spells out the state's mandate to protect Hawai'i's natural resources:

For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State.

In addition, Article XII, Section 7 of the Hawai'i Constitution provides that the state must protect traditional practices, which are intrinsically linked to cultural sites and natural resources:

The State reaffirms and shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua'a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights.

It is the responsibility of the counties, as instrumentalities of the state, to ensure that permit, license, and approval of applications comply with various laws, rules, court orders, and the state Constitution. Counties cannot pass off this kuleana in the interests of quicker review.

Furthermore, SB 762 reduces the possibility of project proposals being comprehensively and impartially reviewed. Under SB 762, architects and engineers, the third-party reviewers, would be “retained by an owner of the property being reviewed and all fees and costs for third-party review services shall be the responsibility of the owner of the property being reviewed.” With owners having complete control over which third-party reviewer to contract with, OHA is concerned that there will be no review and determination if conflicts arise. Although these reviewers do not have authority to grant discretionary approvals, they would be able to make a determination if such a discretionary approval is even necessary for a proposed project or if the project can proceed as a matter of course. In addition, such determinations would be without consequences, as SB 762 also insulates third-party reviewers from liability unless their actions rise to the level where intentional misconduct, gross negligence, or malfeasance can be proven.

The bill’s proposed changes to Chapter 6E, Hawaii Revised Statutes, are equally problematic. The State Historic Preservation Division (SHPD) is suffering from a severe lack of resources. Rather than direct needed resources to SHPD, SB 762 seeks to overhaul Chapter 6E and strip power from SHPD. If projects were automatically approved when the agency fails to complete reviews and offer comments within sixty days, the state may fail to uphold the goals and intent of the Historic Preservation Program. The Legislature has already found with Section 1 of Chapter 6E, HRS, that:

The Constitution of the State of Hawaii recognizes the value of conserving and developing the historic and cultural property within the State for the public good. The legislature declares that the historic and cultural heritage of the State is among its important assets and that the rapid social and economic developments of contemporary society threaten to destroy the remaining vestiges of this heritage. The legislature further declares that it is in the public interest to engage in a comprehensive program of historic preservation at all levels of government to promote the use and conservation of such property for the education, inspiration, pleasure, and enrichment of its citizens. The legislature further declares that it shall be the public policy of this State to provide leadership in preserving, restoring, and maintaining historic and cultural property, to ensure the administration of such historic and cultural property in a spirit of stewardship and trusteeship for future generations, and to conduct activities, plans, and programs in a manner consistent with the preservation and enhancement of historic and cultural property.

SB 762 also reduces the authority of SHPD by precluding the review of previously approved projects. Archaeological surveys completed twenty years ago are often deemed to be inadequate by today’s archeological standards.

Unfortunately, previous approvals have relied on these surveys. Large development projects like Ku'ilima on the North Shore of O'ahu that were once deemed to have little potential to impact historic resources, are now seen to have major impacts to historic properties when revisited today with improved archaeological methods and new information. SHPD must be allowed to review previously approved projects in order to ensure that all historic properties are carefully protected with current and accurate information.

OHA understands that the approval process for projects can be lengthy. But even the current review process, which is fairly thorough, results in mistakes and misses problems. If the process is shortened, these errors will surely increase and Hawai'i's natural and cultural resources will surely suffer as a result.

The OHA Administration will make this recommendation to our Board of Trustees at its meeting on February 3, 2011. Mahalo for the opportunity to testify.

Coalition of Hawaii Engineering & Architectural Professionals

Representing

American Council of Engineering Companies Hawaii (**ACECH**)

American Public Works Association Hawaii Chapter (**APWA**)

American Society of Civil Engineers (**ASCE**)

Hawaii Society of Professional Engineers (**HSPE**)

Structural Engineers Association of Hawaii (**SEAOH**)

Hawaii Water Environment Association (**HWEA**)

January 29, 2011

Hearing: Monday, January 31, 2011
Time: 1:30pm, CR 016
Email: EDTTestimony@Capitol.hawaii.gov

Subject: SB 762 Relating to Streamlining Permit, License and Approval Application Processing

Honorable Senator Chairs Carol Fukunaga, Will Espero, Donovan M. Dela Cruz, Vice Chairs Glenn Wakai, Michelle Kidani, Malama Soloman and Members of Senate Committees on EDT, PGM and WLH

The Coalition of Hawaii Engineering and Architectural Professionals are comprised of members of Hawaii's design professional community, are in **general support** of **SB 762 Relating to Streamlining Permits**. We have concerns about an automatic approval process within a fixed time frame. On the other hand we have been bogged down with endless permit processing submittals and extended durations of reviews. We understand that the agencies are handicapped by lack of adequate personnel needed for timely reviews. We agree with language that allows agencies to contract the review process to outside vendors and charging reasonable fees for expedited reviews.

Our suggestion is to have agencies conduct one-time reviews of construction documents (documents will be reviewed once by the agency or outside vendor). All one-time agency or vendor review comments will be documented and responses to those comments will be addressed and documented prior to final agency review and approval.

We suggest **adding language relating to one-time review** in place of an automatic approval process.

Please feel free to contact me if you have any questions.

Sincerely,

Coalition of Hawaii Engineering & Architectural Professionals

Lester Fukuda, P.E., FACHEC

Ph. (808) 697-6200

Testimony In Support of
SB762
RELATING TO STREAMLINING PERMIT, LICENSE, AND
APPROVAL APPLICATION PROCESSING

By Al Lardizabal, Director of Government Relations
Hawaii Laborers' Union
Monday, January 31, 2011
Room 016, 1:30 p.m.

To the
Committee on Economic Development and Technology;
Committee on Public Safety, Government Operations and Military Affairs;
And
Committee on Water, Land and Housing

Senators and Committee Chairs Carol Fukunaga, Will Espero and Donovan M. Dela Cruz; Senators and Vice Chairs Glenn Wakai, Michelle Kidani and Malama Soloman:

On behalf of Business Manager Peter Ganaban, and the officers and members of the Hawaii Laborers' Union, we support SB762.

This measure authorizes counties to contract with a third-party reviewer to streamline construction permit, license and other application processing; provides that applications will be deemed approved if historic preservation division fails to review and comment within 60 days, and after 30 days if agencies fail to establish maximum time period for permit and other application processing.

This measure is consistent with the recommendations of the construction task force established under SCR No. 132, SD1 (2009), the stated intention of the Abercrombie administration to expedite construction, and the small business discussion groups in 2010 led by the Senate Committee on Economic Development and Technology, and the House Committee on Economic Revitalization, Business and Military affairs.

Thank you for the opportunity to submit this testimony in support of SB762.



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

**SENATE COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY
SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND
MILITARY AFFAIRS
SENATE COMMITTEE ON WATER, LAND, AND HOUSING**

January 31, 2011, 1:30 P.M.
(Testimony is 3 page long)

**TESTIMONY IN STRONG OPPOSITION TO SB 762 WITH PROPOSED
AMENDMENTS**

Aloha Chair Fukunaga, Chair Espero, Chair Dela Cruz, and Members of the Committees:

The Hawai'i Chapter of the Sierra Club ***strongly opposes*** SB 762, which could -- intentionally or not -- automatically approve undesirable development projects throughout Hawai'i. While we support efforts to encourage economic development, this measure may undermine the desired goals of the policy and run counter to the concept of a democratically administered society.

I. Section 2 - Protecting Transparency and Accountability.

Shifting towards “private” government frequently seems like a simple way to save costs and improve efficiency, but section 2 of this measure could leave Hawai'i residents in a lurch. Under the proposed language, large developments could be shifted over to third party review, without any ability for the public to monitor or comment on the progress of the project. SB 762 says “license or approval,” seemingly meaning that complex actions like zoning and subdivision could be taken out of the public arena.

If the Senate is determined to proceed with this measure, we suggest amending the language to a more narrow range of ministerial approvals and ensure commissioned government agents fulfill the obligations of government such as transparency, accountability, and accessibility. For example, documents being considered should be available for public inspection. Third-party reviewers should be accessible by the public. To this end, we suggest inserting language that states “notwithstanding any other provision, third-party reviewers will be considered an ‘agency’ for purposes of chapter 92.” Additional language will need to be inserted to ensure the public’s right to hearing is protected to ensure this process simply doesn’t become a hidden form of government.

We also suggest the State and Counties require third-party reviewers to indemnify the state in order to ensure that the public does not bear the responsibility of negligent work.

II. Sections 3 and 4 -- Ham-Fisted Means that Eliminate Public Protection.

Section 3 of this measure creates a 60-day automatic approval of any historic property review. Section 4 requires agencies enact rules limiting the time to approve or deny **any** permit. Without the adoption of agency rules, a 30 day “automatic approval” would be created.

The “automatic approval” of any permit is simply poor policy. Permits should be granted on their merits, not by mistake or governmental inefficiency. ***No community should suffer because government failed to perform.*** Consider:

- What happens when a building is automatically approved that doesn't meet health and safety standards? Is the State liable for any resulting injuries?
- What happens when additional information is required by the department or agency and the deadline passes?
- What happen when complex issues like subdivision approval of a massive development project -- that directly impacts traffic, public access, and smart growth -- are automatically approved because of timing blunder?
- What happens if an applicant fails to submit all the necessary information? Would building, electrical and plumbing permits be deemed “approved” because the agency did not have a completed application?
- What happens when there is a complex environmental assessment that needs to be completed pursuant to Haw. Rev. Stat. Chapter 343 and the deadline passes?
- What happens when a contested case hearing is requested pursuant to chapter 91, HRS, and for any other period for administrative appeals and review and the deadline passes?
- Is it ever appropriate to automatically approve a permit that will irreparably damage the environment or native Hawaiian rights? Doesn't that violate protections provided by the State Constitution

The problems with this bill are staggering. For example, what if agencies aren't able to enact rules in a timely fashion? Some agencies are struggling to pass rules over six years old. Theoretically, numerous approvals and permits could be deemed automatically approved because

of one malfunctioning agency. Do we really want health/welfare/safety requirements ignored? Do we want residents to wonder why their government allowed a poorly-sited landfill placed next to them?

