

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 28, 2014 3:46 PM
To: waltestimony
Cc: lynnehi@aol.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 1/28/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments: Of all the bills in the anti HCDA package, this is my favorite. I have been advocating for it for years. Give the land and authority back to the City and abolish the HCDA. Please make this bill law. lynne matusow 60 n. beretania, #1804 honolulu, HI 96817 531-4260

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 30, 2014 8:44 AM
To: waltestimony
Cc: georgeandmary@mac.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 1/30/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
George Outlaw	Individual	Support	No

Comments: The HCDA needs to be stopped. It is unrepresentative, has no appeals process, and ignores local opinions or positions. It seems to be just a Kangaroo Court in action.

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NEIL ABERCROMBIE
GOVERNOR



BARBARA A. KRIEG
DIRECTOR

LEILA A. KAGAWA
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 3, 2014

**TESTIMONY TO THE
HOUSE COMMITTEE ON WATER AND LAND**

For Hearing on Saturday, February 8, 2014
8:30 a.m., Conference Room 325

BY

BARBARA A. KRIEG
DIRECTOR

House Bill No. 1864
Relating to the Hawaii Community Development Authority

WRITTEN TESTIMONY ONLY

TO CHAIRPERSON CINDY EVANS AND MEMBERS OF THE COMMITTEE:

The Department of Human Resources Development has **comments** on the proposed transfer. To protect the rights and benefits of the employees to be transferred, the language for the transfer of employees and officers from one agency to another in Section 8 should read:

“All rights, powers, functions, and duties of the Hawaii community development authority relating to the duties of and functions formerly exercised by the Hawaii community development authority under chapter 206E, Hawaii Revised Statutes, are transferred to the counties.

All employees who occupy civil service positions and whose functions are transferred to the counties by this Act shall retain their civil service status, whether permanent or

temporary. Employees shall be transferred without loss of salary, seniority (except as prescribed by applicable collective bargaining agreement), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and this Act; provided that the employees possess the minimum qualifications and public employment requirements for the class or position to which transferred or appointed, as applicable, provided further that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

Any employee who, prior to this Act, is exempt from civil service and is transferred as a consequence of this Act, may retain the employee's exempt status, but shall not be appointed to a civil service position as a consequence of this Act. An exempt employee who is transferred by this Act shall not suffer any loss of prior service credit, vacation or sick leave credits previously earned, or other employee benefits or privileges as a consequence of this Act, provided that the employees possess legal and public employment requirements for the position to which transferred or appointed, as applicable; provided further that subsequent changes in status may be made pursuant to applicable employment and compensation laws. The counties may prescribe the duties and qualifications of such employees and fix their salaries without regard to chapter 76, Hawaii Revised Statutes."

Thank you for the opportunity to offer comments on this measure.

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 01, 2014 9:56 AM
To: waltestimony
Cc: hiromiinhawaii@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/1/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Hiromi Saito	Individual	Comments Only	No

Comments: I strongly support HB 1864. HCDA should be repealed. (Reasons: It is not serving the public's best interests. Taxpayer's dollars are being wasted on this agency. The City would do a better job of coordinating Kakaako development. It has a long history of disregarding the public and the Legislature.) I strongly urge you to pass HB 1864 to protect Kakaako.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 02, 2014 7:57 PM
To: waltestimony
Cc: rontthi@gmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/2/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Taniguchi, Pharm.D.	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 03, 2014 11:34 AM
To: waltestimony
Cc: rkorph@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/3/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Okamura	Individual	Support	Yes

Comments: Our taxpayer dollars our being wasted on an agency when the City and County of Honolulu is more than capable of managing Kakaako's future development. The proposed C&C of Honolulu Resolution 14-29 supports this measure.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 03, 2014 2:48 PM
To: waltestimony
Cc: grant5301@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/3/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
G	Individual	Support	No

Comments: I am in support of this bill.

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Kareen H. Tanoue
1009 Kapiolani Boulevard, Apartment 1708
Honolulu, Hawaii 96814

To: The Hawaii State Legislature
Regarding: HB1864

February 3, 2014

I strongly support HB 1864.

HCDA should be repealed. I feel that the HCDA is not serving the public's best interests. Taxpayer's dollars are being wasted on this agency. The City would do a better job of coordinating Kakaako development. I have been to a few meetings regarding the development in Kakaako and the feeling I get is that they hold the meetings because they are required to and not because they truly care about the concerns of the neighborhood or the people of Honolulu. They've had meetings where the board members could not even be bothered to attend the meetings, but instead, sent representatives to collect testimonials. My sense is that the HCDA already have their agenda in place and nothing the public says matters to them. Their agenda seems to serve the developers, as the decisions it makes does not serve to uphold the Mauka Area Rules and does not seem to protect the neighborhood. It has a long history of disregarding the public and the Legislature. I strongly urge you to pass HB 1864 to protect Kakaako.

I thank you for hearing and considering my concerns.

Regards,
Kareen H. Tanoue

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 8:03 AM
To: waltestimony
Cc: douglasvalenta@gmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
douglas valenta	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 9:32 AM
To: waltestimony
Cc: williamlee244@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William Lee	Individual	Support	No

Comments: The City and County of Honolulu would do a better job of coordinating Kakaako development. There is no need for the State to stimulate interest in Kakaako's development. Interest for development in Kakaako is very high.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 11:49 AM
To: waltestimony
Cc: connie.smyth54@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
connie smyth	Individual	Support	No

Comments: HB 1864: I strongly support HB 1864. HCDA should be repealed. (Reasons: It is not serving the public's best interests. Taxpayer's dollars are being wasted on this agency. The City would do a better job of coordinating Kakaako development. It has a long history of disregarding the public and the Legislature.) I strongly urge you to pass HB 1864 to protect Kakaako.

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Testimony of

Eric Gay

Before the

House Committee on Water and Land

Saturday February 8, 2014

House Bills: 1860, 1861, 1863, 1864, 1865, 1866, 1867.

Chairperson Cindy Evans and members of the House Committee on Water and Land:

My name is Eric Gay. I live at the Royal Capital Plaza. My main concern for Kaka'ako is education for our children. My son Eric Gay Jr. attends Voyager Charter School in Manoa. I know of a least 5 other children in Kaka'ako who attend Voyager and 2 other children who attend a charter school outside of Kaka'ako because there is no space available in Kaka'ako's only district elementary school, Royal Elementary. Does the HCDA have plans to build schools? Where will the children from the proposed work force housing or reserve housing go to school? Education is the building blocks of our universe. HCDA, please build an elementary school, a middle school and a high school before any further development is done in Kaka'ako. I support House Bills 1860, as well as House Bills 1861, 1863 1864, 1865 1866, and 1867.

Thank You

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 12:27 PM
To: waltestimony
Cc: ismyth@hawaiiintel.net
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
isaac smyth	Individual	Support	No

Comments: HB 1864: I strongly support HB 1864. HCDA should be repealed. (Reasons: It is not serving the public's best interests. Taxpayer's dollars are being wasted on this agency. The City would do a better job of coordinating Kakaako development. It has a long history of disregarding the public and the Legislature.) I strongly urge you to pass HB 1864 to protect Kakaako.

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Testimony of

James Gay

Before the

House Committee on Water and Land

Saturday February 8, 2014

House Bills: 1860, 1861, 1863, 1864 1865, 1866, and 1867.

Chairperson Cindy Evens and members of the House Committee on Water and Land:

My name is Sonny Gay. I'm a property owner at the Royal Capital Plaza in Kaka'ako . I have been a resident of Kaka'ako for twenty seven years. In 1949, I played football for a team in Kaka'ako (Primo A. C.). My mother and father were married in Bright's Church on Cook Street. While with the Honolulu Fire Department I worked At the Kaka'ako Fire Station. My grandfather grew up on the grounds of the Historical Mission House. I love Kaka'ako! I do not approve of some of the actions implemented by HCDA. It is questionable if Kaka'ako has adequate infrastructure. Trying to fit two forty foot towers in the Historical Honolulu Advertiser Lot is inharmonious. Work Force Housing is an Illusion. Kaka'ako has no schools and my grandson goes all the way to Manoa to school on the bus with his TuTu.

I testified twice before the HCDA. Both times I requested that the HCDA fill the vacant culture specialist position before the approval of the building permit. I'm a beneficiary of the Hawaiian Homestead Trust which makes me one half of the blood of the aborigine prior to 1778. I have a professional certificate in Family History and Genealogy from B Y U, Provo, Utah. Because of my culture belief, I'm deeply concern about burials that may be on this historical property. I searched the mahele records and the land court records. I found genealogies that go back to royalty. I'm disappointed that I could not get help from HCDA. I support House Bill 1860 as well as House Bills 1861, 1863, 1864, 1865, 1866 and 1867.

Please Kokua

Kindest Aloha

Testimony of

Jane Gay

Before the House Committee on Water and Land

Saturday February 8, 2014

House Bill 1861: Relating to the Hawaii Community Development Authority

Chairperson Evans and Members of the House Committee on Water and Land:

My name is Jane Gay and I have been a resident of Kaka'ako for the past 27 years.

Thank you for the opportunity to testify on **House Bill 1861**. I support HB 1861 and I support all the House Bills 1860 to 1867 being heard today.

I strongly favor 206E-33 Kaka'ako Community Development District, development guidance policies. HB 1861 No. 8, "Residential Development shall provide necessary and adequate community facilities and services, such as schools, etc." My concern is that there are no schools in Kaka'ako. My grandson, Eric, attends Voyager Charter School in Manoa. I am 81 years old and I go by bus to pick up Eric from school. First, Eric was attending Voyager Charter School in a commercial warehouse in Kaka'ako, then the school was moved to Halekauwila Street. Eric's classroom was directly across the street from where the prisoner escaped from the Court House. Voyager Charter School had no other choice but to move to Manoa. Voyager lives up to their name. The chorus in the Voyager Alma Mater is "Voyager, Voyager, the journey of learning never ends. What we learn as children will shape us as we grow into our world."

I urge you to pass HB 1861 to protect Kaka'ako. Thank you for your time and attention to present my testimony.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 9:47 AM
To: waltestimony
Cc: Towerengr@aol.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jerry Whitehead	Individual	Support	No

Comments: "I strongly support abolishing HCDA that has shown it does not understand nor does it act to be good stewards of Kaka'ako, Kalaeloa or Heeia lands. All other bills curb their actions so I also support those bills being heard on 2/8: HB1860, HB1861,HB1863,HB1865,HB1866,AND HB1867.

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Testimony of
Michael Korman
Before the
House Committee on Water & Land
House Bill 1861
Relating to the Hawaii Community Development Authority

Chairperson Evans and Member of the House Committee on Water and Land

My name is Michael Korman, and as a local citizen very concerned about Kaka'ako, I urge you to support House Bill 1861 and all the House Bills 1860 to 1867.

I am providing this written testimony because I am extremely concerned about the future landscape of Kaka'ako in terms of how high the buildings will be, how close together, and how large they will be relative to their foot print on the ground.

Although I am in favor of community redevelopment as an economically and socially viable course of action, the HCDA's current operating system does not effectively take into consideration the health and quality of life of the existing Kaka'ako neighbors. HCDA should be more responsive to community concerns. Furthermore, HCDA needs more oversight by legislators. It should not be allowed to change building rules without legislative authorization.

HCDA has created, modified and even failed to follow their own rules because there is no oversight over their actions. HB 1860 requires HCDA to adopt and amend the plan only when authorized by the legislature. I suggest the clearer language of HB 1860 on requiring HCDA to submit any amendments and justification to the legislature and only upon 2/3 vote on a concurrent resolution can the plan or rules be adopted.

Currently planned housing projects will negatively influence the quality of the air, the open space, and the quiet atmosphere that led current residents to select this neighborhood as home. Kaka'ako citizens feel helpless with personal wellbeing and quality of life in jeopardy. If a person is adversely affected by HCDA's decisions, there should be a fair and clear administrative procedure to contest the decision.

Without thoughtfully-implemented plans, HCDA will foster overbuilding, which will lead to overcrowding and related health and safety problems. Today, HCDA's organizational practices favor the real estate developers who plan to come into our neighborhoods, create huge closely-spaced buildings, and then disappear with their giant profits and without any harmful ramifications.

Developers of Kaka'ako condos should be required to perform impact studies (just like elsewhere on Oahu) to evaluate sewers, roads, utilities including water and electricity, schools, parks, and other infrastructure requirements needed for the additional number of residents. Access to emergency services should be evaluated as well. If any infrastructure improvements are needed, the developer should be required to pay the necessary impact fees (just like elsewhere on Oahu).

There is a growing wall of concrete in Kaka'ako and new buildings should have stricter limits on height and density, similar to the City's standards. A density limit of 1.5 FAR (or 3.5 FAR at worse case) with height limit of 400 feet is reasonable. A minimum distance of 300 feet should be maintained between buildings that are more than 100 feet tall.

HCDA does not now work with the community or area legislators or councilpersons to ensure project developments follow the plan and rules and do not adversely affect community residents. HB1861 fixes this problem by requiring HCDA to give notice and needed information to legislators, district councilmembers and community residents so they can meaningfully participate; and report to legislators and district councilmembers on each project, including their responses on how they incorporated community concerns, before they approve a project.

Existing residents have minimal say in the present housing approval process, yet they are the ones who will feel the impact of overcrowding for the rest of their lives. HCDA should not have the authority to waive current rules when it comes to how a building looks. Master development plans and rules were made to be followed by everyone.

I enthusiastically urge you to pass HB1861 to protect Kaka'ako and its residents for many generations to come. Thank you very much for your consideration.

Michael Korman

February 4, 2014

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 2:30 PM
To: waltestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 3:32 PM
To: waltestimony
Cc: rmyamauchi@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Roy Yamauchi	Individual	Support	No

Comments: I support HB 1864 since it would repeal HCDA which has a history of not serving the public's best interests. While HCDA was given the authority to stream line the regulatory process to assist developers, it's granting of exceptions to building rules has been a huge overstep, causing the public interest to be compromised. Respectfully submitted, Roy Yamauchi

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 4:21 PM
To: waltestimony
Cc: sundownertoni@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Withington	Individual	Support	No

Comments: I strongly support this bill. This agency did not work as planned. The development of housing should be in the hands of the counties, where our laws have placed it, not in the hands of a few legislators. mahalo

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Dear House Water & Land Committee Members,

I support HB 1864 and all efforts to curb or abolish the HCDA. The HCDA does not properly represent the communities for which it serves. Its operations and decisions are not transparent nor reflect testimony it has received over the past year; it continues to ignore the will of the people.

HCDA needs more oversight by legislators. It should not be allowed to change building rules without legislative authorization. Shortsighted decisions and approvals are being made without adequate infrastructure or the assurance that infrastructure will be improved commensurate with the approved and proposed developments in the Kakaako area. Poor HCDA decisions and inadequate oversight of projects in the Barber's Point area have resulted in environmental harm and blight of a previously well-maintained community. HCDA is an irresponsible steward of the lands it oversees and fails to properly care for the aina.

Taxpayers' dollars are being wasted on this agency; it should be returned to the City where there are long-standing standards and oversight on community planning, zoning, and infrastructure plans.

Mahalo,

AL Frenzel

Malama Makaha

February 4, 2014

TO: House Water & Land Committee Members,

SUBJECT: Testimony in Support of HB 1864

Dear Committee Members,

Malama Makaha supports HB 1864 and all efforts to curb or abolish the HCDA. The HCDA does not properly represent the communities for which it serves. Its operations and decisions are not transparent nor reflect testimony it has received over the past year; it continues to ignore the will of the people.

HCDA needs more oversight by legislators. It should not be allowed to change building rules without legislative authorization. Shortsighted decisions and approvals are being made without adequate infrastructure or the assurance that infrastructure will be improved commensurate with the approved and proposed developments in the Kakaako area. Poor HCDA decisions and inadequate oversight of projects in the Barber's Point area have resulted in environmental harm and blight of a previously well-maintained community. HCDA is an irresponsible steward of the lands it oversees and fails to properly care for the aina.

Taxpayers' dollars are being wasted on this agency; it should be returned to the City where there are long-standing standards and oversight on community planning, zoning, and infrastructure plans.

Mahalo Nui Loa,



AL Frenzel
Malama Makaha
84-933 Alahele St.
Waianae, HI 96792
(808) 343-4916

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 5:30 PM
To: waltestimony
Cc: annettemcclendon@gmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/4/2014

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Submitted By	Organization	Testifier Position	Present at Hearing
Annette MCclendon	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 7:30 PM
To: waltestimony
Cc: sylpartridge@yahoo.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Partridge	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 7:32 PM
To: waltestimony
Cc: drlspina@gmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Laila Spina	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 8:15 PM
To: waltestimony
Cc: suzanne@punapono.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Support	No

Comments: REPEAL the Hawaii Community Development Authority. HCDA removes the right of each county to govern itself. Once an area is declared a community development district, county planning and zoning no longer apply. HCDA is not accountable. Please SUPPORT HB1864

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 04, 2014 10:59 PM
To: waltestimony
Cc: erwayd001@hawaii.rr.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/4/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie &/or Duane Erway	Individual	Support	No

Comments: We strongly support HB1864 to REPEAL HCDA, which is the original PLDC. And urge you to do so, too.

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lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 7:37 AM
To: waltestimony
Cc: tvandever76@hotmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Timothy Vandever	Individual	Support	No

Comments: HCDA acts adversely to and independently from established state and county planning and zoning laws and policies. · HCDA ignores public testimony and community needs. · HCDA avoids infrastructure carrying capacity concerns relating to needed schools, public park open space, sewer improvements, water supply and road capacity required to support their favored ultra-high-density skysrise developments. · HCDA engages in "exclusive negotiations" with offshore corporations to reserve public waterfront and shoreline park open space for private enterprises. · HCDA is rapidly chiseling away our treasured parks, historic sites, significant view planes and traditional fishing harbor uses by not adhering to their governing law that mandates:Ø Historic sites and culturally significant facilities, settings, or locations shall be preserved;Ø Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved.HCDA has demonstrated that they have failed to act in the public interest and have betrayed the public trust,and that this will never change unless we ABOLISH HCDA

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 8:41 AM
To: waltestimony
Cc: rkayelny@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Kaye	Individual	Support	No

Comments: Please support the passage of this bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 8:38 AM
To: waltestimony
Cc: rdulcich@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Dulcich	Individual	Support	No

Comments: I strongly support abolishing HCDA that has shown it does not understand nor does it act to be good stewards of Kaka'ako, Kalaeloa or Heeia lands. All other bill curb their action so I also support those bills being heard on 2/8: HB1860, HB1861, HB1863, HB1865, HB1866 and HB1867.

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Testimony of
Ann L. Miller
Before the
House Committee on Water & Land
Saturday, Feb. 8, 2014, 8:30 a.m., Conference Room
325

In Support of HB 1865, Relating to the Hawaii
Community Development Authority

Chairperson Evans and Members of the House
Committee on Water and Land

My name is Ann Miller and I have been a resident of Kaka'ako for 22 years. I support HB 1865 and all the other bills being heard by your committee today (HB1860, HB1861, HB1863, HB1864, HB1865, HB1866 and HB1867) because all address continuing frustration we have about what HCDA is doing and how it ignores people who live, work, play and enjoy Kaka'ako.

HB1865 is important because it places a one-year moratorium prohibiting the HCDA from approving any plan or development proposals in Kaka'ako. The rash of HCDA approvals recently have come without serious regard to input from the community surrounding these projects and often based only on "conditional approvals" by the city for infrastructure. Our constant sewer problems have continued, there are no public schools available for our young children

and traffic is a disaster ... now.

Can you envision the impact of thousands more people and cars without proper planning, by an unelected board that does not truly represent any segment of our community with the exception of the construction and real estate industries? Can you envision a Kaka'ako made up of concrete walls, little green space and absolutely no sense of place?

HCDA must learn to respect the land and people it should be serving—those living, working and using Kaka'ako and those who want to join us as neighbors. If it cannot perform that very basic function, something needs to change. If it cannot follow its own rules — instead offering constant variances and exemptions for height, density, distance between buildings and alignment with little regard for truly affordable housing — it must be shut down and put back together again with a renewed sense of purpose and vision.

Please support the Kaka'ako community. We want a living, working, thriving community that is affordable to the working people of Hawaii. HB 1865 will force the HCDA to follow the guidelines set forth by the legislature in 1975. I strongly urge you to pass HB 1865 and all the supporting bills you are scheduled to hear today.

Thank you for the opportunity to testify.

Ann L. Miller

Mphalm1@hawaiiantel.net

808-591-1780

Testimony of
Martha P. Hernandez
Before the
House Committee on Water & Land
Saturday, Feb. 8, 2014, 8:30 a.m., Conference Room 325

In Support of HB 1865, Relating to the Hawaii Community Development Authority

Chairperson Evans and Members of the House Committee on Water and Land

My name is Martha P. Hernandez and I am a resident and work in Kakaako. I'm writing today to support HB 1865 and all the other bills being heard by your committee today (HB1860, HB1861, HB1863, HB1864, HB1865, HB1866 and HB1867).

The development of Kakaako is very important and must be done with care to follow rules that have been set with community input under the guidance of the HCDA. When you look at the HCDA's website and read about the vision for Kakaako you want to be part of it. The plan for a community that lives, works and plays with open spaces and a mix of building heights that are visually appealing is a good one.

Why then does the entity that was created to oversee the vision consistently ignore the guidelines? It allows taller buildings and double density that create walls of concrete and add to our traffic congestion.

The agency creates an illusion of listening the community through hearings that are required by law. The hearings are set and the testimony is heard and the decision given with the same result — approval of developments that are allowed to break the rules.

The HCDA is irresponsible and needs to be stopped. Furthermore, before more development is approved, the HCDA should make upgrades to infrastructure to support the added population. Please bring back responsible planning and let's get back to creating the vision that was promised.

Thank you for taking time to read my testimony and taking action before the HCDA's wall of concrete becomes a permanent fixture in our city.

