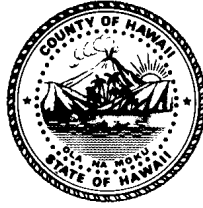


Margaret Wille  
Council Member  
District 9 - North and South Kohala



Phone No. Hilo: (808) 961-8027  
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## HAWAI'I COUNTY COUNCIL

County of Hawai'i

Hawai'i County Building  
25 Aupuni Street  
Hilo, Hawai'i 96720

Holomua Center  
64-1067 Mamalahoa Highway, Suite C-5  
Waimea, Hawai'i 96743

West Hawai'i Civic Center Bldg. A  
74-5044 Ane Keohokalole Hwy.  
Kailua-Kona, Hawai'i, 96740

**LATE**

House Committee on Finance  
Wednesday February 27th, 2013; 11:30am Rm 308  
**SUPPORT WITH AMENDMENTS FOR HB111 HD2**  
*Relating to a Sustainable Alternative Building Code*

*Aloha Chair Luke, Vice Chair Nishimoto and Members of the Committee,*

My name is Maragret Wille, Chair of the Hawai'i County Council Committee on Agriculture, Water and Energy Security, testifying in SUPPORT WITH AMENDMENTS of HB111 HD2: Relating to a Sustainable Alternative Building Code.

### DESCRIPTION:

The measure permits the development of sustainable living research sites on land parcels between 1 to 15 acres in size that shall be exempt from certain state and county regulations but shall remain subject to county approval and oversight in order to stimulate research and development of sustainable living ideas, concepts, and innovations testing.

### COMMENTS:

This bill is a measured approach that seeks to foster a climate of mutual respect and compliance between public health and zoning regulators and sustainability pioneers. HB111 HD2 enables innovators to practice and test ways of living that are ecological, sustainable and affordable, but currently outside of existing codes, while working in close coordination and approval of county planning departments and state department of health to ensure the public safety. The intent is to spur new research and development in sustainable affordable living research.

**I suggest amending HB111 HD2 to clarify that lands eligible for permitting as sustainable living research sites are ONLY those under the jurisdiction of the respective county planning departments and not the state land use commission:**

**"Sustainable living research site" means an area that is:**

**(1) Between one and fifteen acres in size; in the agricultural, rural and urban districts;**

February 27, 2013

Page 2 of 2

*Of particular concern to the Finance Committee:* Rulemaking by the county planning departments under HRS Chapter 91 can and should address the retroactive permitting of currently non-compliant properties that would qualify as sustainable living research sites, which are numerous in Hawai'i County. Legal compliance via HB111 HD2 will then allow for increased **conveyance and bank financing** of said properties as well as eligibility for certain **R&D grantmaking** which require properties to be fully permitted.

Mahalo for the opportunity to testify,

Margaret Wille  
Council Member District 9  
North & South Kohala

**LATE**



**HB111 HD2**  
**RELATING TO SUSTAINABLE ALTERNATIVE BUILDING CODE**  
House Committee on Finance

February 27, 2013

11:30 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** to HB111 HD2, which seeks to allow the experimental exploration of sustainable, alternative building and living approaches that may be currently restricted by building codes and other county regulations.

This bill provides a measured approach to allowing the exploration of alternative building and living practices that may move Hawai'i forward in attaining its goals of environmental sustainability and economic stability, while retaining the basic protections and guidance of existing county codes and rules. To ensure that this bill can better achieve its intended purpose, while also minimizing the potential for unintended harms from any experimental project, OHA offers the following comments:

1. Page 6, lines 20-22, page 7, lines 1-16 and 21-22, and page 8, lines 1-3, refer to the Department of Health's role in reviewing proposed projects for impacts to the environment. However, OHA notes that the Department of Health is not the only agency with responsibilities or expertise relating to environmental protection, and that other agencies (such as the Department of Land and Natural Resources, the Department of Agriculture, and the Office of Hawaiian Affairs) may have additional expertise or insight regarding the broader range of environmental and cultural impacts of any potential project.
2. Page 5, line 13, formerly referred to a "notice of public hearing" in the context of applications for a sustainable living research permit. This reference has been removed in the HD2 draft; the only public hearing reference now provided in this measure is in the revocation of a sustainable living permit after it has been issued (see page 11, lines 8-14). Given that permits under this bill may exempt projects from county land use and zoning laws and their established mechanisms for identifying and mitigating impacts to cultural rights and practices, OHA believes it prudent to expressly provide for a public hearing to address local community concerns **prior** to the issuance of a sustainable living research permit. Such a hearing may be particularly important to ensure that impacts to cultural resources and sites are fully considered and mitigated, and may facilitate the review and issuance of permits by addressing any potential detrimental impacts prior to the approval of a permit application.

Mahalo for the opportunity to testify on this measure.

## FINTestimony

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 26, 2013 11:08 PM  
**To:** FINTestimony  
**Cc:** aloha@greencollartech.com  
**Subject:** Submitted testimony for HB111 on Feb 27, 2013 11:30AM

### **HB111**

Submitted on: 2/26/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brent Norris	Green Collar Technologies	Comments Only	No

Comments: In 2006, I started an unauthorized sustainability research project on a parcel of land in Mountain View Hawaii. We learned to build rainwater harvesting systems, grow food and upcycle, recycle and reuse discarded building materials from the local building supply. We quickly found ourselves teaching others. In 2009, we formed a non-profit to expand our sustainable education efforts. We started holding annual Hawaii Island Sustainability Forums. We grew and partnered with the County of Hawaii to deliver the Sustainable Living Educational Series and the Hawaii Island Green Economy Report. If it weren't for the tremendous support we received from Federal, State and local government we never would have had the opportunity to spread our sustainable education around our island. In fact, without creating an unauthorized "Sustainable Living Research" Project" we never would have learned ourselves. We'll continue working unauthorized along with the thousands of Hawaii residents with less than an acre of land or more than 15 acres. Moreover, we'll support this bill when size of the land is amended to be more inclusive. Thanks for all your hard work.

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## FINTestimony

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**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 27, 2013 7:38 AM  
**To:** FINTestimony  
**Cc:** ericm808@hotmail.com  
**Subject:** Submitted testimony for HB111 on Feb 27, 2013 11:30AM

### **HB111**

Submitted on: 2/27/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Marantz	Village Green Society	Support	No

Comments: Please keep this important Sustainable Living Research Act moving forward.

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**LATE**

**HB111**

Submitted on: 2/26/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Higgins	Individual	Support	No

Comments: Please support HB111!

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**LATE**

Aloha Chair Silvia Luke, Vice Chair Scott Y. Nishimoto, and members of the committee,

Please support House Bill 111 (HB111): The Sustainable Living Research Act

Last year I moved to the rural Puna coast of Hawaii with my 12 year old son and our puppy from Santa Cruz, CA. I am attending graduate school (on-line) at Hawaii Pacific University for a Masters in Global Leadership and Sustainable Development.

I am an enthusiastic supporter of HB111 as it may be instrumental in encouraging sustainable living technologies that could be embraced globally, and bring in research grants from government sources and NGO's.

In a sustainable economy, investment would be mainly for replacement and qualitative improvement. Sustainable living practices can replace conventional practices, which have environmentally harmful lifecycles.

Some of the advantages of supporting HB 111 are:

- Reduced public housing shortages and meeting the need for affordable housing
- Increased local food production of natural and organic crops
- Diversification of energy production with the use of solar, wind, and other renewable technologies
- Allows home builders more freedom and creativity, and allows the use of local building materials
- Encourages ecological innovative technologies such as grey-water systems and composting toilets
- Increase employment in small business sustainable enterprises
- Help to reverse the disturbing trend of a rapidly aging population of farmers by encouraging the growth of small locally owned farms that educate and employ a new breed of young farmers
- Provide added protection for consumers from the disruptions in transport of supplies to Hawaii islands. This is a growing concern for many residents

Hawaii's need to create and support more sustainable paradigms in order to insure a healthy future is obvious...and has been mandated by the state goal of becoming more self-reliant and sustainable by the year 2050.