We also are concerned about the language stating "Projects previously reviewed by the department pursuant to this section and found to have no impact on historic properties, aviation artifacts, or burial sites shall not be subject to subsequent department reviews under this section." The inclusion of "burial sites" in this language suggests a possible intent to avoid the "complications" of having to deal with "inadvertent discoveries" of burials as well as historic properties, and thus attempting to implicitly repeal section 6E-43.6 (dealing with inadvertent discoveries of burials once construction has begun).

III. Other Options.

In looking at the perceived problem of agency delay, it's alarming that there is a lack of real information. What is the scope of the problem? Is it an actual problem or merely a perception? What agencies are misbehaving? Are there are other reasons for unusual delay that might be solved through other means?

The Senate may to consider requesting a DBEDT investigate the situation and make a detailed report as to the length of review of each type of permit/approval and the reason for the length of time. Or thinking outside of the box, the Senate could propose the creation of an Office of the Ombudsman to appropriately investigate the issue and be empowered to take different forms of action.

By identifying actual issues, we may be able to solve real problems rather than applying a ham-fisted, one-size-fits-all "solution" to a perceived problem.

Mahalo for this opportunity to provide testimony.



25 Maluniu Ave., Suite 102., PMB 282 • Kailua, HI 96734 • Phone/Fax: (808) 262-0682 E-mail: htf@java.net

January 31, 2011

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

Senator Carol Fukunaga, Chair
Senator Glenn Wakai, Vice Chair

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS & MILITARY AFFAIRS

Senator Will Espero, Chair
Senator Michelle Kidani, Vice Chair

COMMITTEE ON WATER, LAND, AND HOUSING

Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

SB 762

RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING

Hawaii's Thousand Friends opposes SB 762 that authorizes counties to contract with a third-party reviewer to streamline construction permit, license, and other application processing; provides that applications will be deemed approved if historic preservation division fails to review and comment within 60 days, and after 30 days if agencies fail to establish maximum time periods for permit and other application processing.

The changes proposed to §46 to allow third-party permit, license, and approval processing review sets up untold opportunities for conflict of interest such as an owner hiring an architect to conduct a third-party review who works with or is employed by the same company that designed the property being reviewed. This proposed change has the fox guarding the hen house.

The State Historic Preservation Division (SHPD) has been plagued with problems for many years forcing the National Park Service to conduct a technical site visit and evaluation. So instead of making unreasonable and unattainable demands, as this bill does by setting arbitrary time limits, on SHPD legislators should be reviewing the federally mandated requirements and audit recommendations to understand what is needed to make SHPD more efficient.

Instead of imposing arbitrary time limits on government agencies whose responsibility it is to protect the public's interests, ensure public involvement and the appropriateness of a protect, attention should be given on how best to assist the terribly underfunded and understaffed county and state agencies.

Placing arbitrary time limits on government agencies will not make the approval of projects more efficient. Instead such a process places the very fabric of our democratic and open system of government at risk.



For the Protection of Hawaii's Native Wildlife
HAWAII AUDUBON SOCIETY

850 Richards Street, Suite 505, Honolulu, HI 96813-4709

Phone/Fax: (808) 528-1432; hiaudsoc@pixi.com

www.hawaii-audubon.com

DATE: January 30, 2011

TO: Committee on Economic Development and Technology
Committee on Public Safety, Government Operations, and Military Affairs
Committee on Water, Land, and Housing

HEARING: Monday, January 31, 2011, 1:30 P.M., Conference Room 016

RE: SB762 - Streamlining Permit, License and Approval Application Processing

TESTIMONY IN OPPOSITION

Chairs, Fukunaga, Espero, and Dela Cruz, and members of the joint committees. Thank you for the opportunity to submit our testimony in opposition of SB76, which purports to the county permit processing by utilizing third-party reviewers. It would also allow for automatic approval in 30 days if an agency fails to make a decision within that time period.

For those members who may not be familiar our organization, the Hawaii Audubon Society was formed in 1939. Our primary mission has been the protection of Hawaii's native birds, wildlife, habitats, and ocean resources. We strongly advocate for restoration of ecosystems and the conservation of natural resources in Hawaii and the Pacific through education and science.

One of the main reasons why there is a permitting process is to ensure that zoning requirements, fire and structural safety standards, and other building standards are met; and that construction practices comply with certain environmental requirements.

By instituting automatic approval, counties will not be able to ensure that bad projects are approved. Additionally, automatic approval would tilt the approval process in favor of developers and unscrupulous contractors who may be tempted to take short cuts to maximize their profits.

We all have concerns regarding our state's economic condition, however instituting an automatic permitting approval process as an expedient to foster jobs creation is not wise. We would recommend increasing the permitting fee on projects over \$1 million to raise needed revenues to adequately staff county permitting offices.

Respectfully,

George Massengale, JD
Legislative Analyst

From: [Deborah Ward](#)
To: [EDTTestimony](#)
Subject: SB762, EDT January 31st, 1:30 pm. Opposition
Date: Saturday, January 29, 2011 5:27:17 PM

RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING.

EDT/PGM/WLH, WAM

Aloha, Chair Carol Fukunaga, Vice Chair Glenn Wakai, and committee members,

Mahalo for allowing me to present testimony by email. I am Deborah Ward, chair of the Moku Loa Group of the Sierra Club, a retired faculty member of the University of Hawaii, and a organic fruit farmer in Kurtistown Hawaii.

I am opposed to SB762 for the following reasons. Automatic permit approvals tilt the balance too far in favor of development. They do not provide the public and the agencies responsible for decision-making the option of delving into issues and making informed decisions. The natural and cultural resources are generally given short shrift, and ill conceived development can ruin many of island's greatest attributes.

The first thing we need to do to fix delays is to fund the staffing in the agencies. the lack of staff should not mean that developers get to force us into bad decisions. Recently the State Historic Preservation Division failed to respond to a request for review of military expansion into 44,000 acres protected conservation land with important cultural and sacred features. While this is regrettable, it does not mean that the expansion should proceed for lack of response!!! Please consider the horrible management that division has had for the past eight years.

Please, improve the management and fund the positions before nullifying their work with automatic approvals! Mahalo for your time.

Sincerely,
Deborah Ward
P.O. Box 918 Kurtistown HI 96760 808-966-7361

From: [Aalto, Anthony](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 12:13:36 AM

Re: SB762 Testimony for hearing on January 31st at 1:30pm

As a citizen of Hawai'i I am fundamentally opposed to this bill
For decades some government agencies have interpreted their primary duty as being to facilitate developers' plans
In doing so they have ignored the concerns of the public at large.
This has led to ugly suburban sprawl and over-crowded freeways.

This bill appears to be designed to codify this ill-considered rush to develop
It codifies a bias to develop, it starts from a presumption that development is always benign

This idea of automatic approvals is extremely dangerous.
The role of government is to look out for the welfare of the community at large
Hawaii is facing enormous strain from the developers' onslaught which is even starting to affect our biggest industry:
In recent years, the number one complaint reported by tourists has been over-development

This bill only addresses developers' needs, it does nothing to ensure that the priorities of the public at large are taken into consideration.
If the system isn't working because of a lack of staff or money, that doesn't mean you should junk the whole system.
Instead you should find ways to make the system work.
Send in an inspector to locate the bottlenecks.
Give the agencies more money, funded by higher fees on developers
Don't let our public servants become rubber stamps serving the developers

Mahalo
Anthony Aalto

From: [Diane Aoki](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 7:45:32 PM

Dear elected representatives,
I am opposed to SB 762, which would make it easier for developers to have their way without public input and lead the way for a devastating impact to the environment. Hawaii is such a special and unique place and our treasure is our natural beauty. You must be as much a steward as we common people are. If there is a problem with an ineffective bureaucracy, solve the problem at the source. Do not use that as an excuse to bypass your responsibility as stewards of our aina. Perhaps the ombudsman system could aid in the solving of the problems that the bill claims to address.

Thank you,
Diane Aoki.
Kona

From: [Harvey Arkin](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 3:31:32 PM

On Monday, the Senate is hearing a bill ([SB762](#)) that would automatically approve any application in 30 days if an agency fails to establish maximum time periods for application processing. It would also automatically approve any application before the State Historic Preservation Division (a notoriously [underfunded and understaffed](#) office) in 60 days. I am opposed to SB762

We're all for speeding up government, but automatic approval of any project is bad policy. Permits should be granted on their merits, not because of mistake or governmental inefficiency. ***No community should suffer because government failed to perform.***

- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Mahalo,
Harvey Arkin
96822

From: [Katharine Ayers](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:23:22 PM

I am opposed to SB8762.

Katharine S.Ayers

From: [Sylvia Baldwin](#)
To: [EDTestimony](#)
Subject: SB762
Date: Saturday, January 29, 2011 10:44:59 AM

Please vote NO on SB762 on Jan. 31,2011 at 1:30pm which would give automatic approval on a project without public knowledge.

