



## UNIVERSITY OF HAWAII SYSTEM Legislative Testimony

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Written Testimony Presented Before the  
House Committee on Higher Education  
Tuesday, February 14, 2012 at 2:00 p.m.  
Conference Room 309

by

Virginia S. Hinshaw, Chancellor

and

Susan Chandler, Director  
Public Policy Center

College of Social Sciences

University of Hawai'i at Mānoa

HB 2671, HD1, Relating to Sustainability

Chair Nishimoto, Vice-chair Nakashima, and honorable members, thank you for the opportunity to testify in strong support of HB 2671, HD1, relating to sustainability. I am the director of the Social Sciences Public Policy Center ("Center") at the University of Hawai'i at Mānoa and, along with Dr. Sharon Moriwaki, have been working on the Hawai'i 2050 Sustainability Plan ("H2050 Plan") and its updates; and, more specifically, the report as directed by Act 181 (2011). As a result of your support last session, Act 181 codified sustainability goals, definitions and guidelines into state law (the Hawai'i State Planning Act) and also directed the Center, in consultation with the Office of Planning ("OP"), to identify the state's progress in implementing the sustainability guidelines and to submit a report ("Act 181 Report") with recommendations for facilitating their full implementation.

We strongly support HB 2671, HD1, as articulated in Parts I and III. Part I seeks to implement the recommendations from the Act 181 Report. More specifically, it directs the OP to: (1) convene a working group of government, nonprofit, education, business and other interested organizations to establish guidelines for a public-private "Hawai'i Statewide Sustainability Partnership," (2) determine key indicators for measuring sustainability and establishing benchmarks for measuring progress; (3) translating the sustainability principles into clear objectives, specific actions and accountability measures; and (4) coordinating progress among the state and counties. Part III requests an appropriation to enable the office of planning to convene the Hawaii statewide sustainability partnership as an ongoing, coordinated program and network, including development of a set of accountability measures of sustainability progress.

As background relating to the Act 181 Report, during the past year, the Center and the OP, together with the sustainability/environmental coordinators from the counties of Maui, Hawai'i, and Kaua'i and the City and County of Honolulu, and community organizations such as Kanu Hawai'i and Hawai'i Green Growth Initiative/Global Island Partnership, identified the programs and efforts throughout the state; and also obtained further input from a community survey of organizations and individuals interested in and conducting work in sustainability. We found that major progress has been made by each of the counties. Hawai'i and Kaua'i counties have adopted sustainability plans. The City and County of Honolulu and Hawai'i and Kaua'i counties have established a sustainability coordinator or manager position and Maui County has an environmental coordinator. The State is committed to implementing Act 181 across its agencies, with OP's support and coordination through

its administration of the Hawai'i State Plan; and has a number of initiatives that are advancing the sustainability goals such as: (1) the State Energy Office *Hawai'i Clean Energy Initiative* to achieve energy independence; (2) the Department of Land and Natural Resources *The Rain Follows the Forest Plan*, which seeks to ensure mauka watersheds are fully functioning to ensure fresh water resources for Hawaii's people, and (3) the Office of Planning collaboration with public, private, and community stakeholders to update the *Hawai'i Ocean Resources Management Plan* to facilitate comprehensive ocean resources management throughout the State. The University of Hawai'i has also provided leadership among its campuses in engaging faculty, staff and students in classes, programs, research and projects to reduce fossil fuel use, promoting energy efficiency and renewable energy technologies.

Community organizations have also continued efforts to advance sustainable principles and practices. Eighty-eight organizations and/or individuals responded to the community survey and an overwhelming majority are involved in activities advancing the seven sustainability guidelines and principles, ranging from the highest involvement in planning that respects and promotes living within the natural resources and limits of the State (88%); followed by encouraging balanced economic, social, community and environmental priorities and encouraging respect for the host culture (84%); promoting decisions based on meeting the needs of the present without compromising the needs of future generations and emphasizing that everyone has the responsibility for achieving a sustainable Hawai'i (83%); promoting a diversified and dynamic economy (70%), with 60% working on increasing the competitiveness of Hawai'i's workforce; and considering the principles of the ahupua'a system in decision making (67%). Organizations involved in implementing the sustainability principles were primarily represented by the non-profit (37%), government (20%), education (17%), and business (16%) sectors.

The Center found that while there are a number of diverse efforts across the state, there was overwhelming agreement by county, state and community representatives that there is need for establishing a statewide network of state, county, private, and community organizations if we are to truly fully implement sustainability goals and guidelines – there is need for continuing collaboration, action, and accountability. It is therefore critical that a working group as proposed in HB 2671 HD1 Part I be convened to establish the Hawai'i Statewide Sustainability Partnership to fully implement the sustainability goals and principles envisioned in the H2050 Plan and Act 181. It is further recommended that the state and counties provide leadership support, which should include funding of the Partnership (for staff, travel for neighbor island members, and communication, including website development and maintenance) and participation by its various agencies and, in particular, the development of statewide measures of accountability and benchmarks to measure progress in the near and long term. As importantly, the OP and representatives from the several counties have agreed to work together on long-range planning, including updating the inventory of sustainability activities and developing sustainability indicators and translating the Act 181 sustainability principles into clear objectives, specific actions, and accountability measures.