Aloha
Martha P. Hernandez
Mphalm1@me.com
808 372-4459

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 10:07 AM
To: waltestimony
Cc: wleong_ry@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William Leong	Individual	Support	No

Comments: Chairperson Evans and Members of the House Committee on Water and Land. My name is William Leong and I have resided in Kaka’ako since June 1993. Thank You for allowing me the opportunity to testify on House Bill 1864. I strongly support House Bill 1864 and I fully support all the House Bills 1860 to 1867 that is being heard today. The conduct displayed by the sitting members of HCDA is in sharp contrast to their motto “to be sensitive to and support EXISTING business and RESIDENTS of Kakaako”. . This rogue board members simply ignore the community concerns regarding high rise developments, disregard significant infrastructures issues, simply waiver their own rules and guidelines to satisfy developers, complete failure to address important questions posed by members of the community and political leaders, and their total lack of respect to the scenic beauty of Kaka’ako. Here is a good example. Any prudent man reviewing the application of Downtown Capital LLC to develop two 46 story concrete high rise along with two 10 story concrete parking structure within extreme close proximity to each other on the grounds of the former Advertiser property simply defies logic. HCDA claims there is a dire need of affordable housing in urban Honolulu, yet HCDA granted Howard Hughes Corp to develop two luxury condominiums, the Anaha, cheapest unit a studio, 400 sq. ft. priced at \$470,000, and the Waiea, cheapest priced at \$1.4 million. A dreadful and senseless contrary decision. There is nothing good about this state agency. This board conduct business without fear of any consequences. HCDA need to be abolished. Sincerely; William Leong
Kakaako Resident

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 10:52 AM
To: waltestimony
Cc: nimo1767@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Petricci	Individual	Support	No

Comments: Aloha Rep. Cindy Evans, Chair Rep. Nicole E. Lowen, Vice Chair and WAL committee members: Re: HB 1864 My name is Robert Petricci, Thank you for the opportunity to testify in strong support on HB1864. House Bill 1864 transfers HCDA's planning, zoning and development functions back to the counties where it belongs IMO. HCDA currently ignores public testimony and community needs by evading established state and county planning and zoning laws and policies. HCDA fails to adequately address infrastructure carrying capacity concerns for needed schools, public park open space, sewer improvements, water supply and road capacity impacts in pursuing ultra-high-density developments as their priority. HCDA's "exclusive negotiations" with offshore corporations to reserve public waterfront and shoreline park open space for private enterprises does not allow for an open or public process. Our treasured parks, historic sites, significant view planes and traditional fishing harbor uses are further threatened and degraded because HCDA is not following their governing law that mandates: Ø Historic sites and culturally significant facilities, settings, or locations shall be preserved; Ø Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved. HCDA has failed to act in the public interest and as a result has lost the public trust, we should not allow this to continue. Please ABOLISH the HCDA, as it inappropriately fails to allow communities to participate in planning and determining what the future of their neighborhoods should be. Thank you for your consideration. Robert Petricci

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 12:18 PM
To: waltestimony
Cc: haha@hawaii.rr.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kong	Individual	Support	No

Comments: STRONGLY SUPPORT House Bill 1864 repeals the Hawaii Community Development Authority (HCDA) and rightfully transfers HCDA's planning, zoning and development functions to the counties. · HCDA acts adversely to and independently from established state and county planning and zoning laws and policies. · HCDA ignores public testimony and community needs. · HCDA avoids infrastructure carrying capacity concerns relating to needed schools, public park open space, sewer improvements, water supply and road capacity required to support their favored ultra-high-density skysrise developments. · HCDA engages in "exclusive negotiations" with offshore corporations to reserve public waterfront and shoreline park open space for private enterprises. · HCDA is rapidly chiseling away our treasured parks, historic sites, significant view planes and traditional fishing harbor uses by not adhering to their governing law that mandates: Ø Historic sites and culturally significant facilities, settings, or locations shall be preserved; Ø Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved. HCDA has demonstrated that they have failed to act in the public interest and have betrayed the public trust, and that this will never change. ABOLISH HCDA Mahalo with aloha, Caroline Kong

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 3:00 PM
To: waltestimony
Cc: eo50@icloud.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Okamura	Individual	Support	No

Comments: The HCDA has outlived its usefulness. Times have changed to where there is greater development interest in Kakaako. Return the process to the City and County of Honolulu. There should be an independent appointee to lead the transition not the present executive director.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 3:08 PM
To: waltestimony
Cc: rittew@hotmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Walter Ritte	Individual	Support	No

Comments: My name is Walter Ritte from the island of Molokai and I am in strong support of HB 1864. HCDA adds confusion to the existing public input process and removes powers from county and state public input processes. HCDA has become too pro development and anti environment and quality of life advocate.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 3:33 PM
To: waltestimony
Cc: autumnrose2010@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Autumn Rose	Individual	Support	No

Comments: Like PLDC passed in 2011 and repealed in 2012, HCDA is EXEMPT from ALL statutes, ordinances, charter provisions, and rules of any government agency relating to special improvement district assessments or requirements, land use, zoning, and construction standards, etc.... HCDA has FAILED its purpose, in its nearly 40 years of existence, to address lack of low-income housing, parks and open spaces, etc. HCDA has only been developers' promoter and servant -- allowing variance after variance, creating UNaffordable housing, serving the world-wide real estate SPECULATION market.

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lowen2-Lanaly

From: Web Nolan <webnolan@hawaii.rr.com>
Sent: Wednesday, February 05, 2014 4:02 PM
To: waltestimony
Subject: Testimony by Webster Nolan supporting HB1864

Testimony of Webster Nolan in support of HB1864 for the House Water and Land Committee hearing on Feb 8, 2014

As a retiree who has worked or lived on the Advertiser block in Kakaako for nearly 30 years. I support this bill to repeal the HCDA. I've had serious concerns about the performance of the Authority since it opened for business in the mid-1970s. One way to deal with those concerns in the future is to transfer its powers back to the City.

We residents of Kakaako do not enjoy the same property rights as other citizens of Honolulu. We are treated by HCDA as second-class citizens, governed in many respects by a small body of unelected officials whose record shows a strong bias against the interests of community residents and in favor of large landowners and the construction industry. I believe the Authority has outlived whatever usefulness it may once have enjoyed and has become a destructive force in our district.

Moreover, there is really no longer any need for the State to have a special agency with a substantial budget to promote development, since the building industry, its bankers and investors, clearly can do just fine on their own. It's now time for the City to step back in, and to make sure that there is sufficient infrastructure and community support for all those proposed projects.

The project to build Tower B of the 801 South Street development behind the Advertiser Building serves as the most recent example of the Authority's failure to do its job properly. In fact, contrary to its frequent claims that it has responded to community concerns, it has acted in many ways to obstruct those concerns by establishing rules that allow it to dismiss, even sometimes to ignore, our concerns about infrastructure, affordability, traffic, open space, pedestrian access, noise, privacy, public safety, crowded living conditions, scarcity of on-site recreational space for the proposed project, the social impact of the development, schools, just to name a few of our worries. HCDA does indeed address some of these concerns, but its comments are generally evasive, incomplete, obfuscated, adversarial, dogmatic or misleading.

The Authority kept the Tower B project secret for nearly a year, then gave the community three months to study and respond to the highly complicated and legalistic proposal. This tactic, by the way, violated the Authority's own rule that requires all major aspects of a development to be disclosed concurrently. We also know now beyond any doubt that many plans and rules for development in Kakaako mean nothing in a climate where exemptions, variances and so-called "modifications" are granted with regularity.

Based on numerous meetings and hearings in the past five months, I think I speak for many people in Kakaako in saying we want the same rights in zoning, development permits and rule, as our neighbors and all other residents on Oahu.

I strongly urge this committee to pass HB1864.

Webster Nolan
876 Curtis St. #1005
Honolulu, HI 96813

Ph: 593-1189

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 5:22 PM
To: waltestimony
Cc: scoleman@surfrider.org
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Individual	Support	No

Comments: My name is Stuart Coleman, and I'm writing in strong support of this bill to abolish HCDA. At a rally to protest selling public land at Kakaako Makai for private developers to build condos, then Rep. Neil Abercrombie said, Who does the HCDA answer to? Certainly not the people! The HCDA is a shadowy government agency with no public oversight, and it should be abolished! Here are some of my concerns: If a person is adversely affected by HCDA's decision, there should be a fair and clear administrative procedure to contest the decision. HCDA should be more responsive to community concerns. At the very least, HCDA needs more oversight by legislators. It should not be allowed to change building rules without legislative authorization. Before fast-racking more than 17 condo towers, developers should be required to perform impact studies (just as developers are required to do everywhere else on Oahu) to evaluate sewers, roads, utilities including water and electricity, schools, parks, and other infrastructure requirements needed for the additional number of residents. Access to emergency services should be evaluated as well. If any infrastructure improvements are needed, the developer should be required to pay the necessary impact fees (as is required for developers everywhere else on Oahu.) Mahalo for your consideration.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 9:47 PM
To: waltestimony
Cc: clkkimura@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cara Kimura	Individual	Support	No

Comments: HCDA has shown a lack of respect and responsibility toward the public, the people it purports to serve.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 05, 2014 11:14 PM
To: waltestimony
Cc: morik369@hawaiiantel.net
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/5/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Morikawa	Individual	Support	No

Comments:

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From: Pam Wood <pwood229@gmail.com>
Sent: Thursday, February 06, 2014 11:24 AM
To: waltestimony
Subject: Fwd: HB1864

Testimony of Pamela Wood

For the House Committee on Water & Land
Saturday, February 8, 2014
Re: Support for HB1864

Chair Cindy Evans and Members of the House Committee on Water & Land:

My name is Pamela Wood. I live in Kakaako. Thank you for giving me the opportunity to testify in support of HB1864 and share my experience of working with the Hawaii Community Development Authority (HCDA) during 2013.

HCDA has not taken responsibility for infrastructure deficiencies within Kakaako. Instead they approve development permit applications based on general letters of conditional approval from city agencies, then expect the city to address the infrastructure deficiencies during the building permit process.

I learned this first hand during HCDA's public hearings and information sessions regarding the 803 Waimanu project. The property is located in the commercial/industrial Central Kakaako Neighborhood. The FAR (Floor Area Ratio) was set at 1.5 because of the lack of infrastructure. The 2008 Environmental Impact Statement (EIS) and the 2011 Mauka Area Rules and Plan describe the inadequate infrastructure in detail. The small property owners did not agree to participate in the cost of establishing improvement districts, and so development was limited to 1.5 FAR. If property owners agreed to an improvement district or if a developer agreed to make the improvements the FAR could be increased to 3.5. We discovered there is a third way to increase the FAR. The Executive Director can determine the infrastructure is adequate and can unilaterally increase the FAR to 3.5.

The 803 Waimanu sewer line will connect to the existing 6-inch Kawaihau Street sewer line that is more than 100 years old. This aged line runs 200 feet, then connects to the improved line on Cooke Street. The 2008 EIS requires a storm drain. When HCDA was asked if the developer was required to make these improvements, I was first told it would not be fair to ask one developer to be responsible for the entire cost; then I was told the developer was going to control all storm drainage runoff onsite and the city accepted the sewer permit application; and then I was told these issues would be addressed during the building permit process.

The process need to change. Infrastructure must be addressed before development permit applications are approved. If the City & County of Honolulu is responsible for the infrastructure and the Honolulu taxpayer is responsible for the costs, then the City should be given the control.

Pamela Wood
725 Kapiolani Blvd., #3002
[808.781.1732](tel:808.781.1732)

Keith Timson
92-684 Nohona St.
Kapolei, Hi. 96707

February 6, 2014

Honorable Cindy Evans
Chair, Water & Land State Capitol
Honolulu, Hi 95813

Re: House Bills 1864

I am writing in response to HB1864 which would do away with the Hawaii Community Development Authority. I believe such a move would adversely affect the kind of smart growth and urban planning the authority currently provides, a role that was envisioned since the 1970's.

Kaka'ako has a broad coalition of support including local residents who want to improve their community, small businesses looking to grow, environmentalists for its responsible growth, working families seeking affordable housing, and businesses and elected officials because it will boost our economy.

I think it is important that you support HCDA's effort for planned growth and creating an urban community for local people that doesn't require a 30 minute drive.

Keith Timson

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 5:46 AM
To: waltestimony
Cc: begoniabarry@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments: House Bill 1864 repeals the Hawaii Community Development Authority (HCDA) and rightfully transfers HCDA's planning, zoning and development functions to the counties. · HCDA acts adversely to and independently from established state and county planning and zoning laws and policies. · HCDA ignores public testimony and community needs. · HCDA avoids infrastructure carrying capacity concerns relating to needed schools, public park open space, sewer improvements, water supply and road capacity required to support their favored ultra-high-density skyrise developments. · HCDA engages in "exclusive negotiations" with offshore corporations to reserve public waterfront and shoreline park open space for private enterprises. · HCDA is rapidly chiseling away our treasured parks, historic sites, significant view planes and traditional fishing harbor uses by not adhering to their governing law that mandates: Ø Historic sites and culturally significant facilities, settings, or locations shall be preserved; Ø Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved. HCDA has demonstrated that they have failed to act in the public interest and have betrayed the public trust, and that this will never change. ABOLISH HCDA, Thank you, Barbara Barry

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Aloha Chair Evans, and Representatives

As an Ewa resident and member of the Kanehili Cultural Hui who has witnessed how HAWAII COMMUNITY DEVELOPMENT AUTHORITY operates in Kalaeloa and how poorly they communicate with the community and how evasive they are when information about developments is sought.

I believe this organization clearly needs to be shut down because of lack of community oversight and adherence to State and Federal historic and cultural preservation laws and City planning rules and ordinances. They have a dedicated "Cultural Heritage Park," but really it has been used as an illegal dump site and as an excuse to do widespread damage to other very pristine areas that HCDA plans to turn into industrial areas. The word "front" or "façade" is made for how HCDA operates in Kalaleloa.

Coordination and cooperation with City zoning and planning is severely lacking and HCDA doesn't even follow its own rules. During the Kalaeloa Draft Rules process a couple of years ago they completely rejected every single suggestion made by the attorney from the National Trust for Historic Preservation. These were suggestions that were showing how HCDA's rules would NOT be in compliance with national standards and allowed many variances and loopholes for developers to avoid State and Federal historic and cultural preservation compliance. These comments were all REJECTED by the HCDA director.

Clearly today the results are in- a blatant disregard for historic and cultural preservation and a complete blindness to apparently on-going developer sponsored "vandals" who systematically desecrate historic and cultural sites to reduce and destroy "historic integrity" and "cultural value."

There are many examples in Kalaeloa of extensive damage to valuable infrastructure and historic buildings that has been going on for years. It is being done apparently so that it requires a full replacement and of course that means by Hawaii tax-payers. I could send you a hundred photos of intentional damage done by Kalaeloa developers who want see everything out there flattened for land flips to the highest bidder. The more they can make Kalaeloa a cleared parking lot free of any historic and cultural issues, native plants, etc. the better for the land developers and HCDA insiders.

We now increasingly hear that all HCDA Kalaeloa lands "must be developed to their highest potential (income for HCDA developers.) This means all previously promised open space, cultural and historic sites must be wiped out because the highest developer dollar wants it. It really makes you wonder if anything the State does anymore is about "the future" and "the keiki" or just about how much land development cash can be pocketed RIGHT NOW. The message here is that there REALLY ISN'T a future for anyone unless you are rich and can leave once all of the environment that once made the area a wonderful place to live has all been raped away. HCDA developers just move on to the next target somewhere else and the local residents get stuck with tax bills and a depleted, polluted, unsustainable landscape.

HCDA has been cited for illegal dumping on HCDA's own property by the City building inspector (after it was pointed out to them.) Otherwise the people who are supposed to be enforcing City and State laws have NO IDEA what is going on in Kalaleoa unless HCDA calls them in- and that basically NEVER HAPPENS. And development continues with roads and other infrastructure NOT being done to City spec or State environmental laws in Kalaeloa since no one really watches what is happening.

HCDA's director recently expressed surprise at a community meeting when learning that Hunt Corporation was selling off Kalaleoa land (which they lease from the Navy and has NOT undergone a required Federal Section 106 process) while real estate signs have been up all over Kalaeloa for months offering these properties already for sale. This really begs the question that the Kalaeloa director doesn't even know what is going on in Kalaeloa, which they supposedly "manage." In HCDA's Kalaeloa the "rules" become whatever the developer wants it to be, including with Federal property.

I have spoken with a current (and still largely understaffed) State Historic Preservation Division branch manager and was told that HCDA rarely if ever consults with them on anything, despite many ongoing projects in Kalaeloa in very sensitive cultural and historic areas. Kalaeloa is pretty well known as a "Wild West" place of developer lawlessness. Damage is done by "vandals," often in broad daylight. Powerlines, lightpoles, etc are regularly cut down along main roadways or side streets by "vandals." This is so that new ones must be put in and of course the Hawaii tax-payer always pays for it so who really cares?

It is amazing how the "vandals" and firestarters seem to be able to operate in Kalaleoa in broad daylight during working hours without any police or security noticing anyone doing anything. Only after a great deal of news media coverage have all of the continuous, almost daily fires (and perhaps with the help of the weather) allowed this aspect of Kalaleoa destruction to be at least temporarily curbed.

Large areas of military base electrical and telecommunication vaults and buildings have been stripped of copper wire, switching rooms trashed, equipment removed and valuable telephone/power poles (I have been told are worth around \$2000 each) sawed down everywhere. Nothing is ever done about it, over a period of over one and a half years, despite constant "security" patrols. Unless there are some really incompetent druggie thieves who get caught because they cut into live electrical wires and nearly get electrocuted, does any attention result. Amazingly these same people seem to just get away and return again and again. They also inhabit empty historic buildings right next door to developer offices!

Around a year and a half ago HCDA allowed a prospective PV site developer to go into a highly sensitive Hawaiian cultural area in Kalaleoa with a D9 Bulldozer and cut huge swaths of roads over a very large area. Not even straight lines (which is usually always done with a small, rubber tread BobCat for survey work), but wandering, unmitigated massive damage was done to one thousand year old ancient Hawaiian trails, habitation sites and heiau structures. No one at HCDA Kalaeloa questioned this!

Only because of outside complaints to DLNR was this project stopped. To this very day there has never been anything publicly disclosed as to WHO at HCDA authorized this massive and completely insane destruction. It has all been hushed up and likely it seems now the PV site developer paid someone some money so that nothing further was ever said about it. But they are planning MORE like this already!

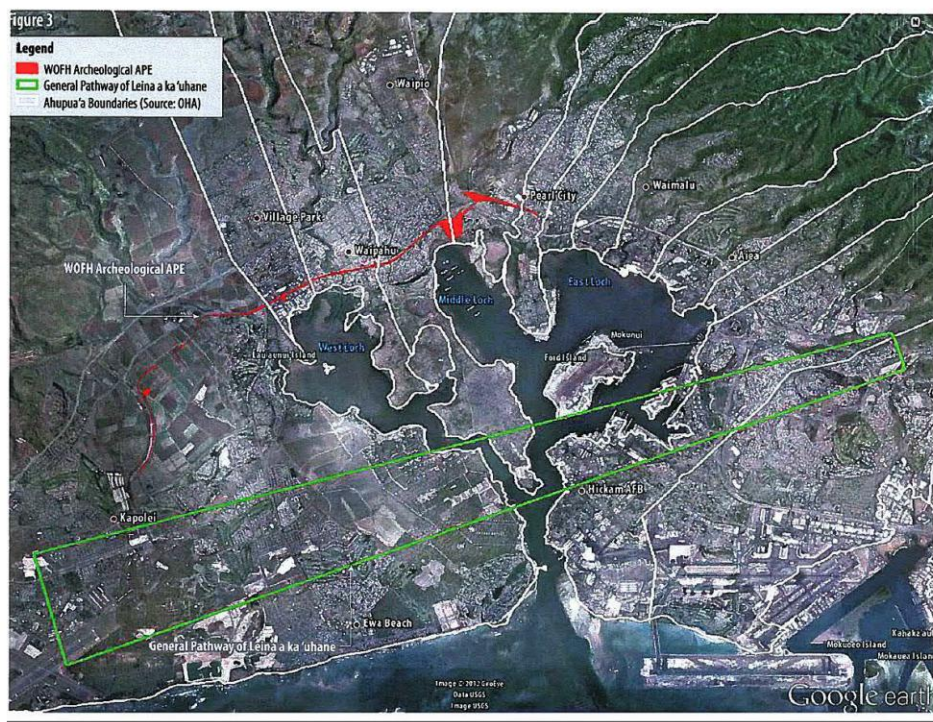
Our Kanehili Cultural Hui was able to photograph the damage many months later when apparently an archaeological contractor (not SHPD which rarely looks at anything in Kalaeloa) was brought in to begin tagging all the site damage. We assume the contractor who did all the damage paid for the survey, but this doesn't address who at HCDA allowed this stupid fiasco to happen in the first place.

By the way, Kanehili is the ancient Hawaiian name for this area, not “Kalaeloa.” Kalaeloa was just another land developer created name, like “Hoopili” is for Honouliuli and “East Kapolei” is for Ewa. It makes it a lot more easy and convenient to bulldoze historic and cultural areas when they can't be remembered and linked to the past cultural history. At least DHHL did some native Hawaiian research when they named their nearby home development projects Kaupē'a and Kanehili. These are the true local area cultural names according to Hawaiian oral history. Ewa's history is still largely ignored.

HCDA's Kalaeloa is a Wild West area where developers make the rules they want. HCDA needs to be SHUT DOWN with by House Bill 1864 in the hope that some zoning and planning law and order can be established in this HCDA developer free fire zone. This is NOT what the local community wants!

John Bond, President, Kanehili Cultural Hui

BELOW: The HART Federal EIS has designated this Kanehili area as a National Register Eligible site for historic and cultural protection under State and Federal laws. It was the original intention of the community at the time of the Barbers Point Naval Base closure that significant historic and cultural sites would be forever protected for future generations to enjoy and not become just another paved over area like everything else in West Oahu.



HART EIS designated Leina a ka Uhane – Wahi Pana in 2012

However this is the HCDA Kalaeloa agenda, to cover over everything with development and use a process of continuous land degradation and pollution with truckloads of unchecked dump materials, including very dangerous substances known to cause genetic mutations and cancer. At the Kalaleoa shore the public is swimming in this chemical pollution and eating the remaining contaminated coastal food resources that haven't yet been killed off. And they say this is about the "Keiki and the future"?

Please pass House Bill 1864 and end this historic and cultural destruction!

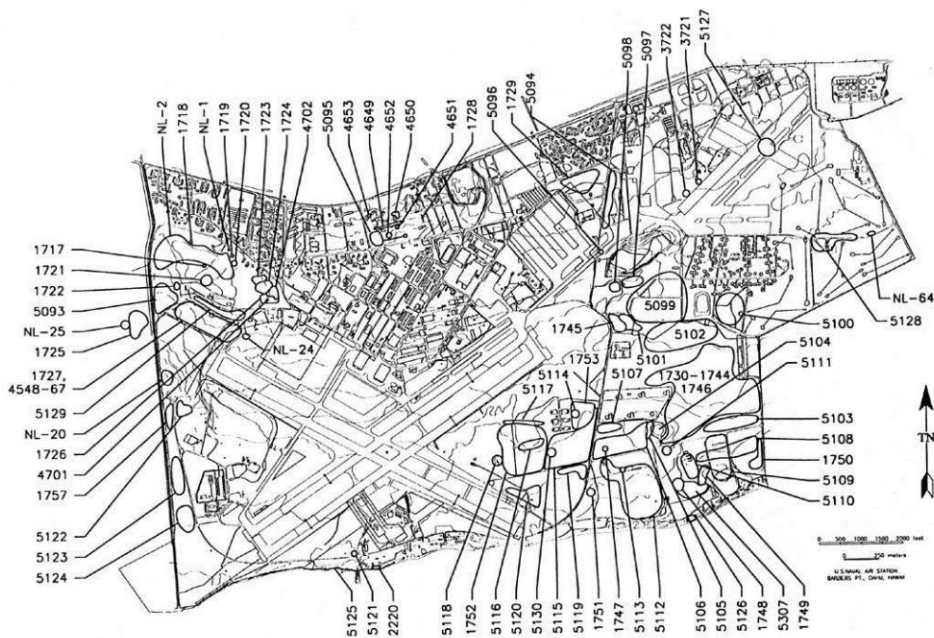


Figure 28. Archaeological and historical sites of NAS Barbers Point.



Large areas within former Naval Air Station Barbers Point in 1997 were NEVER adequately surveyed for important native Hawaiian cultural sites. Much more information has now become available showing how very incomplete and random these past archeological surveys really were just to meet deadlines.

Kanehili Cultural Hui has found there are large areas of unidentified Hawaiian trails, habitations and cultural areas that have never been adequately surveyed in what is really ancient Kanehili and which only in April 2012 was it established that this area is a major Oahu wahi pana called the Leina a ka 'Uhane.