Sylvia Baldwin
152B North Kalaheo Ave.
Kailua, HI 96734

From: [Kathleen Ball](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 9:33:21 AM

pleas i oposed to SB762, WE NEED TO SUPPOORT GOOD THIN FOR HAWAII, THE NATION. I FEEL WE CAN DO BETTER THAN THIS PLEWASE HELP HAWAII, THE NATION BY BETTER STAFFING AGENCIES. A GREATER CARE AND DUE DILLIENCE NEEDS TO BE DONE IN CRAFTING HELPIN THIS NATION. THE EXECUTION OF LAWS STATUTES, WHICH UPHOLD, PROTECT, AND GATHER PROTECTION OVER ITS CITIZENS AND WILDLIFE TREASURES, ANIMALS, PERSERVES , AND EVERY SQUARE INCH OF THIS NATION . THEOADORE ROOSEVELT AND MOST PRESIDENTS PROTECTED THIS LEGAcY for our CHILDREN.I WOULD LIKE TO PROTECT FOR COUNTLESS GENERATIONS. PLEASE LOOK AT THIS BILL AGAIN AND VETO IT. THANK YOU
KATHLEEN BALL

From: [Nancy Bauer](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:31:29 AM

Automatic approval after 30 days is not in the citizenry's best interest. Particularly at this time when some agencies are understaffed and underfunded. I am in favor of efficiency but definitely opposed to this measure!

Nancy Bauer, 76-6212 Alii Dr, Apt 101, Kailua Kona, HI 96740.

From: [Peter Beemer](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:42:28 AM

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

--

Aloha,

Peter

more than one thing can be true...

at the same time...

From: [Brian Bell](#)
To: [EDTestimony](#)
Subject: Opposition SB762
Date: Saturday, January 29, 2011 12:02:40 PM

Aloha,

I would like to voice my opposition to SB762 scheduled for a hearing January 31st, 1:30 pm.

Automatically approving these applications would be detrimental to protecting our environment and planning a smart growth strategy in Hawaii. It is akin to giving developers the keys and letting them pave over what precious land we have left. Why not charge more fees for these applications so we have the proper resources to review them?

Please vote no on this rubber stamp initiative.

Best,

Brian Bell
4626 Sierra Dr.
Honolulu, HI 96816
808-227-7087

From: [Virginia Bennett](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:34:14 AM

To Whom It May Concern:

Please note that I, a long time resident of the State of Hawaii (23 years) am opposed to SB762 for the following reasons:

Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Please give serious consideration to the above stated objections to OB762. They are valid, and many others who haven't take the time to write you are of the same belief.

Sincerely yours,
Virginia Bennett

From: jimiberlin@aol.com
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 4:34:08 PM

I am strongly opposed to SB762.

Thank you. Signed, James Berlin

From: [Bill or Bobbie Best](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 7:01:07 AM

- We are opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Mahalo,
Mr. and Mrs. Bill Best
280 Hauoli St.
Wailuku, HI 96793

From: KalanaB@aol.com
To: [EDTTestimony](#)
Subject: Opposition to SB762
Date: Saturday, January 29, 2011 9:59:46 AM

To whom it may concern:

I am asking you to vote NO to SB 762 which proposes to allow automatic application approval if an agency fails to meet deadlines in a timely manner.

This bill is essentially sanctioning lax government with little or no oversight.

Citizens of Hawaii deserve better from their public servants AND leaders.

Sincerely,
Kalana Best
Kailua, Hawaii

From: [Rebecca Branham](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:42:31 AM

I am opposed to SB762.

IMO, lots of stuff government does is unwise; this is really, really unwise.

From: [Randy Bush](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 9:43:41 AM

I strongly oppose SB762. It makes no sense.

Agencies shouldn't just respond to developer applications. They must also consider the public's concerns and natural resource needs.

Automatic permit approvals tilt the balance ridiculously too far in favor of developers.

Other paths should be followed, such as creating an ombudsperson to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

Please show real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for developers.

Randy Bush
Hawi, Hawai`i

From: [Stephen Canham](#)
To: [EDTestimony](#)
Subject: *****SPAM***** Opposition to SB762
Date: Saturday, January 29, 2011 2:02:16 PM

Dear Sir or Madam:

I am opposed to SB762, to be heard on January 31 at 1:30 pm. Over the past thirty years, I have seen, time and time again, the effects of ill-considered, rushed, or non-examined permitting. Hideous buildings, unnecessary and unthinking loss of agricultural land, loss of open potentially public space, and so on and so on, truly ad nauseum.

I am not opposed to development. I am opposed to ill-considered, purely economically based development. Every government agency has an obligation to consider the public welfare in its decisions and actions (including decisions NOT to act). The dollar should NOT be the be-all-and-end-all of government concern. Government needs consciousness, awareness of its responsibilities to all of its constituencies, not just the one with the biggest short-term potential pay-off. Such awareness takes thought, and thought takes time. Automatic permitting encourages yet more of the greed and mindless development that have been too often allowed particularly on Oahu in the past three decades.

Please do not pass out this ill conceived bill. Please take the state's motto to heart.

Respectfully yours,

Stephen Canham, PhD
46-156 Nahiku Place
Kaneohe, HI 96744

From: djrx.cares@hawaii.rr.com
To: [EDTTestimony](#)
Subject: SB762
Date: Saturday, January 29, 2011 5:41:45 PM

I am opposed to SB762.

Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Thank you for being a friend and supporter of the Sierra Club of Hawaii.

From: [Cathy OLeary Carey](#)
To: [EDTestimony](#)
Subject: Opposition SB762
Date: Saturday, January 29, 2011 4:31:28 PM

Regarding Measure SB 762

I am opposed to Measure SB 762.

Agencies shouldn't just respond to developer applications.

Please consider the public interest and concerns and natural resources needs.

Thank you for your attention to my remarks.

Cathy OLeary Carey
17696 Cumana Terrace
San Diego, CA 92128
858-385-0419

I am often a resident at the Towers in Makaha Valley
and interested in Hawaii political issues.

From: [Richard C. Casey](#)
To: [EDTestimony](#)
Subject: Opposition to SB762
Date: Saturday, January 29, 2011 9:55:24 AM

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Regards,

Rick



Richard C. Casey
520 Lunalilo Home Road, 8312
Honolulu, Hawaii 96825

808-888-6030
612-805-2026 Cell
richardccasey@hawaii.rr.com

From: mailinglist@capitol.hawaii.gov
To: [EDTTestimony](#)
Cc: Karen@mauipaddle.com
Subject: Testimony for SB762 on 1/31/2011 1:30:00 PM
Date: Saturday, January 29, 2011 10:17:53 AM

Testimony for EDT/PGM/WLH 1/31/2011 1:30:00 PM SB762

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: Karen Chun
Organization: Individual
Address: 87 Lae St. Paia, HI
Phone: 808 283-3049
E-mail: Karen@mauipaddle.com
Submitted on: 1/29/2011

Comments:

The automatic approval after 30 days has worked very badly for the so-called affordable housing.

Entities charged with reviewing plans are understaffed and underfunded so their input is often late and not considered.

The construction unions come and demand that EVERYTHING get passed without exception and our County Council is too scared to vote "no" because a huge part of their campaign funding come from labor and developers.

So if you pass this bill, you are basically gutting any sensible planning and careful consideration of new developments because of human nature and lack of courage by our County council members.

In fact, I also wish you would repeal your fast-tracking of "affordable" developments because it gave us the Kula development that has NO WATER, NO INFRASTRUCTURE INADEQUATE SCHOOL FACILITIES and is going to be a real headache for the County.

From: [Skye.Coe](#)
To: [EDTTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 9:14:30 PM

- ENOUGH ALREADY!!
- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

I CAN'T BELIEVE ANY SANE PERSON WOULD APPROVE OF THIS!! WAKE UP SENATORS!!!

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Find us on FaceBook at [Heart of Maui](#)

MAHALO NUI LOA!

From: mailinglist@capitol.hawaii.gov
To: [EDTTestimony](#)
Cc: sara.l.collins.sha@gmail.com
Subject: Testimony for SB762 on 1/31/2011 1:30:00 PM
Date: Sunday, January 30, 2011 1:09:26 PM
Attachments: [2011.SB 762.pdf](#)

Testimony for EDT/PGM/WLH 1/31/2011 1:30:00 PM SB762

Conference room: 016
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Sara Collins
Organization: Society for Hawaiian Archaeology
Address: PO Box 22458 Honolulu, HI 96823
Phone: 808-348-2937
E-mail: sara.l.collins.sha@gmail.com
Submitted on: 1/30/2011

Comments:

TO: Senator Carol Fukunaga, Chair, Senate Committee on Economic Development & Technology
Senator Will Espero, Chair, Senate Committee on Public Safety, Government Operations & Military Affairs
Senator Donovan Dela Cruz, Chair, Senate Committee on Water, Land & Housing

FROM: Sara L. Collins, Ph.D., Legislative Chair
Society for Hawaiian Archaeology
sara.l.collins.sha@gmail.com

HEARING: January 31, 2011, 1:30 PM, Conference Room 016
SUBJECT: Testimony in OPPOSITION to SB 762 (RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING)

I am Dr. Sara Collins, Chair of the Legislative Committee of the Society for Hawaiian Archaeology (SHA). We have over 150 members that include professional archaeologists and advocates of historic preservation in general. On behalf of SHA, I am providing testimony in opposition to SB 762.