We propose the following amendments to Section 2 of HB2671, HD1, to clarify the language proposed:

- (1) The Hawai'i State Sustainability Partnership ("Partnership") as recommended in the Act 181 Report was to be a broad and inclusive network of public and private organizational members. The "partnership" as proposed in HD1 is a smaller working group and should thus be named the "State Sustainability Partnership Steering Committee" to develop and organize the public-private entity and the indicators of sustainability which were recommended in the Act 181 Report.

Accordingly, we propose the following language amendment in Part I, Section 2(a) at line 3 on page 2:

- “ (a) The office of planning may convene the Hawaii statewide sustainability partnership,
- (b) The Hawai‘i statewide sustainability partnership steering committee shall consist of eleven members as follows...

(2) We also propose that Section 2(b)(3) be amended to delete the requirement of a member who is required to have a degree or certificate in “urban sustainability or a related field.” Unfortunately, the university does not yet have such a degree nor do most other universities. While there are a few new masters degrees in sustainability management, natural resources and sustainable development (e.g., American University, Arizona State University), only Antioch University in Los Angeles offers a degree actually named “urban sustainability.” As far as the University of Hawai‘i, while we have a number of faculty and programs involved in sustainable development, the only offering is a bachelor’s degree in “sustainable science management” at Maui community college. To facilitate implementation of this measure, it is thus recommended that the following language on lines 11-12 on page 2 be deleted: “...with a degree or certificate in urban sustainability or a related field”

The Public Policy Center supports diversified and local agriculture, and agriculture is one of the priorities of the Hawai‘i 2050 Sustainability Plan and is incorporated under the sustainability priorities of the Hawai‘i State Plan; however, the Act 181 Report did not address the water and agricultural issues identified in Part I, Section 2(f) or in Part II of HB 2671 HD1. Thus we defer to other more appropriate experts or agencies regarding these sections of HD1.

Based on the foregoing, the University of Hawai‘i strongly supports HB 2671, HD1, with our suggested amendments, and including the needed funding for the Office of Planning to enable it to carry out the recommendations as set forth in this proposed measure.

Thank you for the opportunity to testify. I will be happy to answer any questions.

# LATE TESTIMONY

ALAN ARAKAWA  
Mayor



200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

KEITH REGAN  
Managing Director

## COUNTY OF MAUI OFFICE OF THE MAYOR

February 14, 2012

HOUSE COMMITTEE ON HIGHER EDUCATION  
ATTN: CHAIR SCOTT NISHIMOTO  
February 14, 2012, 2 p.m.  
Conference Room 309

### **RE: Testimony Opposing HB 2671, HD1, Relating To Sustainability**

Aloha Chair Nishimoto and Members of the Committees:

Previously I submitted testimony in support of HB 2671, Relating To Sustainability. At this time I wish to rescind my support, since language has been inserted that pollutes the original intent of the bill and makes it, in my opinion, unsupportable and unsustainable. To be clear, I am testifying in strong opposition to HB 2671, HD 1, which seeks to undermine the public trust doctrine for the benefit of private special interests.

In Hawai'i, water is a public trust resource to be protected for all the people of Hawai'i, including future generations. Therefore, our state Constitution and Water Code were carefully crafted to strike a balance between the protection and beneficial use of our water resources. HB 2671, HD 1 seeks to upset this delicate balance by diminishing protections of public trust purposes such as environmental protection and Native Hawaiian rights and prioritizing private, for-profit diversions for important ag lands. Such amendments are unnecessary, ill-conceived, and contrary to the constitutional principles of the public trust. Please respect the public trust doctrine as established in our state Constitution and affirmed by our Supreme Court and kill HB 2671, HD 1.

While I remain a strong advocate for sustainable practices gaining support as a foundational ethic in our governmental structure, it is clear that the amended version before you today is in conflict with true sustainability for the people of Hawai'i. I urge you to vote against this measure, and to return to bona fide discussions of sustainability in the very near future.

Sincerely,

A handwritten signature in cursive script that reads "Rob Parsons".

Rob Parsons  
Environmental Coordinator, County of Maui

nakashima2 - Susie

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 14, 2012 12:59 PM  
**To:** HEDtestimony  
**Cc:** glennmartinez@hawaii.rr.com  
**Subject:** Testimony for HB2671 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2671

Conference room: 309  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: Glenn Martinez  
Organization: Individual  
E-mail: [glennmartinez@hawaii.rr.com](mailto:glennmartinez@hawaii.rr.com)  
Submitted on: 2/14/2012

Comments:  
Hawaii Farmers Union United MAUI

Request that each legislature take 20 minutes and read the Primer on Water Laws in Hawaii...

<http://www.law.hawaii.edu/sites/www.law.hawaii.edu/files/news/WaterPrimer.pdf>

It is a quick and to the point....that shows HB2671HD1 is not legal.

Case law has established the law, and not committee is going to change it.

Look who is supporting it....not agriculture...it is supported by developer interests.

Enough said.....OPPOSE it.

# LATE TESTIMONY

February 14, 2012

Natalie Cash

SistahCash@gmail.com

Committee: Committee of Higher Education

Hearing Date: For HB2671 HD1 today at 2:00 pm

Aloha Committee Chair, Vice Chair and Members of the Committee:

I being a Manager on a small family farm and also being a Board of Director for the Hawaii Farmers Union hearby oppose the this bill HB 2671.

Being a local girl and learning that I have a voice to heard against laws that works against our native culture.

The changes from the group committee who has made changes drastically should be clearly researched before allowing them to make these kinds of changes that affects the small family farmers and the community.

Again I oppose this bill.