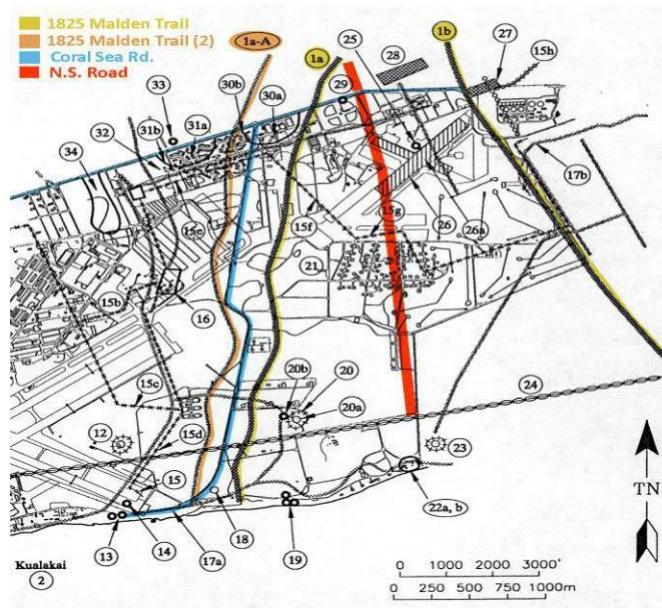
Table 7 presents the Leina a ka 'uhane as a single sacred and storied place, identifying the applicable ahupua'a, theme, National Register criteria, and integrity of relationship and condition.

Table 7. Leina a ka 'Uhane with Associated Theme and National Register Eligibility Criteria.

Wahi Pana	Ahupua'a	Theme	National Register A	National Register B	Integrity of Relationships	Integrity of Condition
Leina a ka 'uhane	Hālawā Moanalua, Waiau, Waimano, Pu'uloa, Honouliuli	2	Associated with pattern of events – Leaping off place to the spirit world	Associated with the akua Kānehili, Leiolono, and Milu	TBD	TBD

In our opinion, each of the 26 individually identified wahi pana, as well as the Leina a ka 'uhane, likely has integrity of relationship. Wahi pana are sacred and storied places on the land and our archival research and informant interviews suggest that these storied places are important to the retention and or transmittal of knowledge and beliefs about the land and history of the Hawaiian People on O'ahu.

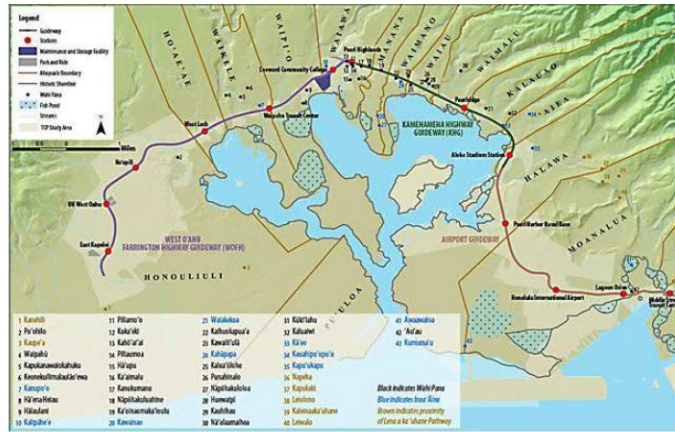
HART EIS 2012 study by Kumupono LLC and SRI, Inc. shows National Register Eligibility for Kanehili Leina



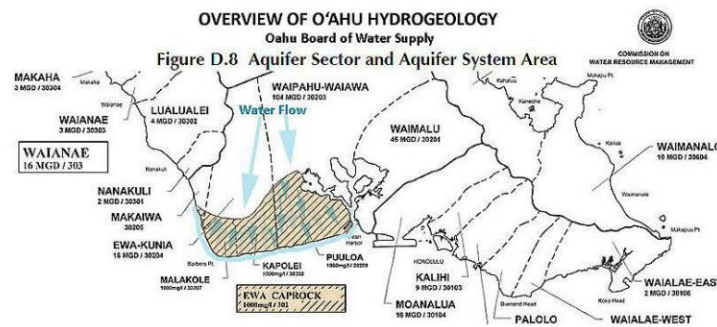
Navy BRAC of NASBP by Tuggles (IARII) shows Kanehili Trails and important sites HCDA wants destroyed.



British Royal Navy 1825 Malden Trails map shows ancient Hawaiian Trails in Kanehili, Honouliuli.



HART lists important sites and Kanehili Leina falls just below the East Kapolei Station site



Hydrogeology map shows mountain to shore water flow through "caprock" (Karst)



Ewa Karst is actually a very porous ancient 100,000 year old reef, and result of past higher sea level.



The Howard Hughes Corporation
1240 Ala Moana Boulevard
Suite 200
Honolulu, Hawaii 96814

February 8, 2014

Honorable Cindy Evans, Chair
Honorable Nicole Lowen, Vice Chair
House Committee on Water & Land

RE: HB 1864 – Relating to the Hawaii Community Development Authority – IN OPPOSITION
Hawaii State Capitol, Rm. 325; 8:30 AM

Aloha Chair Evans, Vice Chair Lowen and Members of the Committee,

The Howard Hughes Corporation, and its wholly-owned subsidiary Victoria Ward, Limited (“VWL”) strongly oppose HB 1864, which repeals the Hawaii Community Development Authority. This bill jeopardizes the entire redevelopment of Kakaako.

VWL invested significant time and resources in developing a master plan for the 60 contiguous acres in Kakaako under its ownership. On January 14, 2009, after being fully vetted through a series of public hearings and a contested case hearing, the Hawaii Community Development Authority (“HCDA”) approved the Ward Master Plan as being consistent with the vision for the area.

By approving the Ward Master Plan, HCDA provided enforceable assurance to VWL that its proposed projects under the Master Plan that are in accordance with HCDA’s Mauka Area Rules existing at January 14, 2009 (“Vested Rules”) would not be later restricted or prohibited by subsequent changes to those rules.

HB 1864 threatens the existence of HCDA, the governing authority for the Ward Master Plan, and thereby threatens the vested development rights of VWL. In addition to the administrative nightmare that would accompany the loss of HCDA, it would likely take decades to resolve the legal questions resulting from the 15+ year master plans that HCDA committed the State of Hawaii to. It does not make any practical or economic sense to repeal HCDA, leaving numerous developers and landowners uncertain about, and ready to assert and enforce, their development rights.

For these reasons, we respectfully urge you to hold HB 1864. Thank you for the opportunity to testify on this measure.

David Striph
Senior Vice President-Hawaii

Howard Hughes

February 6, 2014

TESTIMONY TO STRONGLY SUPPORT HB1864 – REPEAL OF THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

Chair Evans and Members of the Water and Land Committee,

My name is Bernard Nunies. I am a 7 year resident of Kaka'ako and have seen, in 2013 alone, the devastation a single rogue government agency can cause in our community. I am, of course, referring to the Hawaii Community Development Authority (HCDA), who this year alone, has approved 11 developments in Kaka'ako without regard to infrastructure issues, established rules & regulations, or community feedback and input. I have testified at several of their hearings in 2013, only to have our community concerns fall on deaf ears as the governor-appointed board do the bidding of big business without concern for the current or future residents of my community.

The 2011 Mauka Area Rules were established to guide smart development in Kaka'ako, yet the HCDA has taken it upon themselves to select which rules apply and when to apply then, often granting developers extreme exemptions and allowing them to take advantage of loopholes.

- The 2011 Mauka Area rules established the Floor-Area-Ratio (FAR) of central Kaka'ako to be 1.5 due to poor infrastructure. However, the director of the HCDA arbitrarily increased the far to 3.5 (more than doubling the density of this area) despite having made no infrastructure improvements to justify the increase.
- There are no guidelines in place that prevent inventors from purchasing "reserved housing" units and flipping them for a profit as the only regulation in place is that these units be offered to the public for 60 days. After that, anyone can purchase.
- There is no elementary school capacity in Kaka'ako and the neighboring schools are all full. Yet, the HCDA continues to approve development without regard as to where our keiki will be educated. The HCDA claims this is a DOE issue, yet the only parcel of land in Kaka'ako that could be used for an elementary school (690 Pohukaina) was given to developers by the HCDA for housing development.

These are just a few examples of how the HCDA has failed the Kaka'ako community and needs to be abolished.

I strongly support HB 1864 and other bills that have been introduced that limit and rein in the authority of the HCDA (HB 1860, 1861, 1863, 1865, 1866, and 1867) and hope to have the build-up of my community be accomplished in a way that addresses the infrastructure issues first, listens to the concerns of the current residents, and provides for truly affordable housing for the working families.

Best Regards,

Bernard K. Nunies
725 Kapiolani Blvd
Honolulu, HI 96813

Email: bknunies@gmail.com
Phone: 808-215-9016

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 10:41 PM
To: waltestimony
Cc: nancylhedlund@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Hedlund	Individual	Support	No

Comments: Aloha Members of the Water & Land Committee: I offer testimony in favor of HB1864 abolishing HCDA, a State government unit that has entirely failed to fulfill the intended purpose of advancing development and flourishing of Kaka'ako through providing appropriate direction and leadership to development in Hawai'i. With great urgency and sincerity, I ask you to support all proposed bills that abolish or limit the authority and actions of the HCDA in Kaka'ako and other areas for which HCDA has inappropriately been given authority, including Kalaeloa and He'eia lands. The following bills relate to urgently needed actions to curb the authority and actions of HCDA. As such, I also support these bills being heard on 2/8: HB1860, HB1861, HB1863, HB1865, HB1866, HB1867. My experience with HCDA dates back to membership on the Ala Moana/Kaka'ako Neighborhood Board, CPAC, and previous community actions to oppose development of luxury high rises in Kaka'ako Makai by Alexander and Baldwin. In the aftermath of community success in blocking this development, we were most disappointed to learn the ways that a developer had been favored in the approval process and then to see how favors and variances continued to characterize the approval process for other projects with total disregard for community input. It was equally disappointing to realize that there was no integration of community input in HCDA's process. Yes, there were meetings and pretenses of exchange of information. But at every turn, the outcomes never reflected the community's preferences. Standards that should have been respected were modified by variances, even in the face of community concern. Even when CPAC and the community took the time and did the work to create a formal plan, the substance of the community's inputs was given no place in the process. There are many examples of these failures to serve the community that provide evidence for this pattern of decision making. Kaka'ako is a community with strengths, needs and great potential to contribute to the sustainability of Honolulu, Oahu and Hawai'i. One of its greatest strengths now is that there is a larger community of citizens who demonstratae spirit, knowledge, experience and engagement. Yet HCDA has continued to operate with the single agenda of economic gain for developers. Immensely important arenas of sustainability have been bypassed entirely such as: water, schools, traffic, sewage, view planes and parking. When confronted with challenges concerning these dimensions of community viability, HCDA's response has been indifference. How can we look the other way at HCDA's Indifference to schools? to sewage? to the sufficiency of water for proposed developments? As one of many concerned citizens who lives here in the Kaka'ako/Ala Moana part of Honolulu, I have made many attempts to participate in planning for Kaka'ako over the past 8 years. I speak from experience. But instead of seeing positive results, every day I see one or more of the many deleterious effects of HCDA's ways of doing business. It has failed

to serve our community through vision, principle or effective planning methods. Please take action to move us into a more viable process for our community's future. Nancy Hedlund, Honolulu, Hawai'i

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Matt Vossen
P.O. Box 1829
Waianae, HI 96792

February 8, 2014

State of Hawaii House of Representatives
House Committee on Water & Land
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Dear Chair Evans, Vice Chair Lowen and Members of the Committee,

Subject: HB 1860, HB 1861, HB 1863, HB 1864, HB 1865, HB 1866, and HB 1867
Relating to the Hawaii Community Development Authority and the
Kakaako Community Development District

I am *Matt Vossen*, a member of the Hawaii Regional Council of Carpenters.

I strongly urge your support of the Hawaii Community Development Authority (HCDA) and the vision of Kakaako. The authority and vision will:

- ✓ *Provide a live, work, play, mixed-use development in the urban-core*
- ✓ *Add new housing including affordable homes and homes for seniors – built by Hawaii workers*
- ✓ *Bring a sense of shared values with neighbors*
- ✓ *Create housing near public transit*
- ✓ *Generate new County and State taxes*
- ✓ *Address population growth and needs*
- ✓ *Create construction and permanent jobs*
- ✓ *Keep country, country*

We have waited a long time for the development of housing, parks, open areas, as well as new commercial and industrial space near the downtown core. Please don't make any changes and delay the vision of Kakaako.

Thank you for allowing me to share my views.

| Sincerely,

Matt Vossen

February 8, 2014

State of Hawaii House of Representatives
House Committee on Water & Land
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Dear Chair Evans, Vice Chair Lowen and Members of the Committee,

Subject: HB 1860, HB 1861, HB 1863, HB 1864, HB 1865, HB 1866, and HB 1867
Relating to the Hawaii Community Development Authority and the
Kakaako Community Development District

I am *Robert Locquiao*, a member of the Hawaii Regional Council of Carpenters.

I strongly urge your support of the Hawaii Community Development Authority (HCDA) and the vision of Kakaako. The authority and vision will:

- ✓ *Provide a live, work, play, mixed-use development in the urban-core*
- ✓ *Add new housing including affordable homes and homes for seniors – built by Hawaii workers*
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Thank you for allowing me to share my views.

Sincerely,

Robert Locquiao
Rob4x4rl@aol.com

Antonio Espiritu
109 Karsten Drive
Wahiawa, HI 96786

February 8, 2014

State of Hawaii House of Representatives
House Committee on Water & Land
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Dear Chair Evans, Vice Chair Lowen and Members of the Committee,

Subject: HB 1860, HB 1861, HB 1863, HB 1864, HB 1865, HB 1866, and HB 1867
Relating to the Hawaii Community Development Authority and the
Kakaako Community Development District

I am *Antonio Espiritu*, a member of the Hawaii Regional Council of Carpenters.

I strongly urge your support of the Hawaii Community Development Authority (HCDA) and the vision of Kakaako. The authority and vision will:

- ✓ *Provide a live, work, play, mixed-use development in the urban-core*
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Thank you for allowing me to share my views.

Sincerely,

Antonio Espiritu

Harold Slate
225 Kaiulani Av #605
Hon. Hi. 96815

February 8, 2014

State of Hawaii House of Representatives
House Committee on Water & Land
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Dear Chair Evans, Vice Chair Lowen and Members of the Committee,

Subject: HB 1860, HB 1861, HB 1863, HB 1864, HB 1865, HB 1866, and HB 1867
Relating to the Hawaii Community Development Authority and the
Kakaako Community Development District

I am *Harold Slate*, a member of the Hawaii Regional Council of Carpenters.

I strongly urge your support of the Hawaii Community Development Authority (HCDA) and the vision of Kakaako. The authority and vision will:

- ✓ *Provide a live, work, play, mixed-use development in the urban-core*
- ✓ *Add new housing including affordable homes and homes for seniors – built by Hawaii workers*
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- ✓ *Address population growth and needs*
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- ✓ *Keep country, country*

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Thank you for allowing me to share my views.

Sincerely,

Harold Slate
Outside1952@yahoo.com

Dellas Alexander
dellas96819@gmail.com

February 8, 2014

State of Hawaii House of Representatives
House Committee on Water & Land
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Dear Chair Evans, Vice Chair Lowen and Members of the Committee,

Subject: HB 1860, HB 1861, HB 1863, HB 1864, HB 1865, HB 1866, and HB 1867
Relating to the Hawaii Community Development Authority and the
Kakaako Community Development District

I am Dellas Alexander, a member of the Hawaii Regional Council of Carpenters.

I strongly urge your support of the Hawaii Community Development Authority (HCDA) and the vision of Kakaako. The authority and vision will:

- ✓ *Provide a live, work, play, mixed-use development in the urban-core*
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Thank you for allowing me to share my views.

Sincerely,



Dellas Alexander

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 1:52 PM
To: waltestimony
Cc: scoleman@surfrider.org
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Individual	Support	No

Comments: My name is Stuart Coleman, and I am a writer, teacher and pro-activist in the McCully area. I'm writing to express my strong support for HB 1864. I strongly support abolishing HCDA because this shadowy government agency has no oversight and has shown a reckless desire to develop Kaka'ako. I also support other bills that curb their actions, including those being heard on 2/8: HB1860, HB1861,HB1863,HB1865,HB1866,AND HB1867.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Support Bills in Legislature re HCDA

I support all of the bills, HB1860 through HB1867, introduced by Representative Scott Saiki and others since all contain some measure of restraint on the Hawaii Community Development Authority (HCDA). HCDA needs to be restrained and reconstituted or repealed because of excessive use of its power and authority to favor developers' interests over the well-being of the Kaka'ako community. My comments relate to the Kaka'ako mauka/makai area.

I support **HB1860** since it requires accountability and transparency in HCDA's actions; provides for contested case proceedings with judicial review, expanded public notice requirements, and legislative authority over amendments to mauka and makai area plans and rules; defines Kaka'ako community development policies; and requires comprehensive studies and plans for infrastructure capacity in the area plus a requirement to impose impact fees on developers.

I support **HB1861** since it reiterates and expands on much-needed provisions of HB1860.

I support **HB1862** since it addresses issues of "reserved housing" and "affordable housing" under Hawaii Revised Statutes that have not been properly defined or carried out by HCDA. It would require HCDA to implement affordable housing policies that are in greater conformity with those of the City and County of Honolulu.

I support **HB1863** since it provides for minimum horizontal separation of 300 feet between buildings that are more than 100 feet in height. (HCDA recently approved a developer's proposals at 801 South Street for buildings more than 100 feet in height to be immediately adjacent to each other, an egregious example of what HCDA is willing to do.) Since HCDA needs to be restrained, eliminating its budget for one year would be one way to do it.

I especially support **HB1864** since it repeals the authority of HCDA under Chapter 206E, Hawaii Revised Statutes, while providing for an orderly transition of duties and functions from HCDA to the City and County of Honolulu, and includes job protection with the State for current HCDA employees. A seamless transition over a one-year period to the City and County is a better option than trying to reform or reconstitute HCDA.

Kaka'ako has grown so much in population and is expected to grow more with projects already approved that it needs to be fully integrated with the larger Honolulu community under City and County auspices. Infrastructure in particular needs to be integrated, and the rail line with stations in Kaka'ako also points to needed integration.

I also especially support **HB1865** which places a one-year moratorium on HCDA approving any plans or proposals for development in the Kaka'ako community development district. A one-year moratorium would provide time for the legislature to consider the best long-term considerations for Kaka'ako, where developments already approved plus those under construction in many cases exceed the capabilities of infrastructure in the area.

I support **HB1866** since it provides for reconstituting HCDA with members to be appointed from lists of nominees received from the state legislature and other community entities rather than largely from the executive branch. An important feature of this bill is that HCDA's rule making and various operations would be subject to prior approval by the legislature.

I support **HB1867** for its amendments to Chapter 206E, Hawaii Revised Statutes: HCDA must require, prior to receipt of any application for a development permit, a project eligibility review of the development project, and shall obtain approval from applicable governmental agencies regarding the adequacy of infrastructure requirements. HCDA may not grant any variance, exemption, or modification to any provision of any rule or development plan relating to maximum floor area ratio. Limits on building heights and distance between buildings are also important.

Provisions of **HB1867** are important to have in addition to those of other major bills in the **HB1860's** list. If measures in this bill had been in effect, HCDA would not have been able to accept applications for several development projects they recently approved.

For example, HCDA accepted the developer's application for 801 South Street, Phase 2, without requiring the Traffic Impact Assessment Report (TIAR) requested by the City and County Department of Transportation Services. HCDA's website for the proposed development includes a July 2013 memorandum from a traffic management company in Honolulu that primarily describes street improvements and level of service on Kawaiahao Street, the Phase 1 side of the block, not useful for Phase 2. Since the Phase 1 garage now under construction has 915 parking stalls for 635 units in the residential tower, even though there's an alley connecting the two, the driveway to Kawaiahao will have its own traffic buildup, not useful for Phase 2 which exits to Kapiolani Boulevard. The memo's statement about level of service to Kapiolani is incorrect compared to McKinley High School's 2011 EIS traffic analysis. A trip generation summary is clearly inaccurate based on the 788 parking stalls planned for the Phase 2 garage.

HCDA should have rejected the developer's traffic memorandum as inaccurate and inadequate for the purpose for which it was submitted. As of today, in the first week in February 2014, the inaccurate traffic memorandum remains on HCDA's website and there is no TIAR as requested by Director Michael Formby of the Department of Transportation Services. HCDA ignored the City and County request and approved Phase 2 development without a TIAR.

Everyone who drives in and out of downtown Honolulu, especially the Capitol district, via Kapiolani, King Street or South Street should be concerned about the additional 1700 vehicles from the two units of 801 South that will be driving in and out of one block immediately back of the historic Advertiser/News building.

Another example of HCDA disregarding its own rules and government agency requirements is their failure to require the developer at 801 South Street, Phase 2, to submit their plans for the historic Advertiser/News building on the property to the State of Hawaii's Department of Land

and Natural Resources for review. A letter dated August 29, 2013 from an official in a division of that department to HCDA's executive director reminded HCDA of the requirement according to HCDA's 2011 Mauka Area Rules. According to the rules which apply to all historical or culturally significant properties, a written letter of concurrence from the State Historical Preservation Division (SHPD) shall be included with the permit application to HCDA, and all SHPD requirements shall be completed by the developer prior to submitting the application.

If HB1867 had been in effect at the time, HCDA would not have been able in September 2011, effective November 11, 2011, to write the one and one-half page subchapter on Workforce Housing Project(s) rules that was tacked onto the end of Kaka'ako Reserved Housing Rules in Title 15, Subtitle 4, Chapter 218. The subchapter says workforce housing project(s) shall receive a floor area bonus of one hundred percent (double density FAR), provided that such bonus floor area shall be used for workforce housing project(s) only. Being able to build up to a double density FAR is a large financial benefit for developers.

One of the criteria for determining that a project is a workforce housing project is when it does not require financial assistance for construction from Federal, State, or County governmental bodies. Claiming that 801 South Street was workforce housing, the developer applied for modification to build a free standing 107-foot high parking structure rather than a 65-foot high podium parking structure in order to be more cost effective. We do not understand why increased floor area density and construction modifications approved by HCDA are not considered financial assistance from a governmental body.

Another example of HCDA disregarding its own rules: Under 2005 Mauka Area rules on affordability criteria, one-half of a percentage point (0.5%) could be subtracted from six-months average interest rates on thirty year fixed rate mortgages. In 2011 Mauka Area rules the affordability criteria did not include subtraction of 0.5%. Yet in its August 2013 permit application for 801 South Street, the developer subtracted 1/2% from the six month average and HCDA accepted the application. Other factors not questioned by HCDA point to a project given benefits of a workforce housing project that may not actually meet the defined criteria.

A Star Advertiser article of August 22, 2012 said a developer (who was later the developer of 801 South Street) had a deal to buy the News Building property but hadn't completed a sale. The article also said HCDA executive director Anthony Ching had met with representatives of the developer about the project. The Kaka'ako community and others in Honolulu appreciate news reports of development projects; HCDA isn't likely to inform us. The 801 South Street project is one of many that need the attention of concerned citizens. In the meantime, I support HB1864 that repeals HCDA's authority and others that limit its authority.

Thank you for the opportunity to comment on proposed legislation.