We are most concerned with Section 3 of the subject bill and ask, at the least, that Section 3 be removed entirely from SB 762. This section of the bill proposes to amend §6E-42, Hawaii Revised Statutes (HRS) by setting a maximum of 60 days for the Department of Land and Natural Resources (represented by the State Historic Preservation Division [SHPD]) to review and comment on applications it receives from a State or County agency. Section 3 further stipulates that if the department fails to “complete a review and comment” within 60 days that the proposed project “shall be deemed approved.” Finally, Section 3 proposes to amend §6E-42, HRS by stipulating that projects which have undergone a previous review by the department and were found to have “no impact on historic properties, aviation artifacts, or burial sites” will not be subject to subsequent reviews.

We find Section 3 to be problematic for several reasons:

- The proposed amendments ignore the existing regulatory timeframes for SHPD’s review of materials (e.g., applications, reports, plans, etc.) submitted under §6E-42, HRS. The implementing regulations at Hawaii Administrative Rules (HAR) §13-284 call for the SHPD’s review to be completed within 30 days of receipt of the application if it is determined or demonstrated that significant historic sites are not present on the property. If significant historic sites are present within the area covered by the application, additional review periods occur as additional documents (such as inventory survey reports) are submitted, but all subsequent reviews also have specific timelines. Furthermore, we note that §6E-10 contains provision for a review period of up to 90 days in the case of applications that may affect a privately owned historic site listed on the Hawai`i Register of Historic Places (HRHP). Finally, §6E -8 includes review timelines of up to 90 days for projects carried out by State and County agencies. In view of these existing timelines, both in the statute and regulation, we see no need for the proposed amendments.
- We are concerned that SB 762 as written will curtail or remove existing opportunities for public participation in the §6E review process. Currently, the review deadlines in HAR §13-284 contain a number of opportunities for public review of and comment on

applications and associated documents submitted to SHPD under §6E-42, HRS. If the proposed amendments are adopted, it is not clear that any of these opportunities will remain. Perhaps the proposed amendment could be partially reworded so as to read as follows:

“The department shall have a maximum of sixty days to complete a review and comment, beginning from the time public notice of the proposed action is provided to interested parties.”

- The proposal to stop additional review(s) of projects that were previously reviewed by the department and found not to have a significant effect on significant historic properties is dangerously shortsighted for several reasons. Our members are familiar with many cases where significant changes have occurred over time in previously reviewed projects. These changes – in design, scope, or methodology – were such that projects formerly found not to have an effect on significant historic sites became actions that caused significant harm to such sites as subsurface cultural layers or human burials. Also, subsequent work on neighboring lands may provide evidence that historic properties are, in fact, likely in an area that was previously thought to have been disturbed or rarely used traditionally. The proposed exemption would preclude SHPD from applying continually evolving and refined approaches to predicting the probability of historic properties in a project area. An example of the latter situation is the property on which the Keeaumoku Street WalMart store in Honolulu is located. The first development reviews that SHPD conducted of proposed activities for this property yielded determinations of “no historic properties affected.” These determinations were made at a time before it was known that large numbers of burials existed beneath the fill soils in parts of the Kewalo and Kaka`ako areas of Honolulu.

Finally, we would like to note that our members have experienced first hand the frustrations associated with SHPD’s late reviews of documents generated through §6E-42, HRS compliance actions. We believe, however, that SHPD’s difficulties arise from its gradual deterioration over the last few years rather than from inherent deficiencies in the language of §6E-42, HRS. We have repeatedly called for SHPD to be fully staffed by qualified historic preservation professionals who are provided sufficient resources to do their jobs. We are hopeful that the new administration will find ways to accomplish these goals. Until these goals are met, the agency will continue to be ill equipped to do its job under the current statutory and regulatory controls, inevitably leading to delays in conducting reviews. Changes such as those proposed in the subject bill will not improve this situation but simply make it more likely that significant historic sites, including burials, will be damaged or destroyed because of a failure to identify them in a timely manner. The inadvertent discovery of significant historic sites like burials, after permits or other entitlements are approved is not good for anyone involved in such a situation, and it is obviously bad for our historic heritage, which is irreplaceable.

In view of the above issues, we respectfully ask that your committees amend SB 762 by removing Section 3 pertaining to Chapter 6E-42, HRS; we have no concerns over or comments on other portions of the subject bill. Thank you for considering our comments. Should you have any questions, please feel free to contact me at the above email address.

From: [Robert J. Conlan](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 1:23:32 PM

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Robert J. Conlan
520 Pine Street # 313
Wahiawa, Hawaii 96786
(808) 343-9289

From: [Susan Cummings](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:25:30 PM

Aloha,

I am opposed to SB762. A very destructive bill that should not go any further.

Susan Cummings
137 Kaolena Drive
Kailua, HI 96734

From: [Pam Daoust](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:57:52 AM

Aloha,

I strongly oppose SB762. Automatic approvals should NEVER be given for applications without appropriate agency oversight. If an agency is unable to review an application within a reasonable time frame, then the agency itself should be reviewed for appropriate staffing, funding, procedures and ability to process applications. The problem should be fixed at that level. Appropriate agency review itself should not simply be thrown out or bypassed altogether, which is what SB762 might well cause to happen.

Permits must be considered on their merits and not be granted due to government inefficiency. If SB762 is passed, communities will likely be left to deal with poorly conceived and planned projects, where shortcuts have been taken that result in harmful consequences and impacts. The long range effects could be devastating and result in costly litigation in the future.

SB762 appears to be an ill-conceived quick fix for the greater problem of insufficient staffing and funding for review agencies. Please do not perpetrate this potential nightmare on the unsuspecting public that assumes that "someone is watching over their best interests" in the form of appropriate agency review of applications.

Mahalo,

Mary P Daoust
190 Hauoli St.
Wailuku, HI 96793

daoust@hawaii.rr.com

From: [Nancy Davlantes](#)
To: [EDTTestimony](#)
Subject: SB762 hearing, 1/31/11 at 1:30 pm
Date: Saturday, January 29, 2011 11:21:21 AM

I am opposed to SB672 because it would undoubtedly lead to bad projects becoming automatically permitted in communities that don't want them and that could be detrimental to the environment and culture of a community.

Agencies must consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies like the State Historic Preservation Commission the resources they need to perform.

I'm not against speeding up government, but permits must be granted on their merits, not because of mistake or governmental inefficiency.

If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Thank you for considering my testimony.

Nancy Davlantes
47-228 Kamehameha Hwy
Kaneohe, HI 96744

From: [Patricia Donegan](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:25:08 AM

Dear Senators,

I am writing to ask you to vote AGAINST SB762.

Developer applications should be processed quickly, but when the relevant agencies are underfunded and overworked, it is not appropriate to create short time limits or to make granting the permit the default decision.

Automatic permit approvals tilt the "playing field" much too far in favor of development - which may be "good for business" but which may not fit the community's needs or interests.

Timely and efficient permitting is a good thing, but if the system is not up to the demands, automatic permitting is absolutely NOT an appropriate answer.

Inefficient or errant permitting agencies should be fixed - an ombudsman could help. But developers must not be allowed simply to avoid these important safeguards of community needs and wishes.

Patricia Donegan
148 Wai'ale'ale Street
Honolulu, HI 96825
808-396-9354

--

Patricia J. Donegan Associate Professor and Graduate Co-Chair University of Hawai'i at Manoa 569 Moore Hall 1890 East-West Road Honolulu, Hawaii 96822 808-956-3224, 808-396-9354 donegan@hawaii.edu

From: AlohaJade@aol.com
To: [EDTTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 9:46:05 AM

I am opposed to SB762.

Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

There are better ideas to be explored:

1. creating an office of the ombudsmen to fix problems with misbehaving agencies
2. finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Mahalo from Maui,
Jade English

From: [Dinda Evans](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 9:40:30 AM

I am opposed to SB762.

Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

dinda evans

From: [Diane Fell](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 12:55:24 PM

Aloha e Senators:

I am writing in opposition to SB762. Please defeat this measure. Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development. There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Take your time and do it right!

Diane Fell, Makawao

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From: [David Finkelstein](#)
To: [EDTestimony](#)
Subject: SB762 1/31 hearing
Date: Saturday, January 29, 2011 3:16:35 PM

Testimony of David Finkelstein RR 2 Box 3313 Pahoa 96778

I would like to express my opposition to SB762. It is a bad idea to automatically approve potentially controversial development projects, just because there is a mistake or delay by the agency involved. There is no reason to punish public resource users because of short-funded or poorly managed agencies. Let's solve the real problem with agency funding and efficiency.

Thanks for your consideration.

From: [Larry & Brenda Ford](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 12:55:04 PM

Lawrence M. Ford, C.P.M.
81- 950 Makahiki Lane
Captain Cook, HI 96704

January 29, 2011

Aloha, Honorable senators:

I am opposed to SB762.

Our State agencies are understaffed and are not always able to respond in a speedy manner. Time is needed to gather input and make discovery of pertinent data. Automatic approval subverts the democratic process and may burden the citizens with unwarranted approvals.

Our natural resources need protection, which this bill will weaken. Once we lose our resources due to hasty action, they are lost forever. Please consider alternatives to this bill, such as better staffing or organizational changes that will address any delays in processing any application. Government should strive for the best decision rather than automatic approvals.

Mahalo for your consideration.

Lawrence M. Ford

From: [Richard Frankel](#)
To: [EDTestimony](#)
Subject: Opposition to SB762
Date: Sunday, January 30, 2011 7:55:33 AM

Dear Senators:

Please vote NO on SB762 which is scheduled to be heard tomorrow, January 31, at 1:30pm. It seems to me the intent of the bill is to punish the public in the event a State agency fails to do its job in terms of establishing maximum time periods for application processing. This is particularly of concern in a time of furloughs, unfilled positions, and the likelihood of further contraction of the State government. Yes, please push the agencies to complete the processing of applications in a timely manner, impose penalties on the agencies if necessary, but do NOT allow applications to be approved automatically. Permits should be approved or disapproved based on their merits and compliance with or failure to comply with applicable regulations and standards. They should not be approved because some individual or agency in our State government failed to process the application in a timely manner. This bill puts the public at risk of having poor proposals passed without appropriate review.