An important and often overlooked aspect of sustainable living is that it is the NEW ECONOMY that BUILDS COMMUNITY: where the need for income is less due to a sharing of neighborhood/local skills, sharing resources and innovating sustainable living products for use within the community and for export or trade with other communities.

The HSCA has been instrumental in two County of Hawaii Resolutions: The Sustainable Habitat Building Code Resolution #167-11 and The Sustainable Living Research Site Resolution #302-12. Please NOW support HB111 so we can be on our way to a truly sustainable future.

Mahalo for your time and support,  
Michele David

**FINTestimony**

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 26, 2013 6:18 PM  
**To:** FINTestimony  
**Cc:** lotuslover@hotmail.com  
**Subject:** \*Submitted testimony for HB111 on Feb 27, 2013 11:30AM\*

**HB111**

Submitted on: 2/26/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Courtney Bruch	Individual	Support	No

Comments:

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## FINTestimony

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 27, 2013 8:15 AM  
**To:** FINTestimony  
**Cc:** toolohana@hawaiiantel.net  
**Subject:** Submitted testimony for HB111 on Feb 27, 2013 11:30AM

### **HB111**

Submitted on: 2/27/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Larry Tool	Individual	Support	No

Comments: An idea whose time has come.

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## FINTestimony

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 26, 2013 10:35 PM  
**To:** FINTestimony  
**Cc:** jenniferjangles@gmail.com  
**Subject:** Submitted testimony for HB111 on Feb 27, 2013 11:30AM

### **HB111**

Submitted on: 2/26/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Ruggles	Individual	Support	No

Comments: Greetings, Please pass HB111 to allow for sustainable living in Hawaii. Many building codes enforced in Hawaii are inappropriate because they are meant for mainland climates. Living in a tropical climate requiring less resources for structures, many of us are able to build using materials on our land, but current code does not permit such. Many Hawaii residents are torn between building efficiently and legally, thereby developing aversion to our legal process. In this sense, the passage of HB111 will help restore faith our legislative process for many of Hawaii's residents. Allowing for sustainable building options will save our money greatly, allowing more money to be spent on other things thereby helping the economy and improving daily life for Hawaii's residents. There are great benefits to this bill that remain unseen. Please pass HB111. Thank you for all your hard work.

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**LATE**

Re: Testimony in Support of Sustainable Living Research Act (HB111)

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

I am writing to provide testimony in strong support of the Sustainable Living Research Act (SB 361/HB111). I am an environmental attorney in private practice and I served on the City and County of Honolulu's Sustainable Building Task Force from 2010 to 2012. I have also worked with individuals and non-profits operating organic farms and looking to develop sustainable living demonstration sites.

The Sustainable Building Task Force examined the limitations of current building codes and spent a considerable amount of time discussing the need for pilot projects, such as those that would demonstrate the benefits of using local and reused building materials, composting toilets, and greywater systems. This Bill does just that by establishing a permit process to allow people to practice and develop sustainable living methods and technologies while maintaining State and county oversight.

The Hawaii 2050 Sustainability Plan sets forth a number of goals and strategic actions aimed at creating a sustainable future for Hawaii, including increasing local food production, the reuse and recycling of "waste" materials, and affordable housing, as well as reducing reliance on fossil fuels. Permitting ecologically sound land uses and building methods is key to advancing these goals.

In 2007, New Mexico adopted a similar State law and is now one of the world leaders in sustainable living models. If the State encourages innovation through such measures as the Sustainable Living Research Act, Hawaii, too, can be a world leader.

Thank you for voting in favor of the Sustainable Living Research Act.

Sincerely,

Elizabeth M. Dunne, Esq.