Mary Caywood, geckoyard@hotmail.com

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 3:10 PM
To: waltestimony
Cc: sam@jtahawaii.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sam Manuel	Individual	Oppose	No

Comments: February 6, 2014 Rep. Cindy Evans, Chair Rep. Nicole Lowen, Vice Chair House Committee on Water & Land 415 S. Beretania Street Honolulu, Hawaii 96813 Hearing: Saturday, February 8, 2014 – 8:30am Hawaii State Capitol, Conference Room 325 Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY Chair Evans, Vice Chair Lowen and members of the Committee: My name is Sam Manuel and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA) I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future. Thank you for the opportunity to testify in opposition to HB 1864. Sam Manuel

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lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 3:49 PM
To: waltestimony
Cc: leong.loreen@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Loreen Leong	Individual	Support	No

Comments: Chairperson Evans and Members of the House Committee on Water and Land My name is Loreen Leong and I have been a resident of Kaka’ako for the past 20 years. Thank you for this opportunity to testify on House Bill 1864 and I support all the House Bills 1860 to 1867 being heard today. HCDA should be repealed and have the City overlook the development of Kaka’ako. This semiautonomous state planning agency is not accountable to anyone and acts as if it is above the law. They do not follow their own plans and rules and have approved projects filled with exemptions and variances. HCDA has a vision and a plan for Kaka’ako, but it is not the vision of the community. They do not listen to the concerns of the community or attempt to address the concerns the community has posed before them. Taxpayer’s monies are being wasted on this agency. I strongly urge you to pass HB 1864 to protect Kaka’ako.

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February 6th 2014

Aloha Hawaii State Legislature,

My family and I, along with the overwhelming majority of current Kaka'ako residents, fully support the repeal of the Hawaii Community Development Authority, as provided by House Bill 1864 and City Council Resolution 14-29.

I have testified at the HCDA's public hearings for the 801 South Street Tower B project and can confirm with extensive first-hand experience that neither the Executive Director nor the Board care about the community that they have unfortunately been granted the authority to develop. By choosing not to meaningfully resolve any of the legitimate concerns from the community, the HCDA chooses to risk the end of its mandate.

My testimony has been focused on the affordability of the workforce housing units in the 801 South Street project, but the implications of my analysis have impacts that extend to any reserved or workforce units under the purview of the HCDA. I have found that the HCDA incorrectly calculates the maximum affordable sales price in such a way that it is extraordinarily favorable to the developer, and by erring so much in that regard they do not ensure that the end consumers can actually afford any of these units. See my Affordability Analysis of 801 South Tower B for a conclusive analysis of the subject.



AffordabilityAnalysisof801SouthTowerB (1).pdf

My family falls within the expanded workforce housing qualifications defined by the HCDA and I can affirmatively state from personal homeownership experience that the sales prices being allowed for 801 South Street Tower B are indeed not affordable. We, and many others like us, would greatly benefit if there were truly affordable units being provided, however the truth is that the HCDA's main interests are aligned with developers and not the community. Actions speak louder than words, and they simply don't care about affordable housing.

In response to my testimony at a supplemental public hearing on Nov 16th 2013 (without the HCDA Board present), the Executive Director was concerned enough to have his staff find my email address and request a private meeting with me to discuss my findings. I met with Mr. Ching, Mr. Neupak, and Ms. Doi from the HCDA on November 22nd 2013. We discussed the various factual errors, arithmetic errors, and faulty application of the rules that skewed the affordability calculations. The HCDA were made aware of all of these problems and thus were provided an opportunity to correct them on behalf of the community. See Nov 22 Meeting Notes for details on all the subjects discussed.



Nov 22 Meeting Notes with HCDA Exec Dir.pdf

December 4th was the decision hearing for 801 South Street Tower B project. Mr. Ching briefed the HCDA Board on his findings of facts and went over various concerns from the community, and summarily dismissed every single one. His dismissal of my affordability concerns was riddled with errors, false statements, and references to the wrong phase of the project. There were no adjustments considered or made to the entire project despite overwhelming opposition, or the contradictory letter, intent, & spirit of the law and HCDA's own rules.

In response to my testimony on December 4th, the chairman of the HCDA Board, Mr. Brian Lee, chose to ignore rule of law and instead invoke his subjective "rule of thumb" by declaring the Tower B project to be "very affordable." He then proceeded to criticize the Kaka'ako community for opposing the project, which drew an astonished reaction from the crowded room that was so poignant that it was captured by the court reporter. See TRANSCRIPT-20131204 801 South phase II project.pdf for more information on the December 4th meeting.



TRANSCRIPT-20131204 801 South phase II project.pdf

The entire Kaka'ako community is disenfranchised by the HCDA, and we greatly welcome intervention by our elected officials in order to rectify this situation. Please do not allow the special interests of developers and unaccountable State Government apparatus to trump the legitimate needs of community.

Very Respectfully,

Ariel Salinas

**HB 1864
RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY**

**PAUL T. OSHIRO
MANAGER – GOVERNMENT RELATIONS
ALEXANDER & BALDWIN, INC.**

FEBRUARY 8, 2014

Chair Evans and Members of the House Committee on Water & Land:

I am Paul Oshiro, testifying on behalf of Alexander & Baldwin, Inc. (A&B) on HB 1864, “A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.” We respectfully oppose this bill.

In 1976, the Legislature found that Kaka’ako was significantly under-utilized relative to its central location in urban Honolulu and recognized its potential for growth and development and its inherent importance to Honolulu as well as to the State of Hawaii. The Hawaii Community Development Authority (HCDA) was therefore established to promote and coordinate planned public facility development and private sector investment and construction in Kaka’ako. By having a regulatory body completely focused on the planning and zoning for Kaka’ako, it was envisioned that this would result in the effective development of this key economic driver.

The purpose of this bill is to repeal the HCDA and transfer its responsibilities and authority to the City & County of Honolulu. We oppose this bill, as we believe that the HCDA is the entity best suited to oversee the future of Kaka’ako.

Since its inception, HCDA has furthered the investment of over \$215 MM in infrastructure improvements in Kaka'ako. These improvement district projects, which include roadway, utility, and other infrastructure enhancements, provide backbone infrastructure improvements necessary to set the stage for new business, residential, and community facility opportunities in Kaka'ako. With approved area master plans in place, we believe that HCDA is now ready and able to implement the next steps to greatly enhance the Kaka'ako community.

In addition, we believe that the continued use of public/private partnerships play an important role in stimulating the economic revitalization of this area, which will require an infusion of additional residents and businesses to support Kaka'ako as a vibrant urban community in which to live, work, visit, learn, and play. HCDA has been successful in negotiating and implementing public/private partnerships that provide public infrastructure and facilities, reserved housing, and other amenities for the greater Kaka'ako community, and we believe that HCDA will successfully build upon its experience in this area to identify and secure additional private monies and investments needed to achieve the urban village vision for the area.

Kaka'ako represents an important component towards stimulating and sustaining Hawaii's economy. With its primary focus on the Kaka'ako community over the past 35 years, we believe that HCDA is the entity best suited to bring into fruition the desired future of Kaka'ako.

Based on the aforementioned, we respectfully request that this bill be held in Committee. Thank you for the opportunity to testify.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 6:55 PM
To: waltestimony
Cc: sherrianwitt@aol.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Oppose	No

Comments: I strongly oppose this measure..Counties should have the power

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Sent: Thursday, February 06, 2014 8:14 PM
To: waltestimony
Cc: bsager42@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Sager	Individual	Support	No

Comments: HCDA has the authority, in areas where it is assigned development rights, to ignore state and county zoning, permitting, building codes and environmental and cultural considerations. HCDA is currently developing the tallest high-rise in Hawaii in Kakaako Makai totally ignoring the community developed vision for the area and County height regulations. No state organization should be exempt from the regulations we have established to make sure development is done in the best interest of the community. HCDA is intended to fast track development by minimizing opportunity for public participation and allowing state and county regulations to be ignored. Why should state projects be exempt from the rules that apply to everyone else? The public/private partnership authority of HCDA can be used to the communities advantage. But the bad out ways the good. HCDA should not be exempt from environmental review, cultural surveys and building regulations designed to control development and ensure public safety.

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KAMEHAMEHA SCHOOLS

February 7, 2014

WRITTEN TESTIMONY TO THE HOUSE COMMITTEE ON WATER AND LAND

By

Walter F. Thoemmes
Kamehameha Schools

Hearing Date: February 8, 2014
8:30 a.m. Conference Room 325

To: Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair
Members of the House Committee on Water and Land

**RE: House Bill Nos. 1864 and 1865 Relating to the Hawaii Community Development Authority
(collectively, the “Bills”)**

Kamehameha Schools submits the following testimony objecting to the above listed Bills:

KS has spent years and valuable resources to help the State begin to realize its goal of a planned live-work-play urban community, as embodied in Kaka`ako’s Mauka Area Rules initially adopted in 1982. KS’ legacy lands covered by the Kaiāulu `O Kaka`ako Master Plan (the “Master Plan”) are a vital part of realizing this goal. KS, its developers, the labor industry, and Honolulu residents waiting in long lines for the opportunity to purchase a home in this urban core see this urban community finally becoming a reality.

There is reason for the unprecedented momentum for Kaka`ako projects. Although solving residential housing solutions through the revitalization of deteriorating urban areas has been prioritized by the State government since 1976, we are poised at a rare crossroads where the economy, the public, developers, lenders, investors, the labor industry, and area stakeholders have aligned. Like the embers of a new fire, the birth and development of a community is complex, and requires both a long-term commitment and momentum to carry us forward.

The current momentum is the product of the community’s recognition of this unique timing and a re-affirmation that the Master Plan provides the framework necessary to fulfill the community’s needs. If we fail to recognize that the Master Plan is the product of input from all parts of the community, we risk cutting off the momentum built on years of careful planning and study. The wishes of early entrants to maintain the status-quo must be balanced against the thousands of residents who will benefit now and for years to come by fulfillment of the Master Plan. This neighborhood is envisioned as a place for kama`aina to live. We must take advantage of this momentum and the balanced planning afforded by the

Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair
Members of the House Committee on Water and Land
Testimony relating to House Bill Nos. 1864 and 1865 Relating to the Hawaii Community Development Authority
February 7, 2014
Page 2

Master Plan to effect this vision. Once the momentum is lost, we may not have another opportunity in the future.

The repeal of the Hawaii Community Development Authority (“HCDA”) or a one-year moratorium on HCDA’s approval authority of any plans or proposals for development in the Kakaako Community Development District would have long-term negative impacts on both employment opportunities and much needed housing opportunities for our kama`aina.

Thank you for this opportunity to express our opposition to these Bills.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 9:38 PM
To: waltestimony
Cc: eddiejohnson@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Eddie Johnson	Individual	Support	Yes

Comments: : I strongly support HB 1864. HCDA should be repealed. (Reasons: It is not serving the public's best interests. Taxpayer's dollars are being wasted on this agency. The City would do a better job of coordinating Kakaako development. It has a long history of disregarding the public and the Legislature.) I strongly urge you to pass HB 1864 to protect Kakaako.

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lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 9:54 PM
To: waltestimony
Cc: amybugala@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Bugala	Individual	Support	No

Comments: I strongly support HB 1864. HCDA should be repealed. (Reasons: It is not serving the public's best interests. Taxpayer's dollars are being wasted on this agency. The City would do a better job of coordinating Kakaako development. It has a long history of disregarding the public and the Legislature.) I strongly urge you to pass HB 1864 to protect Kakaako.

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HB1864 Relating to HCDA

Aloha Members of the Committee on Water and Land,

I support the bill to repeal HCDA. As an agency set up prior to my birth year, in this new century and in this modern day, the purpose and intent of the agency is no longer needed or justifiable. The demand and interest for good residential and mixed-use projects, parks, and open spaces can be met, and continue to be done, without HCDA's customized government authority and governor selected approval board.

Over HCDAs 38 years of existence, Honolulu has grown and developed tremendously. Comparing areas of Kakaako to other communities - in terms of economic health, community engagement, and diversity of residential opportunities, it is obvious that Kakaako can and will do better without a "special" state agency leading the way.

With its own layer of plans and rules, HCDA lacks a transparent and consistent standard to achieve its intended purpose. Its decision making process/thinking, rationale for variance approvals, and openness to developer partnerships is unclear to the public and does not serve the public's best interest. The area should be returned to City jurisdiction, and perhaps allowing HCDA staff members to become part of the City's Agencies and Departments.

Thank you for your time,

Tricia Dang

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 11:21 PM
To: waltestimony
Cc: barb@punapono.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Barb Cuttance	Individual	Support	No

Comments: Thank you for the opportunity to submit testimony on HB1864. I strongly support HB1864 for the following reasons: * HCDA acts adversely to and independently from established state and county planning and zoning laws and policies. · HCDA ignores public testimony and community needs. · HCDA avoids infrastructure carrying capacity concerns relating to needed schools, public park open space, sewer improvements, water supply and road capacity required to support their favored ultra-high-density skysrise developments. · HCDA engages in “exclusive negotiations” with offshore corporations to reserve public waterfront and shoreline park open space for private enterprises. · HCDA is rapidly chiseling away our treasured parks, historic sites, significant view planes and traditional fishing harbor uses by not adhering to their governing law that mandates: Ø Historic sites and culturally significant facilities, settings, or locations shall be preserved; Ø Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved. Please pass this important bill. The future of Hawaii depends on it. Barbara Cuttance 14/266 Papaya Farms Road Pahoa Hi 96778

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 11:33 PM
To: waltestimony
Cc: candychoi68@gmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/6/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Candy Choi	Individual	Support	No

Comments:

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Sent: Friday, February 07, 2014 12:17 AM
To: waltestimony
Cc: naldajw@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
jw nalda	Individual	Support	No

Comments: · HCDA acts adversely to and independently from established state and county planning and zoning laws and policies. · HCDA ignores public testimony and community needs. · HCDA avoids infrastructure carrying capacity concerns relating to needed schools, public park open space, sewer improvements, water supply and road capacity required to support their favored ultra-high-density skysrise developments. · HCDA engages in “exclusive negotiations” with offshore corporations to reserve public waterfront and shoreline park open space for private enterprises. · HCDA is rapidly chiseling away our treasured parks, historic sites, significant view planes and traditional fishing harbor uses by not adhering to their governing law that mandates: Ø Historic sites and culturally significant facilities, settings, or locations shall be preserved; Ø Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved. HCDA has demonstrated that they have failed to act i n the public interest and have betrayed the public trust, and that this will never change.

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Testimony in Strong Support of HB 1864

COMMITTEE ON WATER & LAND

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair

Rep. Ty J.K. Cullen	Rep. Calvin K.Y. Say
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Rep. Chris Lee	Rep. Richard Lee Fale
Rep. Nicole E. Lowen	

NOTICE OF HEARING

DATE: Saturday, February 08, 2014
TIME: 9:00 am
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

I strongly support HB 1864 to support the repeal of the Hawaii Community Development Authority as also provided in companion bill SB3030, which was introduced in the 2014 Legislature.

My name is Wayne Takamine and I participated in the creation and approval of the Kaka'ako Makai Master Plan as the Chair of the Kaka'ako Makai Community Planning Advisory Council (CPAC). Supporters of the Kaka'ako Makai Conceptual Master Plan and community developed Vision and Guiding Principles are appalled by the actions of the Hawaii Community Development Authority (HCDA) that includes commercial development in Gateway Park, Waterfront Park and the Kewalo Basin. This includes commercial development projects proposed by the HCDA executive Director including:

- 9.4 acres of land for 25 years lease of Waterfront Park for a commercial LED light display
- 18,000 sf structure on Gateway Park fronting Ala Moana Blvd for an Art Innovation Center
- Children's Day Care Center in Waterfront Park at the maintenance building site near the new UH Cancer Research Center

- Volleyball Training facility in Gateway Park near the Children's Discovery Center
- A Beach Volleyball Venue near Point Panic and Makai of the Children's Discovery Center
- 23,000 sf structure in Kewalo Basin fronting Ala Moana Blvd and next to Ala Moana Park for a Wedding Chapel, Entertainment Lounge and Multi-Level Parking
- An Italian Restaurant at the Charter Boat Building

The Executive Director described these projects as public private partnerships and for this reason the public will not be able to review much of the details of the lease agreement until it has been signed and approved by the Authority. This is because HCDA is dealing with a private entity with the objective to raise revenue to cover the loss of income property and rents from the Office of Hawaiian Affairs (OHA) Kaka'ako Makai ceded land settlement.

I believe the economic pressures placed on HCDA have seriously compromised their perception for the needs and uses of public parks and recreation in Kaka'ako Makai. This area is treasured Ocean Front open space that is enjoyed by all the residence of Kaka'ako, Honolulu, Oahu, Neighboring islands and visitors.

Our Kaka'ako Makai Master Plan calls for Community Centers and park amenities to create the "Community's Gathering Place." Although HCDA spends \$800,000 to \$1,000,000 in parks maintenance annually, the parks have not been improved to include more picnic tables, pavilions, workout equipment, children's playground equipment, and better public access to the Ewa side of Waterfront Park. There are also many problems that HCDA has failed to resolve including the feral cats and homelessness.

In comparison, the City and County has protected its parks with rule restricting commercial activities that respects the public's need for recreational areas that functions as an needed outlets for people from the pressures created by the rapidly growth in Kaka'ako, Honolulu and the island of Oahu.

In a recent Staradvertiser news article when asked about the parks in Kaka'ako Makai, the HCDA Executive director said, "It doesn't even work now." For this reason, I believe the City and County of Honolulu would be a better caretaker for the maintenance and planning for Hawaii's public parks to meet Honolulu's growing recreational needs. Like Ala Moana Park and Magic Island Park, the parks in Kaka'ako Makai Parks are recreational areas that service the state as a whole and should not be compromised with commercial development. I believe the parks in Kaka'ako and Sand Island should go to the City and County of Honolulu.

I have followed Kaka'ako development projects and I am not happy with the decision making process of the authority. I have seen the frustration created at condominium public hearings where organized construction development supporters come early with meals tickets, parking passes and refreshments while Kaka'ako residents wait standing for hours to give 3 minutes of testimony to a 9 member board with 2 vacancies. With 4 agenda meeting days that includes highly controversial condominium proposals with numerous testifiers, I have waited on 2 occasions over 3 hours for the HCDA Kaka'ako Meeting to

start only to see the board go into executive session. Many people that intended to participant in these meeting had to leave. I have also attended most of the HCDA Kaka'ako Community briefings only to be surprised by agendas with new projects and action items scheduled with little previously disclosed information. In the past, HCDA would present new projects and have decision making in the following meeting. Once there was a Special HCDA Meeting mid-month with 6 days-notice and again new undisclosed projects and action items. This meeting followed a highly contested Condominium hearing and was about 3 hours late and again many people were not able to stay.

HB 1864 is the community's demand for more transparency, appropriate planning and a better public decision process. These projects are long lasting that will last for generations. As we are responsible citizens of this island community we are demand changes be made.

I strongly urge your support in adopting HB 1864.

Respectfully,

Wayne Takamine

Photo: HCDA Kaka'ako Meeting 12-4-2013 Scheduled for 11:00 am, Started 2:23 pm



lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 5:33 AM
To: waltestimony
Cc: ARosanoff@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Rosanoff	Individual	Support	No

Comments: Dear Members of WAL: I support, strongly, HB1864. It is truly important for Hawaii that we retain our best community development in a localized way, taking in true and full consideration of local communities' input into all our future development. These are the people who live there, who work there, who know each local area best. They drive the streets daily, go to the stores, schools, post offices, recreational areas etc. on a daily basis, and they have a perspective that cannot be attained at the State Level, no matter how good the research. It is best that this "local intelligence re: development" be handled by counties of Hawaii rather than a state agency that can never truly consider the local nuance necessary for positive, sustainable development of our unique communities which are a draw to all the world. Best to undo the State's agency for local community development, Hawaii Community Development Authority. Please YES to HB1864. It is a good bill for Hawaii.

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 6:17 AM
To: waltestimony
Cc: katc31999@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Katarina Culina	Individual	Support	No

Comments: Aloha WL Committee Chair, Vice Chair and Members, I write in support of HB 1864. HCDA has taken a role of PLDC that was effectively refused by the people of Hawaii. Please respect the voice of communities and repeal Hawaii Community Development Authority (HCDA) to rightfully transfer planning, zoning and development functions to the counties. Mahalo, Katarina Culina P.O. box 2142 Pahoa, HI, 96778

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 7:23 AM
To: waltestimony
Cc: hilobliss@yahoo.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
joy cash	Individual	Support	No

Comments:

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My name is Jackie Scott and I strongly support the abolishment of the HCDA. Being a small business and property owner in Kakaako for over 50 years one expects to see change. The HCDA was formed to make sure the change was in the best interest of the community and they have failed drastically. It is very apparent that for some reason Kakaako has been “given” to the developers and a few people are going to make a lot of money at the expense of the community. To see the sky you will have to look straight up. Forget seeing any trees, ocean and mountain ranges. Driving down Pensacola we used to see sky and trees. Now it is just tall glass monoliths. Anyone who lives or works in Kakaako knows the infrastructure is not there although the mayor says differently.

It is bad enough that an unsightly elevated rail is coming through there. Compounding the problem with over sized buildings that will block out the sun, breezes, view plains, etc., is a travesty. Please don't allow the HCDA to continue. They have never met a developer they didn't like.

Jackie Scott

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 7:48 AM
To: waltestimony
Cc: luellacrutcher@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Luella Nohea Crutcher	Individual	Support	No

Comments: I, Luella Nohea Chang Crutcher, support HB 1864. The kuleana on each island, belongs to the people living on that particular island. They know their island and it is their right and their kuleana to say what happens to their island. Mahalo for this bill that supports each island in taking care of their kuleana Nohea Crutcher

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HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



KAKA
KALAELOA

Neil Abercrombie
Governor

Brian Lee
Chairperson

Anthony J. H. Ching
Executive Director

461 Cooke Street
Honolulu, Hawaii
96813

Telephone
(808) 594-0300

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Web site
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STATEMENT OF
ANTHONY J. H. CHING, EXECUTIVE DIRECTOR
HAWAII COMMUNITY DEVELOPMENT AUTHORITY
BEFORE THE
SENATE COMMITTEE ON WATER & LAND

ON

Saturday, February 8, 2014

8:30 A.M.

State Capitol, Conference Room 325

in consideration of

**H. B. 1864 – RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY.**

Purpose: Repeals the agency. Establishes a one year transition period and work group to address transition issues. Also transfers staff to the Department of Business and Economic Development.

Position: As the HCDA is the creation of the State Legislature, I offer the following comments. I also note that as the Authority has not taken a position on this proposal, this testimony reflects my own position.

The State Legislature established the HCDA to address unmet needs (quoting from §206E-1 Findings and Purpose) including:

- A lack of suitable affordable housing
- Insufficient commercial and industrial facilities for rent
- Residential areas which do not have facilities necessary for basic liveability, such as parks and open space
- Areas that are planned for a mix of uses.

Testimony reflects the view and position of the Executive Director and not that of the Authority.

Past and current history of the agency shows that it strives to meet and in fact has delivered on the goals set by the Legislature.

Each year, our state needs approximately 5,700 new housing units to meet the demands of our growing population. Without constructing sufficient housing units to meet this demand, our youth, their energy and innovation will be obliged to move elsewhere. The HCDA in permitting the construction of 3,986 units in the next 2-5 years is a “part of the solution” and not a “part of the problem.”

Since 1984, 2137 units of new qualified income/affordable housing has been constructed by the HCDA and market partners. With the expected construction of an additional 2,158 qualified income/affordable housing units in the next 2-5 years, 41% of all units (4,295 qualified income/affordable vs. 6,159 market units) in the entire Kakaako Community Development District will be for qualified income/workforce families.

Rules have been established specifically for the neighborhood in Kakaako (Central Kakaako) known for its commercial and light industrial activities to preserve its unique character. These rules specifically allow the unique frontage types (no curb and gutter, customer/tenant parking in the frontages, no setbacks) that have been historically observed and requested by these small businesses. In addition, on-site parking requirements have been waived to allow these small businesses to determine how best to use their holdings.

Past and current rules emphasize the mix of uses and most recently have produced the SALT commercial and affordable rental units at 680 Ala Moana Boulevard. The construction of the JABSOM and the UH Cancer Center on HCDA lands are examples of how state agencies, when working in coordination with legislative direction and appropriation, have brought jobs, education and research to the area.