Sincerely,

Richard I. Frankel, M.D., M.P.H., F.A.C.P.

From: [Fukuda, Lester](#)
To: [EDTestimony](#)
Subject: SB 762 Relating to Streamlining Permit Mon Jan 31 1:30pm CR 016
Date: Saturday, January 29, 2011 1:11:18 PM
Attachments: [SB 762 Streamling.pdf](#)

Comments to SB 762 Relating to Streamlining Permits
Hearing Monday Jan 31, 1:30pm, CR 016 EDT, PGM, WLH

Les Fukuda

Vice President

1132 Bishop Street, Suite 1003 | Honolulu, HI 96813

Main: (808) 697-6200 | Fax: (808) 697-6201

Email: Les.Fukuda@hdrinc.com | www.hdrinc.com

From: [Susan Gailey](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:15:35 AM

To Whom it May Concern:

I am opposed to SB762!

No rubber stamping for development!

Susan Gailey
Kauai, HI

From: [Maryann Gianantoni](#)
To: [EDTestimony](#)
Cc: [Robert D. Harris, Sierra Club](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 6:13:15 PM

To whom it may concern,

We are urging you to oppose SB762. All projects should be approved or disapproved on the basis of merit, not technicalities or mistakes by omission or failing to meet deadlines, etc. No project should be automatically approved or the public nor the environment should have to suffer because an underfunded or understaffed agency is not able perform its intended duties. Automatic approval of any project is bad policy. Please vote no. Thank you for your attention.

Aloha,

Maryann Gianantoni

From: [Scott Glenn](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 Relating to Streamlining Permit, License, and Approval Application Processing
Date: Saturday, January 29, 2011 10:30:38 AM

Dear Chairman Fukunaga, Vice Chairman Glenn Wakai, and Members of the Economic Development and Technology Committee,

I am writing in opposition to SB762. This bill is bad government policy. Time deadlines where approvals are automatic may be appropriate in certain, very specific cases, but not for actions that may affect a "historic property, aviation artifacts, or a burial site." This would also set a bad precedent for other approvals.

An agency's purpose is not just to respond to developer applications. They should also consider the public's concerns and natural resource needs. Many of these agencies have a statutory duty for long-range planning and the protection and careful use of our resources. Automatic permit approvals will force agencies to concentrate their already meager resources on meeting these time deadlines. This is particularly true for the State Historic Preservation Division.

This approach exposes government to considerable regulatory abuse by project proponents. Is it good planning that a project is approved solely because it arrived at the same time as other applications at an underfunded and understaffed agency already overburdened with other duties?

This is not to deny that agencies can take too long to make approvals. But, there are better ideas to be explored. Give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't turn agencies into rubber stamps.

Thank you for your time and consideration,

Scott Glenn
1415 Victoria St
Honolulu, HI 96822

From: [michael goodwin](#)
To: [EDTestimony](#)
Subject: SB762
Date: Sunday, January 30, 2011 10:47:00 AM

Aloha Senators,

Re: SB762, Jan. 31, 1:30 PM

Because Hawaii's land are is finite, and its isolation will make optimum use of the land increasingly critical for the well being of its people into the future, any consequence of any development approval needs to be detected and analyzed as thoroughly as humanly possible. 30 and 60 day deadlines subvert that process.

Don't sacrifice long term best practices for short term expediency.

Thank you, Michael Goodwin
Kapaa

From: [Ann Goody](#)
To: [EDTestimony](#)
Subject: SB762, January 31st, 1:30 pm, AGAINST!
Date: Saturday, January 29, 2011 1:59:47 PM

Aloha,

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Kind Regards,

Ann Goody, PhD
Curator
Three Ring Ranch Exotic Animal Sanctuary
808-331-8778
Fax: 866-365-5097
animals@threeringranch.org
www.ThreeRingRanch.org

From: [Valrie Griffith](#)
To: [EDTTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:25:30 AM

- i am very concerned about and I am opposed to SB762
- The government is underfunded and notorious late in processing paperwork..The government has a fiduciary duty to consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Please do NOT let bill SB762 pass. thank you valrie griffith ph 737-4271

From: [Unmani Cynthia Groves](#)
To: [EDTTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm Conf rm 016
Date: Saturday, January 29, 2011 10:57:53 AM

- To the Senate Committee(s) on EDT/PGM/WLH scheduled a public hearing
- on 01-31-11 1:30PM
- in conference room 016.

RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING.

To the honorable Senate Committee

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Sincerely,

Cynthia Groves
105 Kulipuu St.
Kihei, HI 96753

unmanib@maui.net
808 281-4212
808 214-9324

From: [gshaines](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 7:20:11 AM

Please accept this testimony in opposition to SB762.

I will not be attending the hearing.

I think all of us are in favor of making government more efficient, but automatic approval of any project is bad policy. Permits should be awarded on a project's merits. Mistake, lack of agency resources or inefficiency should not be cause for automatic approval of any project permit. Automatic permit approvals swing the balance too far in favor of development. A community should not suffer because government failed to perform well.

Also, agencies must consider the public's concerns and natural resource needs and not just respond to developer applications.

Now that operating funds for so many State offices and agencies (such as the State Historic Preservation Division) have been cut, it would be inappropriate for creating a means that would automatically approve any application that an underfunded and understaffed office could not review.

Fixing broken government should be the priority, not just turning agencies into rubber stamps for development. Without the funds for providing resources, other solutions and ideas must be explored. Creating an office to fix problems with inefficient agencies might be a possibility.

We need leadership, with realistic, responsible solutions.

Again, please do not allow SB762 to pass.

Thank you for your time,
Gregg Haines

From: [Cory \(Martha\) Harden](#)
To: [EDTestimony](#)
Subject: oppose SB 762 1-31-11 1:30 PM
Date: Saturday, January 29, 2011 7:53:41 PM

Dear Senators,

Please oppose SB 762. Projects should not automatically go through when agencies lack the funding and staff to evaluate them in 30 to 60 days! We already have combustion turbines on conservation land at Ke'ahole on Hawai'i Island because of an automatic approval. Please look at assessing fees that actually cover agency costs for reviewing projects, so they have the resources to speed up decisions.

Mahalo,

Cory Harden
PO Box 10265
Hilo, Hawai'i 96721
mh@interpac.net
808-968-8965

From: [Holly Hayataka](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:30:48 AM

I am opposed to SB762. What is the point of even having an application process if the agency is purely a rubber stamp for these applications. Automatic approvals eliminate the community's voice in their own destiny and for needed checks and balances to be weighed.
Holly Hayataka, MD

From: [WynnieJoy.Hee](#)
To: [EDTestimony](#)
Subject: testimony on SB762, January 31st, 1:30 pm
Date: Sunday, January 30, 2011 1:40:15 PM

Public Testimony RE SB762, January 31st, 1:30 pm

1. I am opposed to SB762.
2. Agencies must have time to consider natural resource needs and the public's concerns. Automatic permit approval favors developers. If the approval process is broken, we should fix it. **We shouldn't turn agencies into rubber stamps for development.**
3. How about creating an office of the ombudsmen to fix problems with ineffective agencies? Or find a way to give underfunded agencies the resources they need to perform. **Maybe would-be project developers could be charged "application service fees" to pay the cost of the approval process, whether they receive approval or not.**

Thank you for listening,

Wynnie J. Hee
95-1523 Ainamakua Dr. #93
Mililani, HI 96789-4420

808-782-0745

From: [Marvin Heskett](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 10:27:49 AM

Aloha Honorable Lawmaker,

For clear reasons in protecting all things included in the statement, "I'm lucky to live Hawaii," I am opposed to SB762. Although I am certain there are wasteful hangups in the permit approval process, this is simply not the way to go. Protections for all things we enjoy are in the balance with these approvals.

I humbly suggest that other means of improving the efficiency of the permit approval process are sought out that do not jeopardize our environment, neighborhood quality and aesthetic appearance of our beautiful island.

Please do not accept this blank check approach for developers and short term interests.

Mahalo Nui Loa,
Marvin Heskett
3138 Waialae Ave. Apt 1109
Honolulu, Hawaii 96816

From: [Judie Lundborg Hoepner](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 2:17:09 PM

This bill is ludicrous - to approve a development request because the agency is inefficient or understaffed - what protection is there for the public!

Please kill this bill asap.

Aloha,

Judie Lundborg Hoepner
808 639 0212
Kapaa, Hawaii

From: [John Hoover](#)
To: [EDTestimony](#)
Subject: Opposed to SB762
Date: Saturday, January 29, 2011 11:03:48 AM

To whom it may concern:

I am OPPOSED to SB762. Some projects have potentially harmful consequences. That is why they need to be submitted for approval. If the approval system is broken, fix it, don't bypass it.

Applications should not be automatically approved under ANY circumstances.

Thank you,

John Hoover
PO Box 648
Volcano, HI
96785

From: [shannon.rudolph](#)
Subject: I Oppose SB762
Date: Sunday, January 30, 2011 7:41:34 PM

EDT - SB762 - January 31st, 1:30 pm

Aloha!

I am a thirty year resident of Hawai'i and I am completely opposed to SB 762. I think this bill would be terrible for our state, please don't pass this bill!