## FINTestimony

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 26, 2013 9:04 PM  
**To:** FINTestimony  
**Cc:** deborah@enlightenedscience.com  
**Subject:** Submitted testimony for HB111 on Feb 27, 2013 11:30AM

### HB111

Submitted on: 2/26/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Davis	Individual	Support	No

Comments: I support this bill because it will: ...Increase real 'affordable' and sustainable green housing. ...Increase employment in small business, sustainable enterprises. ...Provide added protection for consumers from the disruptions in transport of supplies to Hawaii islands. This is a growing concern for many residents. ...Reduce dependence on imports of food and energy by promoting locally sustainable alternatives. ...Create alliances for multi-culturism (with other pacific ethnicities) through collaboration on community-based sustainable research and development. ...Promote the development of think tanks focusing on sustainable research and development, as well as elevating Hawaii's position as a pioneer and leader in sustainable living. ...Educate consumers regarding current practices in the measure of wellbeing and a healthy society. ...Help to alleviate the island's landfill problems by increasing ways to reduce, reuse, and recycle. ...Improve our State disaster preparedness by researching and developing practices to alleviate impacts due to a state of emergency. ...Help to reverse the disturbing trend of a rapidly aging population of farmers by encouraging the growth of small locally owned farms that educate and employ a new breed of young farmers. Mahalo for your support of this bill!

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## FINTestimony

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**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 26, 2013 6:56 PM  
**To:** FINTestimony  
**Cc:** tao\_\_\_el@hotmail.com  
**Subject:** Submitted testimony for HB111 on Feb 27, 2013 11:30AM

### **HB111**

Submitted on: 2/26/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ellen Levine	Individual	Support	No

Comments: We really need to change the way the laws read to reflect what people want and how they choose to live on their property. Let's look further into sustainability!

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**LATE**

**HB111**

Submitted on: 2/27/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
marta greenleaf	Individual	Support	No

Comments: Aloha Chair Sylvia Luke , Vice Chair Scott Y. Nishimoto and members of the committee, I support this bill for these reasons Increase real 'affordable' and sustainable green housing. Increase employment in small business sustainable enterprises. Help to reverse the disturbing trend of a rapidly aging population of farmers by encouraging the growth of small locally owned farms that educate and employ a new breed of young farmers. · Provide added protection for consumers from the disruptions in transport of supplies to Hawaii islands. This is a growing concern for many residents. · Reduce dependence on imports of food and energy by promoting locally sustainable alternatives. · Create alliances for multi-culturism (with other pacific ethnicities) through collaboration on community-based sustainable research and development. · Promote the development of think tanks focusing on sustainable research and development, as well as elevating Hawaii's position as a pioneer and leader in sustainable living. · Educate consumers regarding current practices in the measure of wellbeing and a healthy society. · Help to alleviate the island's landfill problems by increasing ways to reduce, reuse, and recycle. · Improve our State disaster preparedness by researching and developing practices to alleviate impacts due to a state of emergency. Mahalo for your support of this bill, Marta Greenleaf

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**LATE**

Keith Ranney  
280 Kamaole Road  
Kula, HI 96790

To: Finance committee

Feb. 27th at 11:30 am.

RE: HB 111

Aloha Chair Sylvia Luke, Vice Chair Scott Y. Nishimoto and members of the committee,

I support HB111 because current Ag Zoning building codes are far too restrictive in accommodating the labor required to make a small family farm sustainable.

Mahalo for your support of this bill,

Keith Ranney  
Film maker, social entrepreneur & supporter of chemical free biodynamic farming

**LATE**

**HB111**

Submitted on: 2/27/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Troy Abraham	Individual	Support	No

Comments:

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**LATE**

**HB111**

Submitted on: 2/27/2013

Testimony for FIN on Feb 27, 2013 11:30AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristen O'Guin	Individual	Comments Only	No

Comments: I very enthusiastically support this HB111! It makes sense ecologically, economically, and it's pioneering. Thank you, Kristen O'Guin

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