With the appropriation by the State Legislature of CIP funds, the HCDA has constructed over \$200M worth of roadway and utility infrastructure that have

allowed the State and private landowners to breathe new life into an underutilized area.

In 2010, the Kolowalu Park was dedicated for community use. It was the latest park constructed by the HCDA to enhance the livability of the area. The total amount of park lands in the Kakaako district, constructed and maintained by the HCDA, is approximately 50 acres.

These results were the work of an agency that, except for the appropriation of \$1.855M to cover the costs of 19 of its 23 staff, does not rely on general fund appropriation to cover its operating cost.

Each year, the HCDA covers the \$1M cost of operating and maintaining the Kolowalu, Kakaako Waterfront, Gateway and Kewalo Basin Parks through its stewardship of its assets and administering zoning rules for its three community development districts.

Shared Vision – HCDA has been doing the work of developing “community” and “place” as directed by the State Legislature. The current boom in activity is a product of favorable market conditions (availability of financing), pent up and growing demand for all manners of units (qualified income, market and luxury), landowner initiative and existing entitlement (90 acres of the 400 mauka acres are vested under master plan permits). Most importantly, our young people are looking for opportunity and hope for the future.

Part of the Solution. Besides administering zoning rules that promote community and place, developing/refining/executing community development plans and stewarding state assets, the HCDA has established and funded creative job training, beautification and deposit matching programs to give the homeless population a “hand up vs. hand out” instead of relying on other social service agencies or community non-profits to carry out their mission.

Technical Issues. The proposal does not give guidance as to the following issues that include, but are not limited to:

- What entity will bear responsibility for maintaining the state parks currently operated and maintained by the HCDA?
- Who will administer the existing vested master plan permit entitlements granted by the HCDA?
- Given the abolishment of their current duties, what function will the transferred employees perform at DBEDT?
- Where will the funding for the employee positions to be transferred to DBEDT be found?

Thank you for the opportunity to comment on this proposal.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 8:06 AM
To: waltestimony
Cc: aipohaku@hotmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Vince Kana`i Dodge	Individual	Support	No

Comments: Aloha committee members, I am writing in strong support of HB1864. House Bill 1864 repeals the Hawaii Community Development Authority (HCDA) and rightfully transfers HCDA's planning, zoning and development functions to the counties. HCDA acts adversely to and independently from established state and county planning and zoning laws and policies. HCDA ignores public testimony and community needs. HCDA avoids infrastructure carrying capacity concerns relating to needed schools, public park open space, sewer improvements, water supply and road capacity required to support their favored ultra-high-density skyrise developments. HCDA engages in "exclusive negotiations" with offshore corporations to reserve public waterfront and shoreline park open space for private enterprises. HCDA is rapidly chiseling away our treasured parks, historic sites, significant view planes and traditional fishing harbor uses by not adhering to their governing law that mandates: Historic sites and culturally significant facilities, settings, or locations shall be preserved; Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved. HCDA has demonstrated that they have failed to act in the public interest and have betrayed the public trust. Pass HB1864 and reserve our public trust. mahalo nui, Vince Kanai Dodge

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Sent: Friday, February 07, 2014 8:21 AM
To: waltestimony
Cc: joshmori@hotmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
josh mori	Individual	Support	No

Comments: Give the power back to the communities because they are the ones that know the needs of their ahupua'a and moku. Supporting this bill will not weaken the state but will strengthen us and give us the chance to empower our people rather than those of large off-island corporate needs. Mahalo for supporting this bill! Josh Mori from Kekaha.

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To: waltestimony
Cc: ablukens@yahoo.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Lukens	Individual	Support	No

Comments:

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A'ohe hana nui ka alu'ia
"No Task Is Too Big When Done Together By All"

HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

735 Bishop Street, Suite 412 * Honolulu, Hawaii 96813
(808) 524-2249 - FAX (808) 524-6893

KIKA G. BUKOSKI
Executive Director

February 7, 2014

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VAUGHN CHONG
Roofers, Waterproofers & Allied
Workers United Union of Roofer
Local 221

Honorable Representative Cindy Evans, Chair
Honorable Representative Nicole Lowen, Vice Chair
Members of the Committee on Water and Land
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: **IN OPPOSITION** TO HB1864 RELATING TO HCDA
Hearing: Saturday, February 8, 2014, 8:30 a.m. Conference Room 325

Honorable Chair, Vice Chair and Committee Members;

The Hawaii Building & Construction Trades Council, AFL-CIO is a chartered member of the Building and Construction Trades Department, AFL-CIO which was first organized in 1908 and comprised of 16 out of 17 construction trade unions with 386 state, local and provincial councils in the United States and Canada and an estimated 15,000 members locally. Our primary mission being to provide employment opportunities and living wages for many of Hawaii's working men and women in the construction industry.

The Council respectfully OPPOSES HB1864, which repeals the Hawaii Community Development Authority.

The Hawaii Community Development Authority was created in 1976 by the State Legislature to plan future developments of underutilized urban areas in Hawaii. In an effort to balance the increasing challenges of urban sprawl, preserving open space, promoting local agriculture, planning for future growth, and reinvigorating and maximizing high density urban core areas, HCDA has risen to that challenge and the charge given them over three decades ago.

We understand and appreciate that not all will agree with change, especially when it might directly and adversely impact individuals, but sometimes change is necessary in order to evolve and adapt for continued growth and sustainability.

HCDA is not just a single community's issue. It's an island wide issue and a piece of a larger "General" Plan that includes Ewa (Kalaeloa) and Windward (Ko'olaupoko) O'ahu. It's an island wide initiative to direct smart growth concepts to certain areas of the island for certain area specific reasons in order to maximize the efficiencies and deficiencies of the area and improve on what's currently there.

Infrastructure, roadways, modes of travel, maximizing and reinvigorating existing footprint, economic opportunity, quality of life...although just a few, these are all part of the overall plan to improve O'ahu.

The provisions in HB1864 contravene the stated intent and purpose of HCDA as envisioned in 1976. It took great vision and courage to adopt such forward thinking legislation over three decades ago.

It takes even greater vision, coupled with perseverance, resolve, commitment and fortitude to 'realize' that vision and "stay the course"

A known philosopher-poet, Ralph Waldo Emerson once quoted,

"Whatever course you decide upon, there is always someone to tell you that you are ...

There are always difficulties arising that tempt you to believe that your critics are right...

To map out a course of action and follow it to an end requires courage."

This is not 'just' about jobs, this is not just about one community, or one or two individuals, this about recognizing the possibilities (HCDA) before us, identifying and evaluating all of the variable externalities, concerns and considerations; applying the best methods of sustainable planning available today and plotting a 'course' for O'ahu's future...the kind of future we would want to pass on to our next generation.

We urge you to reconsider this measure and allow the Hawaii Community Development Corporation to realize the vision of a "Better O'ahu".

Thank you for the opportunity to provide comments in opposition to HB1864.

A'ohe hana nui ka alu'ia
"No Task Is Too Big When Done Together By All"

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 9:04 AM
To: waltestimony
Cc: fernrosenstiel@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Fern Rosenstiel	Individual	Support	No

Comments: In STRONG SUPPORT of this bill! Mahalo!!

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Sent: Friday, February 07, 2014 9:07 AM
To: waltestimony
Cc: lucialyou@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lucia You	Individual	Support	No

Comments: Dear Representatives, I strongly support HB 1864 as it repeals Act 153-HCDA. HCDA is extremely problematic as it is anti-home rule, the right of each county to govern itself, because once an area is declared a community development district, county planning and zoning no longer apply. Governed by HCDA, each community development district has its own zoning, planning and development rules and powers. HCDA is exempt from county planning, zoning, and permit processes HCDA has a shorter process for approving development than the county processes HCDA is not accountable to anyone, even those who live in or around the Kakaako and Kalaeloa (former Barbers Point) community development districts, which are governed by HCDA Please stand with the best interests of the people you have been elected to represent, not the profits being accumulated through unsustainable and unethical development. We must change our focus and priorities. Respectfully, Lucia You Kailua, HI. 96734

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To: waltestimony
Cc: aycockburr@aol.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Virginia Aycock	Individual	Support	No

Comments: Dear Representatives, I wholeheartedly support this bill and request that you pass it. I humbly believe Oahu would be better off without an appointed body having so much power. HCDA board members were not elected by the people and they are far too removed from legislative oversight! Please abolish HCDA. Thank you for passing this legislation.

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Sent: Friday, February 07, 2014 9:51 AM
To: waltestimony
Cc: CLSKWOCK@GMAIL.COM
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
CHU LAN SHUBERT-KWOCK	Individual	Support	No

Comments:

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To: waltestimony
Cc: skaye@runbox.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
sally kaye	Individual	Support	No

Comments:

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To: waltestimony
Cc: ponosize@hotmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Pono Kealoha	Individual	Support	No

Comments:

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February 8, 2014

The Honorable Cindy Evans, Chair
House Committee on Water & Land
State Capitol, Room 325
Honolulu, Hawaii 96813

RE: H.B. 1864, Relating to the Hawaii Community Development Authority

HEARING: Saturday, February 8, 2014, at 8:30 a.m.

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

I am Myoung Oh, Government Affairs Director, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 8,300 members. HAR **offers comments** on H.B. 1864 that repeals the Hawaii Community Development Authority.

Kakaako has long been envisioned by state planners to become a dense piece of Honolulu's urban core. In 1976 the Legislature recognized the lack of timely revitalization of underutilized urban communities in the State, and determined that a new concept of urban planning and redevelopment was needed to supplement traditional methods. Therefore, the legislature created the Hawaii Community Development Authority.

HAR defers policy decisions with policy makers but we note the realities of supply and demand and lack of decent and affordable housing for all income levels.

Hawaii needs 5,000 new housing units each year for children who grow up, and that's before talking about high-end investors. Oahu needs, on top of the 3,500 new units annually in the next several decades for new households, at least another 15,000 new units to make up for the shortfall just in the 21st century to date. Essentially, low production, low inventory, accelerating home price appreciation, and a potential for \$1 million median Oahu single-family existing home sales price could be just around the corner.

Homebuilding hasn't exceeded 2% of Oahu's housing stock since the 1970s tightening of land use laws and zoning ordinances and the rise of development prohibition, moratoriums and NIMBY. Hawaii DBEDT Chief Economist Dr. Eugene Tian estimates that about 1% of the existing Oahu housing stock must be built annually to accommodate new household formation from population growth

It is in the best interests of REALTOR®, our fiduciary clients, and the community to have a vigorous, heterogeneous housing market with housing availability across the price spectrum and across space. The affordable housing debate should be broadened to encompass zoning reform, not just public or subsidized construction programs.

Evidence may suggest that zoning is responsible for high housing costs, which means that if we are thinking about lower housing prices, we should begin with reforming the barriers to new construction in the private sector.

Economic data shows we have greater housing demand than supply, from affordable to luxury residential divisions of the market. We support national smart growth guidelines and "Live, Work, Play" designs: thoughtful design details for neighborhoods to become more sustainable, hoping to alleviate traffic and create communities where people have a "sense of place."

Whether HCDA exists or not, there is a critical need for efficiency and superbowl teamwork and cooperation, from State & City planning departments. Timing is crucial for buyers, developers and our economy which all could benefit with market conditions today. When the market moves robustly the State, City and tax revenue should also benefit.

Mahalo for the opportunity to offer comments on this measure.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 10:34 AM
To: waltestimony
Cc: norris@aktivix.org
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Norris Thomlinson	Individual	Support	No

Comments: I strongly support eliminating the HCDA. The HCDA has shown itself aligned with developers over community. Please pass this bill. Mahalo!

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To: waltestimony
Cc: vsc@hawaiiantel.net
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Cannon	Individual	Support	No

Comments: We strongly support the repeal of the HCDA. HCDA has gotten so far away from its original intent ie low income housing, parks and open spaces, and renewing underdeveloped or blighted areas that it needs to go. There is no community oversight, the board is out of control. It needs to go. Victoria and Trudy Cannon

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Sent: Friday, February 07, 2014 11:09 AM
To: waltestimony
Cc: lindalegrande2243@gmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Legrande	Individual	Support	No

Comments:

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Sent: Friday, February 07, 2014 11:24 AM
To: waltestimony
Cc: ralpheburr@aol.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ralph E. Burr	Individual	Support	No

Comments: Dear Representative, Though I've submitted testimony on several bills regarding HCDA and development in Kaka'ako, this is my favorite; and this is a bill I hope you will pass! Thank you.
Ralph E. Burr

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Testimony of
Eva Gallegos
Before the House Committee on Water and Land
Saturday, February 8, 2014
House Bill 1864: Repeal the Hawaii Community Development Authority

Aloha, My name is Eva Gallegos. I am a resident of Kaka'ako. My testimony is in support for repealing the establishment of HCDA.

Based on my experience, observation and understanding of their purpose, it appears that this State Agency is suffering from 'group think', causing them to lose sight of community values, despite the fact that other beneficial actions can be agreed upon and implemented.

HCDA was established in 1976, and has been working on revitalizing Kaka'ako for 37 years. They started out on the right track by working on the Waterfront area in the 1990's, but now there seems to be a rush to construct more and more high rise housing units, regardless of the concerns and wellbeing of both the current residents and incoming residents.

I am a professional nurse, not an expert in "community building", but I do have 33 years of adult life experience and living in overcrowded cities. I did my homework and found out what it takes to be a healthy and thriving community and I believe HCDA is sacrificing community values in order to accommodate wealthy building developers.

I testified at the office of HCDA, along with many other concerned residents, opposing the construction of a second tower at 801 South Street. I am confident that a second tower will cause overcrowding on one city block. I voiced my concerns about the impact overcrowding will have on access to emergent health care. I pointed out the questionable infrastructure in our area, that Kaka'ako schools are at capacity, the lack of super markets, open park spaces, and the long wait times in the emergency room at the nearest hospital, traffic congestion and its impact on ambulance transit routes and the lack of other needed community social services. Yet, HCDA unanimously voted to approve this project.

I will spare you the details of the negative impact overcrowding has on everyone's wellbeing, but I will say this, building 4 towers on 1/2 of city block is just bad urban planning for Kaka'ako. This is only one example of the disregard the HCDA board members has shown the public. There are plenty of other residents who share in my opinion. There are plenty of other examples of how HCDA has taken their authority to the extreme and making independent decisions without regard for the public's wellbeing.

The mission of HCDA for Kaka'ako is to ensure the transformation of the District into a dynamic urban neighborhood that will accommodate a mix of people with a wide spectrum of social and business activities, this can be achieved by the City of Honolulu.

There is no need for a separate group of planners and developers who have gone beyond traditional urban renewal methods to the point of abuse in their authoritative role. I believe and support revitalizing Kaka'ako can be achieved under an American democratic process with appropriate input from the people. Please pass HB1864.

Testimony for the
House Committee on Water & Land
Saturday, 0830 hrs, February 8, 2014
House Bill 1864
Relating to the Hawaii Community Development Authority (HCDA)

Chairperson Evans and Members of the Committee on Water and Land

My name is Grace Ishihara and I am a resident of Kakaako. Thank you giving me this opportunity to submit a testimony.

I strongly support HB 1864 to repeal the HCDA.

I have experienced firsthand on how HCDA operates. They have these hearings to “engage” the community to listen to their concerns. My impression is that HCDA conducts these hearings just to check the box that says “YES WE ENGAGED THE COMMUNITY AND LISTENED TO WHAT THEY HAD TO SAY,” and there is no doubt that they did that. The Executive Director meticulously took down each of our comments and came back with answers which I thought were excuses to benefit the developer and to support HCDA’s approval of the project. They twisted our words to make it sound like we were not making correct statements. It made me feel like I was on the stand and being questioned about the validity of my comments. I’m sure that everyone who testified in opposition to any of the proposed developments will all agree with me.

Despite the communities concerns, they approved 801 South Street Tower B. It took the community members to find and point out the discrepancies in the plans for the Tower B 801 South project. We are not planners, and we are not professionals of the trade. Isn’t it HCDA’s job to ensure that the plans are reviewed? Or did they not see any discrepancies in the projects because it was already a done deal before the hearings?

Why isn’t HCDA following the Mauka Area Rules that they established? What happened to the plan of having low and moderate income housing located in residential and mixed-use areas with sufficient public facilities and services?

I’ve recently been informed that the “801 South Street Tower B” will be using a “605 Kapiolani Blvd” address. I think the developers are doing this because of all the controversy in the media about Tower B. They will advertise the condominium as 605 Kapiolani. I think this is fraud.

I feel that if I wanted to live in a crowded place like Waikiki or downtown, I would have purchased my residence there. However, I wanted to avoid living in a crowded place so I chose to buy in Kakaako. I worked in Japan as a Federal worker for many years and also deployed to Afghanistan. My realtor worked with me for 4 years before we were able to find my very first place that I could call home. I truly hate to see it turning into another Waikiki or downtown, or even worse – Tokyo or Manhattan.

Grace Ishihara
ue-wale0903@hotmail.com

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 12:50 PM
To: waltestimony
Cc: jkmurata@hawaii.rr.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Murata	Individual	Oppose	No

Comments: Chair Evans, Vice Chair Lowen and members of the Committee: I am testifying in strong opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA). There are many people that do not understand the important role that HCDA plays in the future of Kakaako and Hawaii. HCDA has many responsibilities and in spite of limited staff and resources it does extremely well to serve our community. Their job is difficult and thankless. Processing permit applications and balancing public hearings is not an easy task. The board members are volunteers and staff goes the extra distance to help the community. With that, I am very concerned with your upcoming hearing on HB 1864 which repeals the Hawaii Community Development Authority. Development is a part change and change is important for the future. Without it, what do we have for our youth? We must do all that we can to support positive growth and change into the next century, which includes allowing departments like HCDA to continue to process new developments to be built and supporting those that are trying to make it happen. Development is going to happen. Development must happen. Hawaii's economy must keep growing. I kindly ask that you support me and many others in Honolulu to look to the future, and support HCDA, its people and its mission to carry out its purpose to create turn Kakaako into a vibrant urban community for our youth and Hawaii's future. Thank you for the opportunity to testify in strong opposition to HB 1864.

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Hawai'i Construction Alliance

P.O. Box 179441
Honolulu, HI 96817
(808) 348-8885

February 7, 2014

The Honorable Cindy Evans, Chair
The Honorable Nicole E. Lowen, Vice Chair
and Members
Committee on Water and Land
Hawai'i State House of Representatives
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Strong Opposition to HB1864

Dear Chair Evans, Vice Chair Lowen, and members of the committee:

The Hawai'i Construction Alliance would like to express its strong opposition to HB1864, which seeks to repeal the Hawai'i Community Development Authority.

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Hawai'i Masons Union, Local 1 and Local 630; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the four member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the four basic crafts of Hawai'i's construction industry.

In 1976, the State Legislature established the Hawai'i Community Development Authority ("HCDA") as a new agency "to join the strengths of private enterprise, public development and regulation into a new form capable of long-range planning and implementation of improved community development." (HRS §206E-1).

Over the past three decades, HCDA has proceeded in pursuing this goal, and as a result, a number of beneficial projects have been brought to fruition including residential projects like One Waterfront Tower, Royal Capitol Plaza, and Kauhale Kaka'ako; commercial spaces like Ward Villages, the shops at 680 Ala Moana, and the retail shops within Imperial Plaza; and community amenities like the Kaka'ako Waterfront Park, the John A. Burns School of Medicine, and the Children's Discovery Center. In addition, HCDA has delivered many millions of dollars of important infrastructure improvements that current residents, business owners, and visitors to Kaka'ako enjoy today.

At this very moment, HCDA continues to work on its mission of transforming Kaka‘ako into a place where the next generation of local residents can live, work, play, and raise families. Hundreds of our members are currently at work on projects to realize the full vision and potential of the Kaka‘ako area, and we are proud to play a role in this exciting process of ongoing community renewal.

The repeal of HCDA would thwart this transformation, which has already been underway for the past three decades. In a best case scenario, there would be delays in delivering housing for Hawai‘i families, jobs for local workers, and public facilities in the area; in a worst case scenario, none of these benefits would ever come to pass due to the air of uncertainty a repeal would create.

We respectfully urge your committee to defer this bill, and instead examine policies which will constructively improve HCDA’s processes, ensure accountability, and inspire public confidence.

Mahalo,

A handwritten signature in black ink that reads "Tyler Dos Santos-Tam". The signature is fluid and cursive, with the first name "Tyler" being the most prominent.

Tyler Dos Santos-Tam
Executive Director
Hawai‘i Construction Alliance
execdir@hawaiiconstructionalliance.org

**HAWAII OPERATING ENGINEERS
INDUSTRY STABILIZATION FUND**



*Uniting our strengths and working together
for a better tomorrow.*

Affiliated AFL-CIO
OPEIU - 3 - AFL-CIO (3)

February 6, 2014

TO: The Honorable Cindy Evans, Chair
The Honorable Nicole E. Lowen, Vice Chair and
Members of the House Committee on Water & Land

Date: February 08, 2014
Time: 8:30 a.m.
Place: Conference Room 325, State Capitol

FROM: Kimberly Ribellia, Government Liaison
Hawaii Operating Engineers Industry Stabilization Fund

RE: Opposition of House Bill 1864– Relating to the Hawaii Community Development
Authority

Good Morning, my name is Kimberly Ribellia, Government Liaison, of the Hawaii Operating Engineers Industry Stabilization Fund (HOEISF), a labor management fund representing 4000 unionized members in heavy engineering site work and 500 general contractors specializing in heavy site and vertical construction.

On behalf of Stabilization fund, I would like to state our **strong opposition** of House Bill 1864 which repeals the Hawaii Community Development Authority (HCDA).

The repeal of HCDA will not address concerns raised by area legislators and residents regarding development within the Kakaako Community Development District. The repeal will also create uncertainty on the status of projects that have received approval and would most likely result in the collapse of future development projects focused on providing workforce and senior housing.

Again, the stabilization fund strongly opposes the passage of House Bill 1864. Thank you for consideration of this matter.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 1:53 PM
To: waltestimony
Cc: daneknish@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Nishimura	Individual	Support	No

Comments: I support this bill: Since it is the City and County of Honolulu which plans, develops, and maintains the infrastructure in Kakaako (roads, sewers, drainage), it makes sense to return jurisdiction of land use and development of this area to the City. This would facilitate better coordination of infrastructure improvements and community development.

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February 7, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Zenn Inouye and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

The HCDA is important for regulating future development in Kakaako. It will make sure that there is a consistent and responsible message and plan for Kakaako. Kakaako is finally starting to have a positive growth within the community and changes would hinder its positive growth and may even cause set backs.

Thank you for the opportunity to testify in opposition to HB 1864.

Zenn Inouye

Testimony of

Anna Filler

Before the House Committee on Water and Land

Saturday February 8, 2014

House Bill 1864: Relating to the Hawaii Community Development Authority

Chairperson Evans and Members of the House Committee on Water and Land:

My name is Anna Filler and I have been a resident of Kaka'ako for the past 25 years.

Thank you for the opportunity to testify on **House Bill 1864**. I support HB 1863 and I support all the House Bills 1860, 1861 and 1863 to 1867 being heard today.

I strongly support HB 1864 because the Hawaii Community Development Authority funds should be repealed because it is not serving the public's best interest. The City & County can do a better job for the development of Kaka'ako.

I agree that shared parking approved before June 30, 2014, provide at least one parking space per unit. I recommend that each resident purchasing an apartment be assigned a permanent parking space that is easily accessible. The electronic parking garage for the 803 Waimanu Street project is not easily accessible and does not plan for one parking space for each unit owner.

I am for workforce housing and agree that the rules comply with shared appreciation and a three (3) year occupancy requirement with transfer restrictions if it is classified as affordable.