Mahalo,
Shannon Rudolph
P.O. 243 Holualoa, Hi. 96725

From: [E Ilano](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 7:22:27 AM

To Whom It May Concern,
I oppose SB762. It threatens conservation lands by not allowing the public and or conservation groups the ample time to have notice and oppose proposals that could lead to the misuse or destruction of said lands.

Sincerely,
Eliza Ilano

Sent from my iPod

From: [Choon James](#)
To: [EDTTestimony](#)
Cc: [choonJameshawaii](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:19:28 AM

Opposition to SB762

Aloha,

I wish to submit my unequivocal opposition to SB 762. This bill is nothing but an outright surrendering to development. Our government must deliberate and plan intelligently for the public good and public long-term interests of its people. We expect our government to be sober and vigilant in their kuleana.

Why would we need government agencies if they simply want to offer automatic permit approvals? We may as well shut these agencies down and just hire a few clerks to rubber-stamp.

We understand these are hard economic times. But we can't give up and give the shop away. Times like these call for innovative and focused leadership. There are other solutions. Why not involve more public citizens and public-owned groups who can provide volunteer hours and expertise to help consider the merits of these projects? I would be willing to donate hours to help review the merits of these projects without compensation. I'm sure other professionals would be willing to serve.

Hawaii is a small island with finite resources. We need to be more vigilant, not less. Turning agencies into rubber stamps for development is ill-thought and can never be an acceptable modus operandi for government operations.

Governor Ariyoshi aptly said, ". . . we need more thinking, more discussion and more planning. Otherwise, we will continue to drift from project to project, and, incrementally, we will lose what we hold most dear about Hawaii." This statement serves as a solemn reminder to us all.

Mahalo,

Choon James

--

Choon James, Realtor, BA
"Marketing Properties We Would Buy Ourselves!"
55-052 Naupaka Street
Laie, Hawaii, 96762 USA

808 293 9111

Email: ChoonJamesHawaii@gmail.com

<http://www.CJRealEstateHawaii.com>

<http://www.CountryTalkStory.com>

Olelo Community Television
Every Saturday 5:00 - 6:00 pm Olelo 52

From: [Sarah J](#)
To: [EDITestimony](#)
Subject: opposition to measure SB762, hearing on January 31st, 1:30 p
Date: Saturday, January 29, 2011 5:16:56 PM

Aloha,

I am opposed to SB762. Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development. There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform. We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.
mahalo,
sarah jaeschke

Care2 makes it easy for everyone to live a healthy, green lifestyle and impact the causes you care about most. Over 12 Million members! <http://www.care2.com>

Feed a child by searching the web! Learn how <http://www.care2.com/toolbar>

From: alohalaurenjoy@aol.com
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 4:50:32 PM

The people need representation. If our lawmakers are failures we, the people need to continue to voice our concerns and our input must be considered before any approval of projects are granted. This bill is an outrageous insult that allows major corruption..

From: [Oliver Kelso](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 11:26:17 AM

To Whom it May concern,

I am opposed to SB762. Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development. There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform. We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Hawaii could be a leader in many ways. Instead we are close to last in the nation for many, many things. Largest government spending, worst results. Lets work to change that!

Respectfully yours,

Oliver Kelso
25 South Kalaheo Avenue
Kailua, Hawaii 96734
808-225-0917

From: [Barbara](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 12:14:11 PM

Testimony in Opposition to SB762
Date January 31,2011
Time: 1:30pm

I would like to submit my testimony on strong opposition to SB762. This sets a bad precedent for how our state agencies are to operate. Let's properly fund the agencies so hearings and public input will be heard on these important decisions.

Thank you.

Barbara Krasniewski
Kailua

From: [Mary Lanser](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:29:58 AM

* I am opposed to SB762.

* Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

* There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

* We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Robert and Mary Lanser
Kihei, HI 96753

Doris Lam

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 27, 2011 8:40 PM
To: EDTTestimony
Cc: zelei7ke@yahoo.com
Subject: Testimony for SB762 on 1/31/2011 1:30:00 PM

Testimony for EDT/PGM/WLH 1/31/2011 1:30:00 PM SB762

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: lei
Organization: Individual
Address: Beretania Honolulu Hawaii
Phone: 808-741-5258
E-mail: zelei7ke@yahoo.com
Submitted on: 1/27/2011

Comments:

This is the kind of bill that takes advantage of the fact that the Historic Preservation Division is seriously short handed. Instead of staffing that department so they can do their job properly and in a timely manner its a shame to see that the Legislators are seeking to pass a bill that will overcome the laws and rules that are in place to protect burial and important historical sights. Hawaii's laws and rules are meant to protect its people. Stop making laws that threaten to remove those protections.

From: [Erway Marjorie](#)
To: [EDTestimony](#)
Subject: OPPOSE - SB762 - Jan. 31 @ 1:30pm - Rm. 016 - Streamlining permit, license, & approval application processing
Date: Saturday, January 29, 2011 9:46:15 PM

Aloha Senators!

I urge you to oppose SB762 as automatic approval of any project is bad policy. Permits should be granted on their merits, not because of governmental inefficiency, or mistake.

Hawaii needs real leadership with real solutions. We should not allow State agencies to be turned into rubber stamps for development. State agencies should NOT just respond to developer applications. They need to also consider the public's concerns and natural resource needs. Automatic permit approvals allow too much in favor of development.

No community should suffer because government failed to perform! Please oppose SB762. I look forward to your reply.

Sincerely,
Marjorie Erway
PO Box 2807
Kailua Kona, HI 96745
808-324-4624

From: [Respiratory & Environmental Disabilities Assoc. of HI](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 6:56:15 PM

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Thank you for your time,
Bobby McClintock, Honolulu, HI

From: [Alma](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:12:32 AM

- I am opposed to SB762. to be heard on 1/31 at 1.30
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.
- Thank you, Alma McGoldrick

From: [Bill Metzger](#)
To: [EDTestimony](#)
Subject: SB 762
Date: Sunday, January 30, 2011 3:17:42 PM

This bill is scheduled for a hearing on Monday, Jan. 31st, at 1:30pm.

I am OPPOSED to this billSB 762.

Thank you,

William Metzger
3120 Beaumont Woods Place
Honolulu, 96822

From: [Linda Morgan](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 6:41:26 PM

Please vote against SB762. Proposals should not be accepted when the agency to which they were submitted does not act in a timely manner. The government's inefficiency should not cause proposals to pass due to bureaucratic delays. This would put Hawaiian communities at an unfair disadvantage and should not become law.

Mahalo,
Linda Morgan
Ocean View, HI 96737

From: [Alicia Morrier](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 8:45:46 PM

Aloha from Kealakekua!

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Alicia Morrier

From: [Norma Moss](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:27:46 AM

I oppose SB762!

Norma Moss

From: [Michele Nihipali](#)
To: [EDTTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 12:21:43 PM

Dear Senators:

I am opposed to SB762. Agencies shouldn't just respond to developer applications. We have seen this time and time again with the Honolulu City's planning and permitting commission. The State of Hawaii cannot afford to deny public concern and natural resource needs. Automatic permit approvals tilt the balance too far in favor of developers. Most state agencies are underfunded and current staff cannot research and investigate developer applications in the short time limit imposed by SB762. There must be a way to get underfunded agencies the resources they need. If government is broken, it needs to be fixed. Don't turn government agencies into rubber stamps for developers.

Thank you for your consideration,
Michele Nihipali
54-074 A Kam Hwy
Hauula, HI 96717

From: [Mardi LaPrade](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 7:34:15 PM

Dear Sirs,
1-30-11

I am opposed to SB762. I am a member of the Natural Resource Preservation Committee of the Livable Hawaii Kai Hui. Hawaii's cultural and historical resources discovered and as yet undiscovered should not be lost to development. I am not against development, but certainly do not approve of a permitting process that does not protect the cultural and historical treasures in Hawaii for future generations. I am not in favor of this SB762 because it does not allow sufficient time for careful review, notification of concerned parties, and consideration of the resulting impacts.

Public concerns and natural resource needs should also be considered before developer applications are automatically granted. Where is the balance? Where is the wisdom in SB762? Where is our democratic process that allows public input?

Please find a way to fund the Historic Preservation Department and /or provide a balanced way to consider all factors before granting permits to develop. Once these resources are lost the knowledge we could have gained from their study is lost too. The beauty and educational value is lost. The fullness of our history is lost.

Because land is at a premium, and also because we have valuable archeological, cultural, historical, and natural resources that need protection, we cannot blindly grant permits without the time to fairly consider the things that could be lost forever under the tracks of bulldozers and concrete pilings. Development should be carefully planned and all needs considered for the benefit of the community at large.

There are two more matters at hand, one more irreplaceable resource to consider is the unique variety of life forms that have evolved in Hawaii. Many exist only in Hawaii and are often endangered. The possible extinction of living flora and fauna would be a travesty. Remember, Hawaii is the leader in endangered plants and animals. If permits are on the fast track, there will not be time to identify and protect species that could be wiped out or severely impacted due to construction.

Secondly, any burials that are found should be treated with the proper respect and cultural protocol. Not allowing for this would be a deep scar on the honor of our state.

This certain loss of our cultural, historical, and natural resources could destroy our unique charm, the very soul of Hawaii that gives us our identity and draws visitors from around the world. Rather we should be protecting, studying, preserving, and enjoying our natural, cultural, and historical resources. Please do not pass SB762.