I urge you to pass HB 1864 to protect Kaka'ako. Thank you for your time and attention to present my testimony.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

NEIL ABERCROMBIE
GOVERNOR

RICHARD C. LIM
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
RICHARD C. LIM
Director

Department of Business, Economic Development, and Tourism
before the

SENATE COMMITTEE ON WATER & LAND

Saturday, February 8, 2014

8:30 a.m.

State Capitol, Conference Room 325

in consideration of

HB 1864

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

Chair Evans, Vice Chair Lowen and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) offers comments on HB1864, which proposes to repeal the Hawaii Community Development Authority; establishes a one year work group to address transition issues; and transfers the agency staff to DBEDT.

The proposal provides that upon its repeal, the agency staff would be transferred to DBEDT. However, the proposal is silent as to how the positions will be funded and their functions upon transferring to DBEDT. Currently, 19 of the 23 positions are funded on an annual basis as Capitol Improvement Project (CIP) staff and the remaining four positions are funded by the HCDA special fund. In the event this proposal passes, clarification of funding and purpose for the staff to be transferred will need to be addressed.

We defer to HCDA with respect to other provisions of this proposal.

Thank you for the opportunity to offer my comments on this legislative proposal.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 3:16 PM
To: waltestimony
Cc: stimpson@hawaii.rr.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Timpson	Individual	Oppose	No

Comments: I oppose this bill and support the HCDA's master plan as it represents the best possible stewardship and conservancy of our island. Displacing the much needed and planned 18,000 housing units into West Oahu, Central Oahu or the North Shore instead of Kakaako, would require: • Utilities -- miles of sewer lines, water lines, electric lines, cable lines to be installed and maintained • Municipal services - significant numbers of buildings would be needed in terms of schools, offices, court houses, fire departments, police departments, hospitals, etc. etc. etc. • Roads - - additional freeways, highways and streets in new cities and subdivisions • Land -- the entire Ewa plain with 4000 housing units could be accommodated in 10 towers in Kakaako -- we'd have to have 4 Ewa plains to handle the same amount of housing that Kakaako could support • Fuel - More than 40 million gallons of fuel a year would be wasted with 18,000 units coming in to work everyday • Time - 18 million hours a year of added driving time would be wasted • Is there any reason to discuss that supporting housing in Kakaako is the right thing to do? • I oppose this bill and sincerely hope that you oppose it as well.

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 3:19 PM
To: waltestimony
Cc: jtimpson@lava.net
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joyce Timpson	Individual	Oppose	No

Comments: As a condo owner in the Kakaako area I am appalled at how the legislature is willing to bow down to the very few residents and media pressure to stop progress in Kakaako. I have been to dozens of HCDA and Neighborhood board meetings, significantly more than any of you who are sponsoring this bill, and feel that the process is not only fair but thorough. If you were to go to these public meetings you would see for yourself that very few people object to the HCDA and the process. Instead you are listening to the 20 or so individuals who object to only the projects that personally affect them. It's time for the legislature to ask the silent majority what they want. I'm sure they'll vote, as I will, for the legislators who vote for controlled progress and a system that has worked for 30 years. I beg of you to oppose this bill and ridiculous waste of taxpayers money. Mahalo

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Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the House Committees on Water and Land
Saturday, February 8, 2014 at 8:30 A.M.
State Capitol - Conference Room 325**

**RE: ALL HOUSE BILLS ON COMMITTEE ON WATER AND LAND HEARING AGENDA FOR
SATURDAY, FEBRUARY 8, 2014 AT 8:30 A.M.**

Chair Evans and Vice Chair Lowen, and members of the committee:

The Chamber opposes H.B. No.s 1860, 1861, 1863, 1864, 1865, 1866, and 1867.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

We understand that the recent activities in Kakaako have brought attention to the manner in which HCDA oversees redevelopment activities in Kakaako. Consideration should be given to the fact that HCDA was originally established in 1976 to redevelop substantially undeveloped, blighted, or economically depressed areas that are or are potentially in need of renewal, renovation, or improvement to alleviate such conditions as dilapidation, deterioration, age, and other such factors or conditions which make such areas an economic or social liability.

The legislature also found that there exists within the State vast, unmet community development needs. These include, but are not limited to, a lack of suitable affordable housing; insufficient commercial and industrial facilities for rent; residential areas which do not have facilities necessary for basic live-ability, such as parks and open space; and areas which are planned for extensive land allocation to one, rather than mixed uses.

It is further determined that the lack of planning and coordination in such areas has given rise to these community development needs and that existing laws and public and private mechanisms have either proven incapable or inadequate to facilitate timely redevelopment and renewal.

Based on these pressing needs, the legislature created a new and comprehensive authority for community development to join the strengths of private enterprise, public development and regulation into a new form capable of long-range planning and implementation of improved community development. The purpose of Chapter 206E HRS was to establish such a mechanism in the Hawaii community development authority, a public entity which shall determine community development programs and cooperate with private enterprise and the various components of federal, state, and county governments in bringing plans to fruition. For such areas designated as community development districts, the legislature believes that the planning and implementation



Chamber of Commerce HAWAII

The Voice of Business

program of the Hawaii community development authority will result in communities which serve the highest needs and aspirations of Hawaii's people.

After almost 40 years of public investment in infrastructure based on the planned redevelopment of the area, the market conditions are such that private developers are moving forward with a variety of projects in Kakaako. The plans to redevelop Kakaako and the public investment in infrastructure are being realized.

It would be unfortunate if the planned density and the return on investment in infrastructure are not fully realized in Kakaako by allowing full build out. It would also raise legitimate questions on the type of business climate the State is creating if investors and developers have no predictability or certainty when a state agency is overseeing redevelopment efforts. The Chamber does support reasonable increases in time allotments for public input should there be compelling evidence that the public does not have enough time to provide their input.

Thank you for the opportunity to express our views on this matter.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 5:08 PM
To: waltestimony
Cc: slavallee527@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM
Attachments: HB 1864.docx

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Stefan Lavallee	Individual	Support	No

Comments:

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lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 07, 2014 5:19 PM
To: waltestimony
Cc: heather.nishimura@gmail.com
Subject: *Submitted testimony for HB1864 on Feb 8, 2014 08:30AM*

HB1864

Submitted on: 2/7/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Nishimura	Individual	Support	No

Comments:

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Kalani Melvin
1132 Ilikala Place
Kailua, HI 97834
February 6, 2014

Honorable Cindy Evans
Chair, Water & Land Committee
State Capitol
Honolulu, HI 96813

Referring to House Bills 1864 & 1865 in opposition.

Hearing on February 8, 2014 at 8:30 am.

Dear Honorable Cindy Evans:

As a young professional that is a renter, I support the efforts to build affordable workforce housing within the urban core. While I understand the frustration with HCDA, 1864 and 1865 seem to be an overreaction. If given the correct rules and resources, HCDA could still yet fulfill its goals. Clearly there is much interest from developers in the area, and the rail line will only increase that interest. Please defer these bills and focus on improving the existing HCDA.

I thank you for your support.

Sincerely,

Kalani Melvin



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065

BREENE HARIMOTO
Councilmember District VIII
Chair, Committee on Transportation
Telephone: (808) 768-5008
Email: bharimoto@honolulu.gov

February 8, 2014

The Honorable Cindy Evans, Chair
Committee on Water & Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: **House Bill 1860**
Relating to the Hawaii Community Development Authority

Dear Chair Evans and members of the Committee on Water and Land:

As evident by the number and scope of bills introduced by legislators this session, it is abundantly clear that both the public and our elected officials have serious concerns regarding the policies, actions and operations of the Hawaii Community Development Authority. As such, I support the intent of all Bills on your agenda that would create more accountability, oversight, and transparency with respect to the operations and actions of HCDA.

At this time, however, I direct my testimony to **HB 1860**, which proposes amendments to HCDA's public notice and project approval requirements, and also creates an appeal process for HCDA actions and decisions.

I firmly believe that for HCDA to successfully fulfill its public mission, it is essential to fully engage the public and area residents in its actions and decisions. This Bill is a step in the right direction, and will help to ensure the preferred level of public involvement.

I encourage your support of this measure.

Sincerely,

A handwritten signature in black ink that reads "Breene Harimoto". The signature is written in a cursive, flowing style.

Breene Harimoto
Councilmember, District VII



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065

BREENE HARIMOTO
Councilmember District VIII
Chair, Committee on Transportation
Telephone: (808) 768-5008
Email: bharimoto@honolulu.gov

February 8, 2014

The Honorable Cindy Evans, Chair
Committee on Water & Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: House Bill 1861
Relating to the Hawaii Community Development Authority

Dear Chair Evans and members of the Committee on Water and Land:

As evident by the number and scope of bills introduced by legislators this session, it is abundantly clear that both the public and our elected officials have serious concerns regarding the policies, actions and operations of the Hawaii Community Development Authority. As such, I support the intent of all Bills on your agenda that would create more accountability, oversight, and transparency with respect to the operations and actions of HCDA.

At this time, however, I direct my testimony to **HB 1861**, which proposes amendments to HCDA's public notice and project approval requirements, and also creates an appeal process for HCDA actions and decisions.

I firmly believe that for HCDA to successfully fulfill its public mission, it is essential to fully engage the public and area residents in its actions and decisions. This Bill is a step in the right direction, and will help to ensure the preferred level of public involvement.

I encourage your support of this measure.

Sincerely,

A handwritten signature in black ink that reads "Breene Harimoto".

Breene Harimoto
Councilmember, District VII



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065

BREENE HARIMOTO
Councilmember District VIII
Chair, Committee on Transportation
Telephone: (808) 768-5008
Email: bharimoto@honolulu.gov

February 8, 2014

The Honorable Cindy Evans, Chair
Committee on Water & Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: **House Bill 1863**
Relating to the Hawaii Community Development Authority

Dear Chair Evans and members of the Committee on Water and Land:

As evident by the number and scope of bills introduced by legislators this session, it is abundantly clear that both the public and our elected officials have serious concerns regarding the policies, actions and operations of the Hawaii Community Development Authority. As such, I support the intent of all Bills on your agenda that would create more accountability, oversight, and transparency with respect to the operations and actions of HCDA.

At this time, however, I direct my testimony to HB 1863, which establishes some minimum development standards in addition to eliminating its current operating budget.

The public purpose for HCDA to should be create a quality, affordable environment for Hawaii's residents, and not to simply maximize development density. The development standards included in this Bill will help force HCDA to meet that true public propose.

I encourage your support of this measure.

Sincerely,

A handwritten signature in cursive script that reads "Breene Harimoto".

Breene Harimoto
Councilmember, District VII



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065

BREENE HARIMOTO
Councilmember District VIII
Chair, Committee on Transportation
Telephone: (808) 768-5008
Email: bharimoto@honolulu.gov

February 8, 2014

The Honorable Cindy Evans, Chair
Committee on Water & Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: **House Bill 1864**
Relating to the Hawaii Community Development Authority

Dear Chair Evans and members of the Committee on Water and Land:

As evident by the number and scope of bills introduced by legislators this session, it is abundantly clear that both the public and our elected officials have serious concerns regarding the policies, actions and operations of the Hawaii Community Development Authority. As such, I support the intent of all Bills on your agenda that would create more accountability, oversight, and transparency with respect to the operations and actions of HCDA.

At this time, I direct my testimony to HB 1864, which proposes to repeal the Hawaii Community Development Authority.

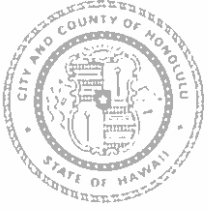
The initial mission of HCDA was to plan and facilitate the redevelopment of the Kakaako area of urban Honolulu. As all areas surrounding Kakaako are under the planning and development jurisdiction of the City & County of Honolulu, HCDA's efforts are essentially duplicative and grossly infringe on County home rule. The City is fully capable of planning and managing the development of the Kakaako area, and for that reason I support the intent of this Bill.

I encourage your favorable consideration of this measure.

Sincerely,

A handwritten signature in black ink that reads "Breene Harimoto". The signature is written in a cursive style with a long horizontal stroke at the end.

Breene Harimoto
Councilmember, District VII



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065

BRENE HARIMOTO
Councilmember District VIII
Chair, Committee on Transportation
Telephone: (808) 768-5008
Email: bharimoto@honolulu.gov

February 8, 2014

The Honorable Cindy Evans, Chair
Committee on Water & Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: House Bill 1865
Relating to the Hawaii Community Development Authority

Dear Chair Evans and members of the Committee on Water and Land:

As evident by the number and scope of bills introduced by legislators this session, it is abundantly clear that both the public and our elected officials have serious concerns regarding the policies, actions and operations of the Hawaii Community Development Authority. As such, I support the intent of all Bills on your agenda that would create more accountability, oversight, and transparency with respect to the operations and actions of HCDA.

At this time, I direct my testimony to **HB 1865**, which proposes a one-year moratorium on the Hawaii Community Development Authority's approval of plans or projects in the Kakaako Community Development District.

Over the past two years, the HCDA has been approving massive development projects at breakneck speed. The impact of those approvals is only now becoming apparent. To assure that Kakaako truly becomes the quality community the public desires, I believe it fully appropriate to put a one-year (or more) pause on any new approvals to give time to assess the impact of previous approvals and re-evaluate HCDA's plans and direction for Kakaako.

I encourage your favorable consideration of this measure.

Sincerely,

A handwritten signature in black ink that reads "Breene Harimoto". The signature is written in a cursive style.

Breene Harimoto
Councilmember, District VII



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065

BREENE HARIMOTO
Councilmember District VIII
Chair, Committee on Transportation
Telephone: (808) 768-5008
Email: bharimoto@honolulu.gov

February 8, 2014

The Honorable Cindy Evans, Chair
Committee on Water & Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: **House Bill 1866**
Relating to the Hawaii Community Development Authority

Dear Chair Evans and members of the Committee on Water and Land:

As evident by the number and scope of bills introduced by legislators this session, it is abundantly clear that both the public and our elected officials have serious concerns regarding the policies, actions and operations of the Hawaii Community Development Authority. As such, I support the intent of all Bills on your agenda that would create more accountability, oversight, and transparency with respect to the operations and actions of HCDA.

At this time, however, I direct my testimony to **HB 1866**, which proposes amendments to the manner in which members are appointed to the HCDA.

For all practical purposes, HCDA is a planning and development authority with sole control over a huge area in the middle of urban Honolulu. That area, however is neither an island nor a silo, it interfaces directly with urban areas on all sides where planning and development regulations are under the control of the City and County of Honolulu. To assure the proper and essential coordination and cooperation between HCDA and the City on matters of land use, transportation and basic public infrastructure, I strongly encourage this Committee to include the City's Director of the Department of Planning and Permitting as a designated voting member of the HCDA.

I firmly believe that including the City's planning director on the Authority will greatly enhance inter-jurisdictional coordination and cooperation, and result in improved planning and development within this greater part of Honolulu.

The Honorable Cindy Evans
February 8, 2014
Page 2

I thank you for your kind attention, and ask for your support of this proposed amendment to the composition and manner of appointment of members to the Hawaii Community Development Authority.

Sincerely,

A handwritten signature in black ink, appearing to read "Breene Harimoto". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Breene Harimoto
Councilmember, District VIII



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065

BREENE HARIMOTO
Councilmember District VIII
Chair, Committee on Transportation
Telephone: (808) 768-5008
Email: bharimoto@honolulu.gov

February 8, 2014

The Honorable Cindy Evans, Chair
Committee on Water & Land
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: House Bill 1867
Relating to the Hawaii Community Development Authority

Dear Chair Evans and members of the Committee on Water and Land:

As evident by the number and scope of bills introduced by legislators this session, it is abundantly clear that both the public and our elected officials have serious concerns regarding the policies, actions and operations of the Hawaii Community Development Authority. As such, I support the intent of all Bills on your agenda that would create more accountability, oversight, and transparency with respect to the operations and actions of HCDA.

At this time, however, I direct my testimony to **HB 1867**, which establishes certain building restrictions and prohibitions.

The public purpose for HCDA should be to create a quality, affordable environment for Hawaii's residents, and not to simply maximize development density. The development restrictions and prohibitions included in this Bill will help HCDA to meet that true public propose.

I encourage your support of this measure.

Sincerely,

A handwritten signature in black ink that reads "Breene Harimoto". The signature is written in a cursive style.

Breene Harimoto
Councilmember, District VII

Testimony Supporting HB 1864
(also HB 1860, HB 1861, HB 1863, HB 1865, HB 1866, HB 1867)
Galen Fox, Kaka'ako United

Chair Evans, Representatives:

I'm Galen Fox and support HB 1864. I identify strongly with the Neil Abercrombie who as state senator, supplied the sole vote against state seizure of 600 of Honolulu's downtown acreage. I also identify strongly with the Neil Abercrombie who as a U.S. congressman said in 2005 that "the best solution is for the Legislature to repeal the act that brought the HCDA into existence and put the authority back with the city."

The city has managed urban development in Honolulu with increasing skill over the decades. It has a planning commission, a building full of civil servants who manage planning, zoning, traffic, sewers, parks, transit operating districts, build bike paths and press for alternatives to vehicle travel, regulate parking, protect trees, insure developers build truly affordable housing, limit building heights, limit building densities, insure view corridors are maintained, and exact impact fees from developers to pay for schools, parks, roads, sewers, beautification, bike paths, and affordable housing, all according to strictly enforced ordinances and rules. HCDA does none of this.

HCDA--and the state--isn't equipped to run effectively an urban core neighborhood. HCDA is in over its head, and that, unfortunately, has been the truth for most of its existence.

We residents suffer. HCDA pays no attention to Kaka'ako businesses or residents, and we in turn have zero leverage over HCDA, which seems to answer to the Governor (a majority of board voting members are hired by the Governor). We would love to have the City Council govern us instead of HCDA, with a representative from our area holding one of nine Council votes.

The "Broken Trust" Bishop Estate board all eventually lost their jobs. It's time for the HCDA "broken trust" to end, and for Kaka'ako to return to the city. Pass HB 1864, unamended. I also support passage of HB 1860, HB 1861, HB 1863, HB 1865, HB 1866, and HB 1867. Mahalo.

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Cailee Awa and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

I am in the process of getting my degree at UH Manoa, and soon will enter the job market. In the next 3-4 years I'd like to buy myself a starter home. Unfortunately the cost of real estate in Hawaii does not afford me to purchase a single family home at this time in an area that I desire to live. I was very pleased to hear about all of the new upcoming condominium developments in Kakaako. My first thought was now I can afford to purchase my first home a condo in Kakaako! It's near work, restaurants, nightlife, the ocean and my family. I can walk or bike everywhere. My friends and I are in Kakaako all the time now. It's where we all want to live. It's going to be a great lifestyle. Please help to support me in repealing HB 1864 and allow development to move forward, so that others like me will have options to purchase their own place and stay in Hawaii.

Thank you for the opportunity to testify in opposition to HB 1864.

Cailee Awa, Student, UH Manoa

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Marcel Chan and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Marcel Chan
Marcelchan59@Yahoo.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Starlie Chinen and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Like many in Honolulu, I am following the development plans and growth in the Kakaako area. I am very concerned with your upcoming hearing on HB 1864 which repeals the Hawaii Community Development Authority. Development is a part of the future and growth for Hawaii, its youth, who are the future and our economy. We must do all that we can to support positive growth and change into the next century, which includes allowing new developments to be built. Development is going to happen. Development must happen. Hawaii's economy must keep growing. I kindly ask that you support me and all kamaaina to look to the future, and support development for our youth and our economy.

Thank you for the opportunity to testify in opposition to HB 1864.

Starlie Chinen
Teacher

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Trisha Tengan and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

I just returned home from getting my degree at Pacific University, and now that I have a job, I'd like to buy myself a starter home. Unfortunately the cost of real estate in Hawaii does not afford me to purchase a single family home at this time in an area that I desire to live. I was very pleased to hear about all of the new upcoming condominium developments in Kakaako. My first thought was now I can afford to purchase my first home a condo in Kakaako! It's near work, restaurants, nightlife, the ocean and my family. I can walk or bike everywhere. My friends and I are in Kakaako all the time now. It's where we all want to live. It's going to be a great lifestyle. Please help to support me in repealing HB 1864 and allow development to move forward, so that others like me will have options to purchase their own place and move back home.

Thank you for the opportunity to testify in opposition to HB 1864.

Trisha Tengan

Testimony Supporting HB 1864
(also HB 1860, HB 1861, HB 1863, HB 1865, HB 1866, HB 1867)
Galen Fox, Kaka'ako United

Chair Evans, Representatives:

I'm Galen Fox and support HB 1864. I identify strongly with the Neil Abercrombie who as state senator, supplied the sole vote against state seizure of 600 of Honolulu's downtown acreage. I also identify strongly with the Neil Abercrombie who as a U.S. congressman said in 2005 that "the best solution is for the Legislature to repeal the act that brought the HCDA into existence and put the authority back with the city."

The city has managed urban development in Honolulu with increasing skill over the decades. It has a planning commission, a building full of civil servants who manage planning, zoning, traffic, sewers, parks, transit operating districts, build bike paths and press for alternatives to vehicle travel, regulate parking, protect trees, insure developers build truly affordable housing, limit building heights, limit building densities, insure view corridors are maintained, and exact impact fees from developers to pay for schools, parks, roads, sewers, beautification, bike paths, and affordable housing, all according to strictly enforced ordinances and rules. HCDA does none of this.

HCDA--and the state--isn't equipped to run effectively an urban core neighborhood. HCDA is in over its head, and that, unfortunately, has been the truth for most of its existence.

We residents suffer. HCDA pays no attention to Kaka'ako businesses or residents, and we in turn have zero leverage over HCDA, which seems to answer to the Governor (a majority of board voting members are hired by the Governor). We would love to have the City Council govern us instead of HCDA, with a representative from our area holding one of nine Council votes.

The "Broken Trust" Bishop Estate board all eventually lost their jobs. It's time for the HCDA "broken trust" to end, and for Kaka'ako to return to the city. Pass HB 1864, unamended. I also support passage of HB 1860, HB 1861, HB 1863, HB 1865, HB 1866, and HB 1867. Mahalo.

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Jonathan Hui and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Jonathan Hui
jhui@gmail.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Stephanie Pham and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Stephanie Pham
Phamstephanie52@gmail.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Anne Hirano and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Anne Hirano
ahirano@gmail.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Helen Chan and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Helen Chan
helenc1@gmail.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Dr. Teri Tan and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Dr. Teri Tan
drteritan@yahoo.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Debra Young and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Debra Young (B)
Help-U-Sell Honolulu Properties
debbyoung@gmail.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Patricia Lee and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Sincerely,

Patricia Lee, CPA
patricialee@btsupport.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Donna Poag and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Thank you for the opportunity to testify in opposition to HB 1864.

Sincerely,

Donna Poag, RA
Ralph S Foulger, Realtor
dpoag@mac.com

February 5, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Melissa Wilkerson and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

For the welfare of the people in Honolulu, the redevelopment of the urban district needs to stay with the HCDA.

Thank you for the opportunity to testify in opposition to HB 1864.

Sincerely,

Melissa Wilkerson
mwilk@hotmail.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Ruth Omoto and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Ruth Omoto, Retired

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Mami Sekiko and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Mami Sekido, Small Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Ross Hiramawa and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Ross Hiramawa, Small Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is James Hirakawa and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

James Hirakawa, Small Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Dawn Hiraakawa and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Dawn Hiraakawa, Grant wrtier Department of Health

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Suzanne Meisenzahl and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Suzanne Meisenzahl, Retired Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Lena Ing and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Lena Ing, Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Mami Minami and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Mami Minami, Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Gail Murakami and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Gail Murakami, Small Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Eric Awa and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Eric Awa, Financial Advisor

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Karen Mayer and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Karen Mayer, Real Estate Agent

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Paul Mayer and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Paul Mayer, Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Rockne Lee and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Rockne Lee, Flight Attendant

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Wei Kung Wang and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Dr. Wei Kung Wang
UH Medical School Professor
wangwk@hawaii.edu.com

February 6, 2014

Rep. Cindy Evans, Chair
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House Committee on Water & Land
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Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Erin Arakaki and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Erin Arakaki
Assistant Manager at Doraku

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Kelsy Kam and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Kelsy Kam
Keiko53@yahoo.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Matt Sasaki and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Matt Sasaki
Manager – Health Systems Relations
Team Praxis
Msasaki@teampraxis.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
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Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Linda Lam and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Linda Lam
Deputy PM for MIPT
Air Force Life Cycle Management Center
laml@stratcom.mil

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
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Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Shawna Lee and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Shawna Lee
Pharmacist Assistant

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Yasmina Taketa and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Yasmina Taketa
Recent Graduate
Hawaii Pacific University

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is David Morisato and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

David Morisato, Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Noriko Tanaka and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Noriko Tanaka, Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 -- 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Scott Villard and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Scott Villard, Real Estate Agent

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Peter Chow and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Dr. Peter Chow
Retired Doctor
Linpetec@aol.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Richard Achuk and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Richard Achuk
Retired Manufacturer

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Giselle Chan and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Giselle Chan
Giselle.t83@gmail.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Edwin Chu and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Edwin Chu
Realtor

February 6, 2014

Rep. Cindy Evans, Chair
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House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Lily Miyashiro and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Lily Miyashiro
Realtor
Lmiyashiro08@gmail.com

February 6, 2014

Rep. Cindy Evans, Chair
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House Committee on Water & Land
415 S. Beretania Street
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Wei Kung Wang and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Dr. Wei Kung Wang
UH Medical School Professor
wangwk@hawaii.edu.com

February 6, 2014

Rep. Cindy Evans, Chair
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**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Ryan Kamo and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future

Thank you for the opportunity to testify in opposition to HB 1864.

Ryan Kamo

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Breehn Sasaki and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future

Thank you for the opportunity to testify in opposition to HB 1864.

Breehn Sasaki
Graphic Designer Intern

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Wendy Hamada and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future

Thank you for the opportunity to testify in opposition to HB 1864.

Wendy Hamada
Small Business Owner

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Lisa Kobayashi and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future

Thank you for the opportunity to testify in opposition to HB 1864.

Lisa Kobayashi, Sales Associate

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is John Rankin and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future

Thank you for the opportunity to testify in opposition to HB 1864.

John Rankin
Lead Local Expedia Expert

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is CS Chan and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Dr. CS Chan
Retired UH Medical School Professor
Cschan.md@gmail.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Henry Lew and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Dr. Henry Lew
UH Medical School Professor
Henrylew@hawaii.edu.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Alfred Cheng and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Alfred Cheng
Construction Firm Owner
Alfred8tina@yahoo.com

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

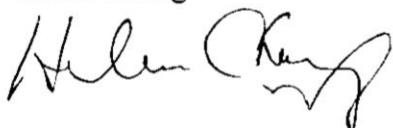
Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Helen Chang and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

I just returned home from getting my degree at Marist College, and now that I have a job, I'd like to buy myself a starter home. Unfortunately the cost of real estate in Hawaii does not afford me to purchase a single family home at this time in an area that I desire to live. I was very pleased to hear about all of the new upcoming condominium developments in Kakaako. My first thought was now I can afford to purchase my first condo in Kakaako! It's near work, restaurants, nightlife, the ocean and my family. I can walk or bike everywhere. My friends and I are in Kakaako all the time now. It's where we all want to live. It's going to be a great lifestyle. Please help to support me in repealing HB 1864 and allow development to move forward, so that others like me will have options to purchase their own place and move back home.

Thank you for the opportunity to testify in opposition to HB 1864.

Helen Chang

A handwritten signature in black ink that reads "Helen Chang". The signature is written in a cursive style with a large, stylized "H" and "C".

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Mkki Villard and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Mikkik Villard, Escrow Officer

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Sierra Hethcote and I am testifying in opposition to HB 1864 which repeals the Hawaii Community Development Authority (HCDA).

Like many in Honolulu, I am following the development plans and growth in the Kakaako area. I am very concerned with your upcoming hearing on HB 1864 which repeals the Hawaii Community Development Authority. Development is a part of the future and growth for Hawaii, its youth, who are the future and our economy. We must do all that we can to support positive growth and change into the next century, which includes allowing new developments to be built. Development is going to happen. Development must happen. Hawaii's economy must keep growing. I kindly ask that you support me and all kamaaaina to look to the future, and support development for our youth and our economy.

Thank you for the opportunity to testify in opposition to HB 1864.


Sierra Hethcote

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Brandon Yamashita and I am testifying in opposition to HB 1864 which imposes a one-year moratorium on the Hawaii Community Development Authority's approval of any plans or proposals for development in the Kakaako Community Development District.

There's lots of development planned for Kakaako, and that's the way it should be; build where there's already development and leave the rest of the island open for everyone to enjoy. The location is perfect to develop; there are empty and old concrete buildings, warehouses and parking lots, which need revitalization. New development projects of diversity and sizes are needed. You can have good urban neighborhoods, and you can have good country neighborhoods. Let's have both on Oahu. I am a supporter of development in Urban Honolulu and ask for your support to preserve our green land and improve, update and beautify our urban Honolulu, Kakaako. In order to do this we must allow for development to move forward.

Please support me in repealing HB 1864 and allow development happen where it should.

Thank you for the opportunity to testify in opposition to HB 1864.

Brandon Yamashita

A handwritten signature in black ink, appearing to read 'Brandon Yamashita', written in a cursive style.

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Lance Takaki and I am testifying in opposition to HB 1864 which imposes a one-year moratorium on the Hawaii Community Development Authority's approval of any plans or proposals for development in the Kakaako Community Development District.

I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future

Thank you for the opportunity to testify in opposition to HB 1864.

Lance Takaki

A handwritten signature in black ink, appearing to read "Lance Takaki", written in a cursive style.

February 6, 2014

Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice Chair
House Committee on Water & Land
415 S. Beretania Street
Honolulu, Hawaii 96813

Hearing:
Saturday, February 8, 2014 – 8:30am
Hawaii State Capitol, Conference Room 325

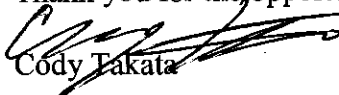
**Re: HB 1864 –RELATING TO THE HAWAII COMMUNITY DEVELOPMENT
AUTHORITY**

Chair Evans, Vice Chair Lowen and members of the Committee:

My name is Cody Takata and I am testifying in opposition to HB 1864 which imposes a one-year moratorium on the Hawaii Community Development Authority's approval of any plans or proposals for development in the Kakaako Community Development District.

I am a young professional raised in Hawaii and am pleased with what's happening in Kakaako and what this means for my generation. Unfortunately, there are those that are against new developments in the Kakaako neighborhood. I kindly ask that you support myself and other young professionals like myself, and allow us to have the opportunity to live and work in urban Honolulu. Please, Honorable Representatives, Chairs and Committee members think of the younger generation and how important new development is to Hawaii's future

Thank you for the opportunity to testify in opposition to HB 1864.


Cody Takata

Honorable Representative Cindy Evans, Chair
Honorable Representative Nicole E. Lowen, Vice Chair
Honorable Members of the Committee on Water & Land

Re: HB 1864 – **In Strongest Support** relating to **REPEALING** Hawaii Community Development Authority's (HCDA)

Good Morning Chair Evans, Vice Chair Lowen and Members of the Committee on Water & Land:

My name is Daisy Murai, a long time resident of Honolulu and a 40 year resident of Kapahulu. HCDA is a Public State Agency to serve the Community, not only to the residents, workers and visitors of Kakaako, but to the General Public, since projects that HCDA approves will greatly impact the General Public and Visitors to Oahu.

I attended the August 21, 2013 Public Hearing by HCDA regarding the 2 high rise building projects proposed by Hughes Corporation in the Victoria Ward property, Block 2 & Block 3. There were many testifyers both for and against the projects for various reasons. The HCDA Board members listened and asked questions to the Developer, the Land Owner and some testifyers, but at no time did anyone on the Board address or question the infrastructural problems which could occur with the approval of these 2 projects and Future projects waiting for approval by the HCDA Board. I don't remember the Board addressing traffic impact problems or study either. HCDA Director Anthony Ching did mention that Hughes Corporation plans a total of 22 high rise towers to be built in Kakaako. The Board had already approved other projects such as the 700 foot tower on Pohukaina, Honolulu Symphony and the Affordable towers of Kapiolani Boulevard (former Honolulu Advertiser Building).

I have seen and lived through some of the Development changes of Kapahulu, a neighborhood Community made up of many single family dwellings, some apartments and business establishments. My family moved to Kapahulu in 1975, after many older homes were rebuilt for single families, sidewalks and roadways were improved from the dirt roadways which lined some surface streets and of course, the new larger capacity Sewer pipes were installed on Kapahulu Avenue to handle the influx of additional residents and visitors from Waikiki as well as Kapahulu by the City.

I attended the Mayor's 2103 Town Hall meeting at Blaisdell where both Directors of Department of Planning and Permitting (PDD) and Environmental Services touched on the Kakaako area problems but at that time did not find problems, except Director Atta of DPP mentioned they made concerns to HCDA about Kakaako. HCDA did not comply or address any concerns proposed by DPP, since they feel they are a separate State Agency, even though they are a **Public** and **Not** a Private State Agency for Developers and Landowners

The side street below Ala Moana Boulevard next to the Immigration Center Building has had 3 major water pipe breakage within the last 2 years, as well as parts of Ala Moana Boulevard. These problems are already happening even before HCDA approved several more high rise projects for Kakaako. Remember, there is the Kakaako sewer pumping station in this vicinity, which also handles the sewage from parts of East Oahu, will handle the sewage from Kakaako. HCDA is approving new high rise projects at an alarming rate and treating each project separately rather than to see how these individual projects will affect collectively and impact the entire "BIG" picture of the Kakaako District. The General Public also uses Kakaako as a main thoroughfare to get to Downtown, Waikiki and beyond, so they too will be heavily impacted by the Traffic Congestion and breakage of the sewer or water pipes.

These are my reasons I **strongly support** **HB 1864** to **REPEAL** the Hawaii Community Development Authority.

Thank you for the opportunity to speak.

Daisy Murai, member of the General Public
3039 Kaunaoa Street
Dated: February 7, 2014

Date of Hearing: February 8, 2014, Saturday
Time of Hearing: 8:30 am
Place of Hearing: Conference Room 325

To Representative Cindy Evans
Chair, Water & Land Committee
State Capitol
Honolulu, HI 96813

Saturday, February 8, 2014, 8:30 A.M.

I am writing in opposition to House Bills 1860, 1861, 1863, 1864, 1865, and 1866.

In one way or another these bills seek to modify or eliminate the way that the Hawaii Community Development Authority operates or provides services to the public. I believe that making any changes at this point in time to the authority would slow the opportunity for people to own homes or condominiums in Kakaako at a time when housing is sorely needed. As someone who is employed in the area I can tell you that this kind of option is really needed.

I would jump at the chance to own a high or low-rise condominium home in the Kakaako district. I think the district will prove its worth time-and-time again as families and people like myself actively seek to find more affordable housing in an urban setting that will be closer to work and other amenities like cafes, parks, lofts, stores, and high-rises with affordable and other housing options.

Thank you for the opportunity to offer these comments.

Shantelle Alcaide

SHANTELE ALCAIDE
91-1067 HANALUA ST.
ENA BEACH, HI 96706

I support HB 1864...

I strongly support HB 1864. HCDA should be repealed because it is not serving the public's best interests. Taxpayer's dollars are being wasted on this agency. The City would do a better job of coordinating Kakaako development. HCDA has a long history of disregarding the public and the Legislature. I strongly urge you to pass HB 1864 to protect Kakaako.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 08, 2014 10:34 AM
To: waltestimony
Cc: dhallhi@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/8/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David W. Hall	Individual	Support	No

Comments: I am strongly in support of this bill. The Authority has totally abrogated its duty to look after the interests of the people who reside in the areas which it is supposed to serve. Its projects should not be exempt from normal regulatory processes and controls.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Downtown Capital LLC
215 N. King Street, Suite 1000
Honolulu, Hawaii 96817
Phone (808) 526-2027 Fax (808) 526-2066

Testimony of Ryan Harada
Downtown Capital LLC

House Committee on Water & Land
Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair

HB 1860, 1861, 1863, 1864, 1865, 1866, & 1867 Relating to the Hawaii Community
Development Authority
Saturday, February 8, 2014, 8:30 a.m., Conference Room 325

Dear Chair Evans, Vice Chair Lowen, and Members of the Committee

My name is Ryan Harada. I represent Downtown Capital LLC, the Developer of the 801 South St condominium project located on Kapiolani Blvd. & South Street. Our Project:

- Provides housing for middle-income Hawaii residents;
- Generates local jobs – 350 construction workers and business for 50 companies that design, supply, and manufacturer materials
- Creates a workforce community because 801 South St will be occupied by full-time, Hawaii residents

To be clear, if similar Bills were passed two years ago, there would be no 801 South St, and 1,000+ families would not have the opportunity to live in a new condominium in Kakaako. Accordingly, we oppose any Bill that:

- Creates excessive legislative oversight of HCDA, thereby defeating its purpose as a Redevelopment Authority;
- Limits density to 3.5 – without a density bonus, Developers will only build higher-margin luxury projects, or ones subsidized by the Government and taxpayers;
- Repeals HCDA, eliminates its operating budget, or imposes a 1-year moratorium on any approval – this would effectively stop all construction in Kakaako

The last 100% for-sale affordable project built in Kakaako was 1133 Waimanu in 1996. After years of public input, HCDA amended its Rules in 2011 that facilitates construction of workforce housing. After overwhelming Buyer interest, Phase 1 of 801 South St commenced construction in 2013. I urge this Committee not to undermine HCDA's efforts to increase housing for middle-income Hawaii residents.



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA LOCAL 368



PETER A. GANABAN
*Business Manager/
Secretary-Treasurer*

ALFONSO OLIVER
President

JOBY NORTH II
Vice President

TONI FIGUEROA
Recording Secretary

THOMAS CATHCART
Executive Board

JAMES DRUMGOLD JR.
Executive Board

LEIMOMI JOHNSON
Executive Board

MARK MAGUSARA
Auditor

MARK TRAVALINO
Auditor

JOSEPH YAW
Auditor

LEUMA L. LEATUMAUGA
Sergeant-At-Arms

February 7, 2014

Honorable Cindy Evans, Chair
Honorable Nicole Lowen, Vice Chair
Members of the Water & Land Committee

RE: HB1864 Relating to the Hawaii Community Development Authority

Dear Chair Evans, Vice Chair Lowen and members of the Committee:

The Hawaii Laborers' Union strongly opposes HB1864. It repeals the Hawaii Community Development Authority despite its good work. Today, there are 1,828 market units and 2,158 low/moderate income units under construction or have been permitted by the HCDA. These were built by private developers at their costs. In the same time frame, the State of Hawaii only constructed 985 rental low/moderate income units and 93 for sale.

It would be better to review the current policies of the HCDA and Chapter 206E to make changes to improve HCDA accountability, operations and to create public confidence. The repeal of HCDA could result in investors reluctant to make further commitments to develop Kakaako. The Hawaii economy is slowly coming out of its recession, the repeal of HCDA or the threat of repeal of the HCDA will certainly cause delays and confusion for further development in the Kakaako zone, and exacerbate the housing shortage.

Thank your for the opportunity to submit this testimony.

Sincerely,

Al Lardizabal
Government Relations

Testimony of
Sharon Y. Moriwaki
Before the
House Committee on Water & Land
Saturday, February 8, 2014, 8:30 a.m., Conference Room 325

**In Support of HB 1864,
Relating to the Hawaii Community Development Authority**

Chairperson Evans and Members of the House Committee on Water and Land

My name is Sharon Moriwaki. I am a resident of Kaka'ako and president of Kak'ako United, an organization of citizens concerned about Kaka'ako's future.

HB 1864 correctly identifies the HCDA as the cause of Kaka'ako's overdevelopment and inadequate infrastructure. With its board deciding on projects with little or no regard for community residents and businesses, HCDA is giving in to developers' proposals rather than following the plan and rules accepted by the community and approved by the governor.

Unlike the City, which has long-standing standards and practices to develop projects systematically, HCDA modifies rules without regard to the community. The City requires public notice to landowners and residents surrounding the proposed project and hears concerns of neighbors on proposed variances and modifications. Variances are difficult to obtain because the developer must meet the "hardship test." Not so with HCDA; it approves zoning and building variances and modifications by a vote of its members only on the basis that the developer is providing "reserved" or "workforce" housing." In contrast to the City's definition of "affordable" housing, which covers low income (less than 80% of the AMI) and moderate income (less than 120% of the AMI) residents, HCDA defines its "affordable housing" as "reserved" or "workforce" housing at 140% of the AMI (\$123,428).

HCDA is approving projects on a fast-track without first completing a comprehensive study and plan to address the infrastructure capacity to carry the intended 37 high rises and 30,000 new residents. It approved 11 projects during the past year and yet it has made no effort to correct current problems of smelly sewers, storm drains, deteriorating roads, and plans for no new schools or parks.

The time has come for Kaka'ako and other districts currently under HCDA to be returned to the City. The City is well-equipped with an ordinance already in place to accept Kaka'ako -- the "Kaka'ako Special Design District" (Appendix 21-F in the Land Use Ordinance). The City Council has addressed its concerns about HCDA's failure to address the infrastructure in Resolution 14-29 and the City Department of Planning and Permitting has the competence and capacity to guide Kaka'ako's future. For these reasons, we urge the passage of HB 1864. Thank you for the opportunity to testify.



HAWAII LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST
1617 Palama Street · Honolulu, HI 96817 · Phone: 808-845-3238 · Fax: 808-845-8300 · URL: hilecet.org

**TESTIMONY OF HAWAII LECET
CLYDE T. HAYASHI - DIRECTOR**

HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2014

COMMITTEE ON WATER & LAND

Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair

NOTICE OF HEARING

DATE: Saturday, February 08, 2014
TIME: 8:30am
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

TESTIMONY ON HOUSE BILL NO. 1864, RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

TO THE HONORABLE CINDY EVANS, CHAIR, NICOLE LOWEN, VICE CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Clyde T. Hayashi, and I am the Director of Hawaii LECET. Hawaii LECET is a labor-management partnership between the Hawaii Laborers Union, Local 368, and its unionized contractors.

Thank you for the opportunity to testify in **opposition** to House Bill No. 1864, which seeks to repeal the Hawaii Community Development Authority (HCDA).

Since 1984, 2,137 units of new qualified income and affordable housing have been constructed by the HCDA and market partners. In addition, HCDA has constructed over \$200 million worth of roadway and utility infrastructure that have allowed the State and private landowners to modernize and revitalize underutilized areas, such as Kakaako.

In addition, HCDA has constructed and maintained approximately 50 acres of park lands in the Kakaako area. Each year, the HCDA covers the \$1 million cost of operating and maintaining the Kolowalu, Kakaako Waterfront, Gateway and Kewalo Basin Parks,

A repeal will hurt the members of the Hawaii Laborers Union, Local 368, many of whom are still unemployed and continue to struggle to find work.

If HCDA should be repealed, I am not aware of any plan as to how Kakaako will transition beyond the repeal. A total repeal could result in chaos, with no clarity on what happens to projects already approved, what happens to decisions already made, and what happens to projects now going through the approval process.

For these reasons we **oppose** House Bill No. 1864. Mahalo for the opportunity to testify.

Representative Cindy Evans
Chair
House Committee on Land and Water
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

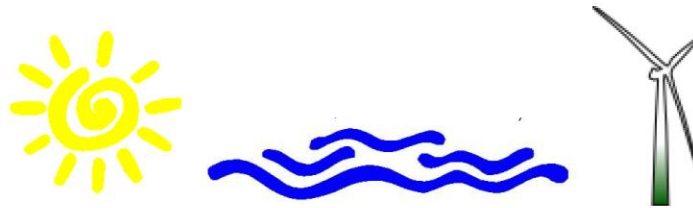
I am writing in response to HB1864 which would do away with the Hawaii Community Development Authority. As a Business owner in Kaka'ako I believe such a move would adversely affect the kind of smart growth and urban planning the authority currently provides, a role that was envisioned since the 1970's.

Kaka'ako has a broad coalition of support including local residents who want to improve their community, businesses like mine that are looking to grow, working families like my employees who are seeking affordable housing, and other businesses and elected officials because it will boost our economy.

I think it is important that you support HCD's effort for planned growth and creating an urban community for local people that doesn't require a thirty minute drive.

Rory Lee Allstate Agent
525 Cooke St #10
Hon. HI 96813





LIFE OF THE LAND

P.O. Box 37158, Honolulu, HI 96837-0158
927-1214 – kat.lifeoftheland@gmail.com

Committee on Water and Land

Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair
Saturday, February 8, 2014
8:30 a.m.
Room 325

SUPPORT FOR HB 1864 – REPEAL OF HCDA

Aloha Chair Evans, Vice Chair Lowen and Members of the Committee!

My name is Kat Brady and I am the Assistant Executive Director of Life of the Land, Hawai'i's own energy, environmental and community action group advocating for the people and `aina for over four decades. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

I am testifying today in support of HB 1864 to repeal the HCDA, which can best be described as a 'rogue' agency.

Chapter 206E, Hawaii Revised Statutes, was enacted in 1976. Section 206E-33(8), HRS, specifically mentions that "an increased supply of housing for residents of low- or moderate-income may be required as a condition of redevelopment in residential use. **Residential development shall provide necessary community facilities, such as open space, parks, community meeting places, child care centers, and other services, within and adjacent to residential development.**

On the face of it, HCDA was intended to be an agency that works in concert with communities to create livable places for the people of Hawai'i.

In reality, however, HCDA has become HDA where development has run roughshod over the community. The board is all about development and the community has obviously been in the way of their plans to make Hawai'i the playground of the rich.

We can nibble around the edges of the many problems with HCDA such as public notice, community input, rule changes, etc., but I don't believe that will solve this worsening problem with HCDA. Sometimes it is better to just scrap what isn't working.

No agency should be exempt from rules that guide good planning. Kaka`ako can be a great community gathering place **IF** the community is part of the planning process as it is renovated for the people of Hawai'i.

I urge you to repeal HCDA. Mahalo for this opportunity to testify.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 08, 2014 1:46 AM
To: waltestimony
Cc: michelematsuo@yahoo.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/8/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
michele matsuo	Individual	Oppose	No

Comments: I strongly oppose this measure. I believe that the development of the 3rd city should remain at the State, not the City.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

*Representative Cindy Evans
Chair
House Committee on Land and Water
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813*

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Kaka'ako has a broad coalition of support including local residents who want to improve their community, businesses like mine that are looking to grow, working families like my employees who are seeking affordable housing, and other businesses and elected officials because it will boost our economy.

I think it is important that you support HCDA's effort for planned growth and creating an urban community for local people that doesn't require a thirty minute drive.

*Rebecca D. McGinnis
Rebecca D. McGinnis*

*Worldwide Furnishings
970 Queen St
Honolulu HI 96814*

*Representative Cindy Evans
Chair
House Committee on Land and Water
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813*

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I think it is important that you support HCD's effort for planned growth and creating an urban community for local people that doesn't require a thirty minute drive.