Sincerely,

Mardi LaPrade

Natural Resource Preservation Committee

Livable Hawaii Kai Hui

www.hawaiikaihui.org

From: [David H Dinner](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 7:29:15 PM

Dear Senators

If I need to enumerate to you the reasons for denying the passage of this bill, you could not have read it. Please read it and deny passage. Our unconsidered growth must be stopped. Thank you for your consideration.

Aloha
David Dinner

David Dinner
Gentlewave Bodywork Inc
Certified Visionary and Biodynamic Craniosacral Care
P.O. Box 942
Hanalei HI 96714
808 639 7845

From: [Jane](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 8:11:52 PM

I am opposed to SB762. Hearing of January 31, 2010, at 1:30 pm.

Your thoughtful testimony will preserve the beauty of the State of Hawaii for all time.

Thank you,
Jane Taylor
Kauai, HI

From: mailinglist@capitol.hawaii.gov
To: [EDTTestimony](#)
Cc: pahinuik001@hawaii.rr.com
Subject: Testimony for SB762 on 1/31/2011 1:30:00 PM
Date: Sunday, January 30, 2011 12:28:45 PM
Attachments: [SB762 Testimony.doc](#)

Testimony for EDT/PGM/WLH 1/31/2011 1:30:00 PM SB762

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: Kathleen M. Pahinui
Organization: Individual
Address: Waialua, HI
Phone:
E-mail: pahinuik001@hawaii.rr.com
Submitted on: 1/30/2011

Comments:

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

Senator Carol Fukunaga, Chair
Senator Glenn Wakai, Vice Chair

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS

Senator Will Espero, Chair
Senator Michelle Kidani, Vice Chair

COMMITTEE ON WATER, LAND, AND HOUSING

Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

SB762

RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING.

Authorizes counties to contract with a third-party reviewer to streamline construction permit, license, and other application processing; provides that applications will be deemed approved if historic preservation division fails to review and comment within 60 days, and after 30 days if agencies fail to establish maximum time periods for permit and other application processing.

January 30, 2011

Aloha Chairs and Committee Members:

I am writing to oppose SB 762 – it sends the wrong message to the community that government is too busy to do the work of the people in making sure that developments are properly assessed in terms of value to the community. Public concerns, the use or loss of natural resources and impacts on infrastructure must be considered and should not be subjected to shortened deadlines.

If it is a matter of fairness that a developer should not have to wait forever for permits to be approved, then those departments in charge of such approvals should be adequately funded. This bill goes to far in the wrong direction.

The interests of our citizens must always come first and no business should ever be given a pass due to inefficiencies in the system. We need to fix those problems not ignore them.

Mahalo for your time and consideration.

Malama aina,

Kathleen M. Pahinui

From: [Janice Palma-Glennie](#)
To: [EDTestimony](#)
Subject: Vote "NO" to automatic approval!! SB762
Date: Saturday, January 29, 2011 11:47:33 AM
Importance: High

Aloha,

With Democrats in control of all branches of State government, what will the excuse be if this erroneous bill to automatically approve any and all developments not processed in an unrealistic 30 (or 60 in the case of Historic Preservation division permits) becomes law? Isn't it better to sufficiently fund the agencies meant to oversee development the process instead of kowtowing to corporations who's interests are generally far off-shore of Hawai`I nei?

Public input is all that stands between thoughtful, visionary planning and the kind of helter-skelter, corporate-generated development that has made a mockery of the beauty and integrity of Hawai`I and it's people.

Help protect the Public's voice by voting against this and any other "automatic approval" type legislation. Please say "NO" to SB762 when it comes before you this week.

Mahalo a nui loa,
Janice Palma-Glennie
PO Box 4849
Kailua-Kona, HI 96745

From: [Roxann Parran](#)
To: [EDTTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 11:07:44 AM

Dear People.

I have been a resident of Hawaii since 1974. I attended UH Hilo. I came from Los Angeles and I appreciate and treasure these Islands. I am very concerned about marring the landscape and or polluting our clean environment. Having come from LA - I know what ugly is and where unrestrained development leads to.

I would rather err on the side of being too careful about what development we allow on our islands than to pass things by default. What we have here is an unusual beauty. We need to protect the land, sea and air first to leave this place in good condition for future generations. We have to be responsible in our practices as a community and not spoil this place for the sake of doing business. You have to think ahead - Way ahead.

For example: I live in Kailua, Oahu, but travel to the Big Island quite often. I am always so dissapointed when the lava along Queen Ka'ahumanu Highway is disturbed by developement and then left as a scar on the landscape. Once you mess it up its gone forever. The lava is extremely beautiful in its natural state and is a treasure to behold in its original perfection. This is important for our tourism industry also. A lot of people probably don't notice these areas of disturbance, but I and many others are extremely saddened to see this careless, disrespectful and ugly practice that slowly eats away at the beauty we have all been so graciously blessed with.

I have noticed the destruction down by the Kona Village resort. You can look down from the highway and see the lava spread around and equipment all over the place. It's ugly and it's been like that for years! That should not be allowed. If a development is carefully allowed then the developers should have to finish it in a timely manner, disturbing as little of the lava as possible and convering up any scars on the landscape.

Each island should have laws to protect it's land and those in power should be very careful how they dole out permits. There should be no allowing any project by default. That is ridiculous and hard to believe it could even happen.

Be responsible, take control and seriously screen everything.

Mahalo and Aloha, Roxann Parran

From: mailinglist@capitol.hawaii.gov
To: [EDTTestimony](#)
Cc: carolphilips1@gmail.com
Subject: Testimony for SB762 on 1/31/2011 1:30:00 PM
Date: Sunday, January 30, 2011 1:24:03 PM

Testimony for EDT/PGM/WLH 1/31/2011 1:30:00 PM SB762

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: Carol Philips
Organization: Individual
Address: 66-008 C Kamehameha Hwy Haleiwa, Hi 86712
Phone: 808-637-2977
E-mail: carolphilips1@gmail.com
Submitted on: 1/30/2011

Comments:

Aloha Honorable Senators,

I am opposed to SB762. This bill undermines governments purpose, which is to protect the public's interest,its resources and public safety. What happens if someone is hurt because an application was approved via the manner proposed in this bill. Who is responsible then? Common sense dictates that if a state agency is incompetent the reasonable solution is to fix it not turn it in to a rubber stamp department.

Respectfully,
Carol Philips

From: [Kelly Pomeroy](#)
To: [EDTTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 5:19:32 PM

I urge you NOT to approve this bill. We have recently been hearing of so many ways that our society has been harmed by a lack of proper government oversight; please don't make it worse by adding nonfeasance to malfeasance as opportunities for regulators to fail the public.

Development is such an important issue in Hawaii, that an actual majority vote of the BLNR should be required before a project can proceed.

Sincerely,

Kelly Pomeroy
59-148 Olomana Rd.
Kamuela HI 96743

From: [Richard Powers](#)
To: [EDTestimony](#)
Subject: Opposition to SB762
Date: Saturday, January 29, 2011 2:59:33 PM

I am opposed to SB762.

Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Richard Powers

From: [Tom A. Ranker](#)
To: [EDTestimony](#)
Subject: Testimony on measure SB762
Date: Saturday, January 29, 2011 10:59:49 AM

Testimony on measure SB762
Date and time of the hearing: January 31st, 1:30 pm

I am opposed to SB762. Agencies should not just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development. There are better ideas to be explored, like creating an office of an ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We should not just turn agencies into rubber stamps for development.

Tom A. Ranker
2311 Armstrong St.
Honolulu, HI 96822-1931

From: [Ann Robinson](#)
To: [EDTTestimony](#)
Subject: Oppose SB762 Testimony, January 31st, at 1:30 pm
Date: Saturday, January 29, 2011 6:43:35 PM

I, Ann Robinson, of 1777 Ala Moana Blvd., Honolulu Hawaii, am strongly opposed to measure SB762, and on January 31st, at 1:30 pm, in an effort to stop this bill, I am submitting testimony at the request of the Sierra Club's, Hawaii Chapter. As the result of a careless decision by DLNR, in which they issued a permit to E-Realty developers, who bought the Ilikai Yacht Harbor Tower, and built a permanent wall to block a 46 year old, State of Hawaii, Public Right Of Way; in which an easement is deeded to Ilikai Apartment Owners Association, and part of Ilikai common elements:

Residents of the Ilikai main tower, Residents of the Ilikai Marina tower, Waikiki beach goer's who park in Public Parking at the Marina garage, employers, employees, and customers of business's in the vicinity of Hobron Lane and Ala Moana Blvd., are now being rerouted through an unsafe Public Right of Way, with inadequate lighting, and a blind step that caused two Ilikai owners to tumble out of their wheel chairs. There have been other serious accidents, one is posted at tripadvisor.com edition hotel reviews.

In addition, E-realty contracted with Marriott/Edition hotel, who acquired a liquor license, and the hotel set up liquor service in the former public right of way. Because DLNR dropped the ball, The Marina Association, joined in a lawsuit with Ilikai Apartment Owners Association, to have the Public Right of Way restored, which has created more financial distress, and pain for long time residents and business's.

As I understand it, this type of faulty decision making on the part of DLNR is common. I shutter to think about SB762, and can only imagine the devastation that it would create under the new rules.

Ann Robinson
Ilikai Apartments #1527
Honolulu, HI 96815

From: [Jamie Rust](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 3:41:20 PM
Importance: High

In regards to the Senate hearing bill for SB762 on January 31, 2011. I have read the bill and there are many holes and ways for our community to be hurt terribly by this new bill. I am writing to voice my opinion that this bill should not pass. This bill allows for developers to push through projects without the proper measures taken to protect the land and the people of Hawaii.

- 1.) I am opposed to SB762.
- 2.) Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- 3.) There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- 4.) We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Sincerely,

Jamie Rust

From: [Timothy Scalzone](#)
To: [EDTTestimony](#)
Subject: Opposition SB762
Date: Saturday, January 29, 2011 11:00:20 AM

Aloha Senate Committee,

I am opposed to SB762 which is up for consideration and adoption on January 31, 2011, at 1:30 PM.

Funding the positions that are responsible for protecting the public's right to know what's happening to our lands and not giving carte blanche to any developer is in everyone's best interest.

Do not pass this destructive bill.

Mahalo, Tim Scalzone, Kailua Resident, O'ahu



From: [Tace Schmidt](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 12:49:13 PM

No community should suffer because government failed to perform.

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Please vote wisely on this issue and do your job to protect the citizens you are representing from poor default decisions.

Thank you, Tace F. Schmidt
1717 Mott-Smith Dr. #712
Honolulu, HI 96822

From: [FrannySf](#)
To: [EDTestimony](#)
Subject: Opposition to SB762
Date: Saturday, January 29, 2011 2:16:43 PM

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

M. Seeley
12-7134 Waioleka st.
Pahoa, HI 96778

From: [Joyce Seyferth](#)
To: [EDTestimony](#)
Subject: SB762
Date: Sunday, January 30, 2011 8:04:18 AM

To whom it may concern:

I would like to comment on Bill SB762 which will be having a hearing on Monday, January 31, at 1:30 p.m.

I am greatly opposed to this bill!

Any application for development should be considered on its merits by the public and from an environmental standpoint.

Developers should not be given a green light just because the government is too busy.

Applications have been approved in the past by the government with some consideration but

have turned out to be disastrous to the environment and the system.

Plus they have cost taxpayers hundreds of thousands of dollars!

Put that money to a better use and fix the system.

Once a development is started, the damage is done.

Let us please find a better way to allow controlled growth that is good for everyone, not just the developer!

Joyce Seyferth
Hilo, HI

joyoflying@earthlink.net

EarthLink Revolves Around You.

From: joy.shih@gmail.com on behalf of [Joy Leilei Shih](#)
To: [EDTestimony](#)
Subject: Testimony SB762
Date: Sunday, January 30, 2011 11:14:08 AM

Measure: SB762

Date and time of the hearing: January 31, 2011, 1:30 pm

Dear Sirs and Madams,

My name is Joy Shih and I am a graduate student researcher in Oceanography at the University of Hawaii at Manoa. I also serve on the Executive Committee of the Surfrider Foundation Oahu chapter. I AM OPPOSED TO SB762.

Automatic approval of any project is bad policy by balancing too far in favor development. Agencies should also consider the public's concerns and natural resource needs. Permits should be granted on their merits, not because of mistake or inefficiency. We need real leadership and solutions, not agencies that automatically give the rubber stamp for development. No community should suffer because government failed to perform. Please help to protect the Public's voice. The community would best be served by finding a way to improve the performance of agencies. Thank you very much.

Respectfully yours,
Joy Leilei Shih

--

Joy Leilei Shih
Department of Oceanography
University of Hawaii at Manoa
1000 Pope Road
Honolulu, HI 96822

From: kshimata@hawaii.rr.com
To: [EDTestimony](#)
Subject: SB762
Date: Saturday, January 29, 2011 6:29:14 PM

I am opposed to SB762.

I support planned growth in Hawaii. I feel that automatic permit approvals tilt the balance too far in favor of development. Given the current financial problems of our state, staff shortages, furlough days & increased workloads mean that developers will have an advantage over the people if arbitrary deadlines are set.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Thank you for considering my views.

Kathy Shimata
3453 Pawaina St
Honolulu 96822

From: karren711@aol.com
To: [EDTestimony](#)
Subject: SB762 1/31/11 1:30 pm
Date: Saturday, January 29, 2011 10:13:24 AM

Hello,

I am a citizen of Maui. I am opposed to SB762. Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development. There are better ideas to be explored, such as creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources to need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Thank you for your consideration.

Karren Sisson

From: [Dan Smith](#)
To: [EDTestimony](#)
Cc: [Sen. Les Ihara, Jr.](#)
Subject: Testimony on SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 10:07:56 AM

I write in opposition to SB762 as it stands.

Permits should be granted on their merits, not because of mistake or governmental inefficiency. While Gov. Abercrombie spoke about speeding up approvals, he did not advocate automatic approvals; he advocated properly staffing government agencies.

There are better ideas than automatic approval. One example is creating an office of the ombudsmen to fix problems with misbehaving agencies.

Please join Gov. Abercrombie to provide real leadership, with real solutions. The Legislature should help fix government if it is broken.

We shouldn't facilitate turning agencies into rubber stamps.

Sincerely,

Daniel C. Smith
2055 9th Ave.
Honolulu HI 96816
808-734-0175
dancsmith@rocketmail.com

From: [Colleen Soares](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 2:10:28 PM

I am opposed to SB762, a bill that be heard on Monday, January 31st, 1:30 pm. This bill would automatically approve any application in 30 days if an agency fails to establish maximum time periods for application processing.

Agencies shouldn't just respond to developer applications. There needs to be reasoned discussion, and also consideration of the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development. There are better ideas to be explored. For instance, creating an office of the ombudsmen to fix problems with misbehaving agencies. Or finding ways to give underfunded agencies the resources they need to perform. We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Thank you,

Colleen Soares, Ph.D.
47-678 Hui Alala St.
Kaneohe, Hawaii 96744

From: [Janice Taketa](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Sunday, January 30, 2011 3:56:29 PM

I am opposed to SB762 . There is no reason to allow automatic permit approvals. This can only support development and not the general public. Permits need to be granted on merit not default.

Janice H Taketa
5089 Maunalani Circle
Honolulu ,Hi. 96816

Sent from my iPad

From: [Anne Thurston](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 2:15:57 PM

Dear Senators,

I was saddened to read about SB762, which I believe is not in the public interest. I am writing to let you know that I oppose this bill.

Public tax money pays for government services, and to pass a bill that supports automatic permit approvals provides benefits to developers but not to the public. It would be far more appropriate to consider creating an office of the ombudsmen to help ensure that agencies meet their obligations or to provide adequate funding for agencies that are underfunded and not able to perform effectively. The public wants to see real solutions, not inadequate responses like SB762, which make matters worse, not better.

Thank you for your attention to my concern.

Yours sincerely,

Anne Thurston
3639 Keoniana Road
Princeville, Hawaii 96722
808 826 7002

From: [J.Tremont](#)
To: [EDTestimony](#)
Subject: Testimony - SB762 - January 31st, 1:30 pm
Date: Saturday, January 29, 2011 11:48:03 AM

Aloha:

I am opposed to SB762. I feel this measure will enable developers to exploit overburdened governmental agencies and prevent a full consideration of public concerns and environmental impacts. If the permitting process needs to be reformed, we must work to support the relevant agencies not cripple their ability to perform a valuable service.

Sincerely:
Joseph Tremonti
Honolulu, HI

From: [Denise Ulrich](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 4:08:38 PM

I am opposed to SB762.

Automatic approval of any project is bad policy. Permits should be granted on their merits, not because of mistake or governmental inefficiency. Our communities should not have to suffer because government failed to perform.

If underfunded agencies cannot process applications in a timely fashion, those agencies should be given the resources they need in order to do their jobs. If government is broken, we should fix it. We should not just turn agencies into rubber stamps for development.

Mahalo,

Denise Ulrich
78-6935 Kiaaina St
Kailua Kona, HI 96740-2810

From: [rike weiss](#)
To: [EDTestimony](#)
Subject: SB762
Date: Saturday, January 29, 2011 10:25:22 AM

SB762, hearing January 31st, 1:30 pm

Aloha:

I am vehemently opposed to SB762.

In addition to our permitting process being notoriously lengthy and cumbersome, budget cuts and furloughs contribute to state agencies not functioning at maximum efficiency. To allow an application to be automatically approved would be a travesty. This would not allow for reasonable consideration of availability of natural resources (the entire state has been in drought condition for years!) and community concerns. Nor would it allow for a big-picture view as to how any given project fits into existing land-use plans.

Please, vote against this measure.

Rike Weiss

From: [Valerie Weiss](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 11:56:18 AM

1-29-11

Aloha

Please do not approve SB762. We should not approve anything without due diligence whether it takes 30 plus days or 300.

Thank You

Valerie Weiss
6616 Alahele St
Kapaa HI 96746

From: [T.Welch](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 7:29:47 PM

Aloha,

I am opposed to SB762.

Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.

There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.

We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Mahalo for taking this into consideration.

T. Welch

From: [David Westerfield](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 6:24:58 PM

- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

Thank you,
David Westerfield

From: [Laurel Whillock](#)
To: [EDTestimony](#)
Subject: Opposition to SB762 to be heard on 1/31 at 1:30 pm
Date: Saturday, January 29, 2011 7:32:49 PM

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.

From: [Mel Wilson](#)
To: [EDTestimony](#)
Subject: Opposition (SB762 hearing January 31, 2011)
Date: Sunday, January 30, 2011 11:00:09 AM

- I am opposed to SB762.
- Agencies shouldn't just respond to developer applications. They should also consider the public's concerns and natural resource needs. Automatic permit approvals tilt the balance too far in favor of development.
- There are better ideas to be explored. Like creating an office of the ombudsmen to fix problems with misbehaving agencies. Or simply finding ways to give underfunded agencies the resources they need to perform.
- We need real leadership, with real solutions. If government is broken, we should fix it. We shouldn't just turn agencies into rubber stamps for development.