J

JOE MIAO

ADNHEAD LUNISON

703 KAWAIAHO ST.

HONOLULU HI 96813

*Representative Cindy Evans
Chair
House Committee on Land and Water
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813*

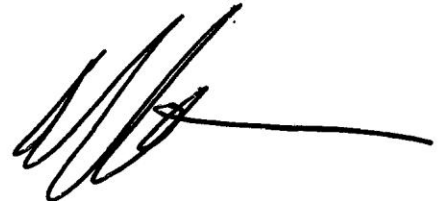
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I think it is important that you support HCD's effort for planned growth and creating an urban community for local people that doesn't require a thirty minute drive.

*PHO Dear
PT.*

Michael Miske

A handwritten signature in black ink, appearing to be 'Michael Miske', with a long horizontal line extending to the right.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 08, 2014 10:27 AM
To: waltestimony
Cc: management@hawaiishoppingcenter.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/8/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rachelle Nobriga	Individual	Support	No

Comments: Very Much in favor/support of the ABOLISHment of the HCDA as soon as possible... and.. all decisions made by HCDA in last five (5) years be reviewed. IN FAVOR/SUPPORT OF: HB-1860 HB-1861 HB-1862 HB-1863 HB-1864 HB-1865 HB-1866 HB-1867 PLEASE DO ALL POSSIBLE TO ABOLISH THE HCDA. Very much in Favor of HB-1864... PLEASE PASS HB-1864... that would solve all problems... start fresh with redevelopment plans.. Thank You, Rachelle Nobriga POBBox 61769 Honolulu, Hawaii 96839 email: management@hawaiishoppingcenter.com

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

To Representative Cindy Evans
Chair, Water & Land Committee
State Capitol
Honolulu, HI 96813

Saturday, February 8, 2014, 8:30 A.M.

I am writing in opposition to House Bills 1860, 1861, 1863, 1864, 1865, and 1866.

In one way or another these bills seek to modify or eliminate the way that the Hawaii Community Development Authority operates or provides services to the public. I believe that making any changes at this point in time to the authority would slow the opportunity for people to own homes or condominiums in Kakaako at a time when housing is sorely needed. As someone who is employed in the area I can tell you that this kind of option is really needed.

I would jump at the chance to own a high or low-rise condominium home in the Kakaako district. I think the district will prove its worth time-and-time again as families and people like myself actively seek to find more affordable housing in an urban setting that will be closer to work and other amenities like cafes, parks, lofts, stores, and high-rises with affordable and other housing options.

Thank you for the opportunity to offer these comments.



Catherine Paredes
1602 Tinker Ave
Honolulu, HI 96818

Testimony of Glenn Ida
Representing
The Plumbers and Fitters United Association, Local 675
1109 Bethel St. Lower Level
Honolulu, Hi. 96813

Committee on Water and Land
Rep. Cindy Evans, Chair
Rep. Nicole Lowen, Vice-Chair
Saturday, 2-8-2014
8:30 AM, Room 325

Re: Opposition of HB1864, Relating to the Hawaii Community Development Authority

Aloha Chair Evans, Vice-Chair Lowen and Members of the Committee,

My name is Glenn Ida representing the 2000 active members and retirees of the Plumbers and Fitters UA, Local 675. Local 675 is an affiliate of the Hawaii Building and Construction Trades Council.

Local 675 opposes HB1864, which repeals the HCDA.

The State Legislature established the HCDA to address the lack of suitable affordable housing. Insufficient commercial and industrial facilities for rent. Residential areas, which do not have facilities necessary for basic livability, such as parks and open space.

Therefore Local 675 opposes HB1864.

Thank you for the opportunity to testify.

Mahalo,

Glenn Ida
808-295-1280

To Representative Cindy Evans
Chair, Water & Land Committee
State Capitol
Honolulu, HI 96813

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Thank you for the opportunity to offer these comments.

Jeffrey Santos
183 Kuulei Road
Kailua, HI 96734



To Representative Cindy Evans
Chair, Water & Land Committee
State Capitol
Honolulu, HI 96813

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Thank you for the opportunity to offer these comments.



Shantise Eliasson
726 Menehune Lane
Honolulu, HI 96826

Representative Cindy Evans
Chair
House Committee on Land and Water
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

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I think it is important that you support HCD's effort for planned growth and creating an urban community for local people that doesn't require a thirty minute drive.



Steve Sharpe 980 QUEEN ST. SUIT D
QUEEN ST. TATTOO

lowen2-Lanaly

From: GlennShiroma@hawaiiantel.net
Sent: Friday, February 07, 2014 2:52 PM
To: lowen2-Lanaly
Subject: Fwd: Testimony before House Water and Land Committee on 02-08-14 (Hawaii Community Development Authority)
Attachments: 0402 S Memo 12-11 Shiroma re Adequacy of Agenda.PDF

Part II of II

----- Original Message -----

Subject: Testimony before House Water and Land Committee on 02-08-14 (Hawaii Community Development Authority)

Date: Fri, 07 Feb 2014 14:20:07 -1000

From: GlennShiroma@hawaiiantel.net

To: House Water & Land Committee Testimony <WALTestimony@capitol.hawaii.gov>

CC: Anthony Ching (Hawaii Community Development Authority, Executive Director) <Tony@hcdaweb.org>, Lori Tanigawa (HCDA, Deputy AG - 8396) <lori.n.tanigawa@hawaii.gov>, Randy Grune (DOT Harbors, Deputy Director 12/31/2014) <Randy.Grune@hawaii.gov>, Luis Salaveria <luis.p.salaveria@hawaii.gov>, Richard Lim (DBEDT Director 12/31/2014) <richard.lim@dbedt.hawaii.gov>, Bruce Coppa, (Governor's Chief of Staff - 12/31/2014) <Bruce.Coppa@hawaii.gov>

Aloha Rep. Cindy Evans, WAL Chair and Nicole Lowen, WAL Vice Chair and Members of WAL..

Testimony in STRONG SUPPORT for the following: **HB1860** RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY; **HB1861** RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY; **HB1863** RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY; **HB1865** RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY; **HB1866** RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY; **HB1867** RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.

Testimony in VERY STRONG SUPPORT for **HB1864** RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY (Repeals the Hawaii Community Development Authority).

Hawaii Community Development Authority has REPEATEDLY VIOLATED Hawaii Revised Statutes, Chapter 92, Public Agency Meetings and Records, Section §92-7 Notice. (a) The board shall give written public notice of any regular, special, or rescheduled meeting, or any executive meeting when anticipated in advance. The notice shall include an agenda which lists all of the items to be considered at the forthcoming meeting, the date, time, and place of the meeting, and in the case of an executive meeting the purpose shall be stated. The means specified by this section shall be the only means required for giving notice under this part notwithstanding any law to the contrary.

See attached file, HDCA Agendas 08,2013 to 02,2014 where Hawaii Community Development Authority

repeatedly agendas contained the following "Report of the Executive Director."

Any of substantive discussion that is not specific on the HCDA agenda is a violation of Hawaii Sunshine Law. Please review the HCDA minutes by following the link:

<http://dbedt.hawaii.gov/hcda/events/minutes/>

Office of Information Practices in attached file 0402 S Memo 12-11 Shiroma re Adequacy of Agenda issued an Memorandum of Opinion on April 02, 2012 on "'ADMINISTRATIVE OTHER BUSINESS" which did not contain specific agenda item on the DLNR, Commission on Water Resources agenda.

Thank you for this opportunity to testify.

Glenn Shiroma

----- Original Message -----

Subject:Hearing Notice HEARING_WAL_02-08-14_ - HI State Legislature

Date:Tue, 28 Jan 2014 15:10:05 -1000

From:<mailinglist@capitol.hawaii.gov>

To:<mailinglist@capitol.hawaii.gov>

These measures have been added to the hearing notice: HB1860, HB1861, HB1863, HB1864, HB1865, HB1866, HB1867

You may view the hearing notice here:

http://www.capitol.hawaii.gov/session2014/hearingnotices/HEARING_WAL_02-08-14_.HTM

You are receiving this e-mail because you have subscribed to a hearing notice via e-mail service. To unsubscribe, please sign in to your account with the Legislature and click on the EditAccount link on the upper right corner of the page. You may also call the Senate Clerk's Office (808-586-6720) or the House Sergeant-At-Arm's Office (808-586-6500).

The Adobe (PDF) version of the Hearing Notice may be available, in addition to the usual text version. Please check the website at:

<http://www.capitol.hawaii.gov>

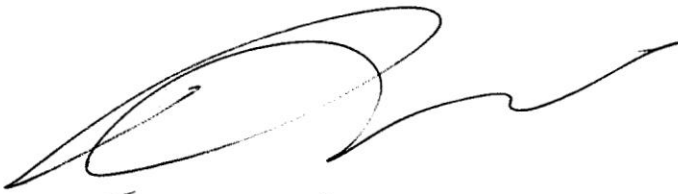
Please use cut and paste if your email reader wraps or breaks the above URLs.

Representative Cindy Evans
Chair
House Committee on Land and Water
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

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I think it is important that you support HCD's effort for planned growth and creating an urban community for local people that doesn't require a thirty minute drive.



THOMAS KIM

SKYLINE VAPORS

485 QUEEN ST STE B
HONOLULU, HI 96813



Testimony before the
House Committee on Water and Land

IN SUPPORT OF EIGHT HOUSE BILLS TO IMPROVE HCDA

Saturday February 8, 2014 8:30 AM in room 325

Aloha Representative Evans and Members of the House Committee on Water and Land,

The Outdoor Circle supports greater transparency, public oversight, and higher minimum building requirements for decisions made by the HCDA, in order to ensure that the Kaka'ako of the future can support a healthy, diverse community with intact viewplanes, adequate infrastructure, and high-quality public greenspace.

The Outdoor Circle has watched the HCDA and its rush to build a new Kaka'ako over the past decade. It has become increasingly clear that the agency has abused its duties with regard to development that is sensitive to the community and its needs. HCDA was granted superpowers to circumvent City laws when it is necessary, in order to develop the Kaka'ako area. Today, we see that HCDA has been allowed to go too far. The Outdoor Circle strongly supports greater controls on HCDA decision-making and would like to be included in the evaluation of high rise/ park space decisions in the future.

To this end, The Outdoor Circle supports the passage of:

HB1860
HB1861
HB1862
HB1863
HB1864
HB1865
HB1866
HB 1867

Improve Transparency and Accountability

HCDA has not adequately engaged the community with discussions about their decisions that deviate from accepted planning principles. Longstanding community questions remain unanswered regarding future open space, park developments, traffic mitigation, carrying capacity, and the justifications for variances.

HCDA meetings appear as done deals even before the hearing begins, where Board members

1314 S. King Street #306 • Honolulu, Hawai'i 96814
Phone: 808-593-0300 • Fax: 808-593-0525 • Email: mail@outdoorcircle.org • www.outdoorcircle.org

robotically approve projects. Never through 2 HCDA executive directors has the HCDA mitigated issues for the public or appeared to be genuinely concerned. The Board shrugs off very real concerns about adequate open space, where the parks will be, and the need to solve to the sewer odors that plague the area.

To address this, HCDA should be required to respond orally to all concerns raised by the public at the decision-making hearing before the board makes a decision. HCDA must also explain orally and in writing why modifications recommended by residents were not incorporated before approving the project.

Uphold minimum building standards, green space and affordable housing

The Outdoor Circle is especially concerned with the lack of sufficient open space, trees and parks in the Kaka'ako area. The HCDA's mission was to streamline development projects under its jurisdiction. It has approached its mission without adequate vetting of issues like density, height limits and infrastructure thoroughly.

HCDA has granted permission to block viewplanes, change mauka-makai building footprints, increase the density, increase the height of tall buildings, and ignore failing infrastructure. It has not clearly explained to the public about specific areas set aside for shade trees, parks and schools. It rubberstamps dense high rise development and zealously gives variances for setbacks, building configurations and even gives permission to projects above the City's 400 foot height limit. This will forever damage the ocean to mountain views we all treasure greatly.

At the same time, no carrying capacity analysis has been conducted for the Kaka'ako area. We have never received any answers about the number of parks and where green space will be located and what will happen to Mother Waldron Park. HCDA has not demonstrated any concern for sea level rise or presented plans for what Dr. Fletcher calls "intrusion areas," like Kaka'ako where flooding will be prominent.

HCDA's authority to streamline development in Kaka'ako does not include unchecked authority to ignore all basic principles of good planning. We want to ensure a high-quality of life for current and future residents of Kaka'ako. That is why we urge the Legislature to impose the following minimum, common-sense requirements on HCDA project permits:

- A 300 feet minimum distance between buildings that are 100 feet or taller,
- Height limits of 400 feet for Kaka'ako Mauka buildings, and
- Buildings taller than 100 feet must be oriented on a mauka-makai axis.
- Denser buildings must provide more public park space. Little gardens on the top of condominiums and privately owned plazas should not count towards the minimum quota of publicly accessible green space.

Balance HCDA Board

The HCDA Board lacks adequate representation from the communities directly affected by its decisions. HCDA hearings are characterized by indifference to the community speakers, the lack of attempts to mitigate issues that are presented, and an overall lack of empathy and attention to the testimony presented. Something is wrong when project after project holds no discussion, no

rational explanations for variances granted, and continual unanimous votes one minute after the testimony is closed.

HCDA's decisionmaking process would be more improved with a more balanced representation on the Board. HCDA's Board must include representatives from the communities affected by its decision.

Empower Citizen Litigation

To ensure compliance with all requirements imposed on HCDA's evaluation, decisionmaking, and permitting process, The Outdoor Circle supports empower the public to act as a private attorney general. This will enable residents to bring a civil suit against HCDA if HCDA fails to perform any act or duty required under the enabling statute for HCDA, Hawaii Revised Statutes Chapter 206E. At the present time, an individual is completely helpless and has no recourse when the HCDA breaks rules, circumvents laws or does not perform their duty under the law. Adding a citizen suit provision will give the public authority -- at their own expense -- to challenge any wrong actions performed by the HCDA.

Zero Base Budgeting

The Outdoor Circle supports zero-base budgeting for HCDA. This approach to budgeting eliminates HCDA's base operating and investment capital budget, meaning it would receive automatic funding each year. Rather, the agency must justify its annual budget to the Legislature -- and the public. This system imposes direct accountability on the agency for decisions it makes throughout the previous year.

One-year Moratorium

HCDA's approval process should be slowed to enable more transparency and reasoned decision-making. Kaka'ako needs significant improvements in basic municipal services: expanded sewer capacity, watermain infrastructure, and green infrastructure. A one-year moratorium on all HCDA decisions in Kaka'ako may give the time needed to evaluate these needs, implement solutions, balance representation on the HCDA Board, and improve the HCDA hearing and decision-making process.

Thank you for the opportunity offer this testimony in support of a better future for Kaka'ako residents.



THE OUTDOOR CIRCLE

Regarding the Proposed Re-Development in Kaka'ako
Public Statement of The Outdoor Circle
Fall 2013

Do Not Pave Over Paradise

The redevelopment of Kaka'ako sounded like an exciting proposition after the State Legislature created the Hawai'i Community Development Authority in 1976. Although the City protested the takeover, the State argued in favor of a plan to develop an underutilized area of Hawai'i that would provide economic opportunities to the state. Honolulu residents, they said, could look forward to modern urban planning, residential and business opportunities, shops, restaurants and offices, housing for all income levels as well as open space, parks, and recreational areas.

Today, thirty seven years later, proposals for high-rise monoliths that "pave over paradise," disregard significant sites, and block viewplanes have led many residents to reassess the benefits of such large scale development.

While the Circle remains supportive of the concept underlying Community Development Districts, it cautions HCDA board members to keep livability and quality of life factors in mind when redeveloping Kaka'ako and asks the City & County of Honolulu to exercise judicious oversight in areas that would impact the public good.

The Outdoor Circle recommends the HCDA do the following:

1. Conform with City Ordinances: Although the state HCDA has the statutory authority to control the height, density, zoning and other controls irrespective of city ordinances, variances should be granted sparingly, if at all. The City height limit is 400' and several Kaka'ako projects are proposed for 700'. The 40-story Ala Moana Hotel is 400'. A 700' structure would be almost double that height!
2. Use Community Suggestions: The HCDA should not only listen to and record the concerns of civic organizations, citizens and neighbors but be required to demonstrate its use of community suggestions to guide their decisions. This requirement for actual

attention to community concerns would help make HCDA planning more transparent, and thereby strengthen the public's trust in the planning process.

3. Defer to the City for Utility Load Analysis: The City & County's power to issue building permits and determine the adequacy of sewer and water resources should be exercised to assure that heavy commercial development does not undermine the city's infrastructure at taxpayer expense. This is especially critical in development around rail stations. The question of carrying capacity in Kaka'ako must take into consideration the foreseeable rise in sea level and increase in the frequency and severity of storms.

4. Retain Parks, Open Space and View Planes: HCDA must assure these are provided within their development area. Swimming pools and recreational decks solely for a building's residents are not sufficient compensation for the public's loss of open space. Children need parks with basketball courts, baseball and soccer fields and if not provided on site, HCDA should assist the City with resources to provide these amenities. Other improvements include first floor setbacks to provide more open space on the street level. And, finally, with so many high rises on the drawing boards, the HCDA must require and ensure sufficient space between buildings to retain view planes so residents and visitors will know they are still in Hawai'i nei.

CARL M. VARADY

ATTORNEY AT LAW

Pauahi Tower
1003 Bishop Street, Suite 1730
Honolulu, Hawai'i 96813
Telephone 808.523.8447
Facsimile 808.523.8448
e-mail: carl@varadylaw.com

February 7, 2014

HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2014

COMMITTEE ON WATER & LAND
Rep. Cindy Evans, Chair
Rep. Nicole E. Lowen, Vice Chair

Testimony re: HB 1860, HB 1861, HB 1862, HB 1863, HB 1864, HB 1865, HB 1866
& HB 1867-Related to the Hawai'i Community Development
Authority

Chair Evans and members of the committee:

I represent the owners and occupants of Royal Captiol Plaza, which has filed a contested case proceeding before the Hawai'i Community Development Authority ("HCDA"), for granting a permit the development of the Tower B, at site of 801 South Street, where the Honolulu Newspaper Association/Advertiser Building is located. My clients strongly support legislation that limits the power of the HCDA to: (1) avoid environmental laws; (2) development ordinances and regulations of the City and County; (3) historic preservation and archeological statutes and regulations; and (4) permit development without strict adherence to objective standards; and (5) that is not subject to due process review or legislative oversight.

The Association of Apartment Owners of The Royal Capitol Plaza ("RCP-AOAO") are owners of a condominium tower located in the Kaka'ako mauka area at 876 Curtis Street, Honolulu, Hawai'i which is immediately Diamond Head of the approved 801 South Street Project, Phase II development. They believe the HCDA statute must be amended or the HCDA dissolved for the following reasons:

HCDA is Insulated from Voters and State and Local Regulation

HCDA members are appointed, not elected, but exercise more power over Kakaako than State or City and County elected officials. Like the now-defunct Public Land Development Corporation ("PLDC"), the current HCDA operates as law unto itself with no legislative oversight and little if any public recourse through political remedies or other means to affect the process by which massive development is going on in Kakaako. Doing so, HCDA is impacting the resources, environmental quality, density and quality of life of Honolulu residents who can only stand by and watch as one project after another is approved without regard to existing law, regulation or HCDA's own standards.

Kaka'ako cannot be made as dense as San Francisco or New York unless sufficient infrastructure and regulation are in place to handle such density.

Anyone driving down South Street after a storm can smell the sewers that the City and County must maintain subject to an EPA consent decree and which continue to have problems. A recent survey on which HCDA relied could not be completed because one of the sewers was too full.

The 801 South Street project will have 1,700 parking spaces all of which will have to enter and exit on Kapiolani Boulevard or Kawaihao Street, through a sub-standard alley, every day. The area already is congested and density will continue to increase without regard to state or local regulations unless action is taken now.

The 801 South Street project exemplifies a number of concerns set out in detail in the request for contested case hearing attached hereto and summarized as follows:

HCDA is Insulated and Raises Constitutional Concerns

Isolating decision making from political review will be found to be denial of due process of law where it is the result of improper delegation of legislative authority from the Hawai'i Legislature to an administrative body not subject to political oversight. See, Haw. Const., Article I, Section 5 and Article III, Section 1; *State v. Willburn*, 49 Haw. 651, 426 P.2d 626 (1967); *In re Kauai Elec. Div.*, 60 Haw. 166, 181 (Haw. 1978); see, *Whitman v. Am. Trucking Ass'ns*, 531 U.S. 457, 472 (U.S. 2001).

HCDA routinely leaves to developers the details of various projects. If HCDA delegates authority and responsibility to protect and preserve the public health and safety and character of the Kaka'ako area to a private entity or entities, such a delegation is invalid. *Ka Pa'akai O Ka'Aina v. Land Use Comm'n*, 94 Haw. 31, 51, 7

P.3d 1068, 1088 (Haw. 2000).

HCDA's administrative rules in HAR Title 15, Chapters 217 and 218, & § 15-218-55, including the "workforce housing rules" that contradict and/or conflict with the statute they purport to implement HCDA administrative rules, including without limitation, " *Foytik v. Chandler*, 88 Haw. 307, 319, 966 P.2d 619, 631 (Haw. 1998) (quoting *Hyatt Corp. v. Honolulu Liquor Comm'n*, 69 Haw. 238, 241, 738 P.2d 1205, 1206-07 (1987) (quoting *Agsalud v. Blalack*, 67 Haw. 588, 591, 699 P.2d 17, 19 (1985)).

HCDA's rules, including the "workforce housing rules" are invalid if they HCDA's authority under HRS §§206E-4, -5.5, -7, -31, -31.5 & -33 and improperly insulates HCDA's decision making from judicial review.

HCDA issues permits without revising its of the Mauka Area Plan and/or environmental impact statements which cannot be treated as static.

HCDA issues permits contrary to HRS § 6E, which requires archeological and historic surveys, including the permit for 801 South Street. Then acting Director of Historic Preservation told HCDA the 801 South permit specifically required surveys and other measures. See, Letter of Hon. William Aila, Jr. (October 9, 2013). HRS §6E-2 defines an historic property as "any building, structure, object, district, area or site, including heiau and underwater site, which is over fifty years old." As State Historic Preservation Officer William Aila, Jr., noted in his, letter, the implementing regulations of HAR § 13-284 set forth an historic preservation review process which consists of specific steps. Mr. Aila's letter further explained specific steps and their impact on 801 South Street. HCDA issued the permit without complying with Mr. Aila's demand.

Specific Criticisms of the 801 South Street Permit for Tower B

The following issues are raised by the 801 South Street Project Tower B:

The permit was the product of a hearing process in which HCDA predetermined the permit would be granted for Tower B, at the time it granted the permit for Tower A, which was not consistent with its own regulations and did not provide proper public notice, participation and hearing in violation of the Hawai'i Open Meetings Law, Haw. Rev. Stat., Chapter 92. HAR §15-217-85(f): Multiple permit approvals. "When a proposed project requires more than one permit approval, the applicant shall apply for all such permit approvals concurrently." The regulation requires concurrent filing of all projects in a multi-project development. Here, the filings were consecutive. If they had been disclosed as part of the same project as HCDA must have known they were, the public

would have been able to appreciate the true density of the project and responded accordingly.

In the opinion of the AOA the HAR §15-218-55(a)-(b) the Workforce Housing regulations are malleable and allow the HCDA to engage in speculation and, undermine their standards.

HAR § 15-217-2(c), Historic Preservation is part of HCDA's own regulations does not comply with HRS § 6E's requirements for specific detailed archeological and historic surveys. HCDA should not be allowed to ignore state law.

HAR § 15-217-2(c)(1)(A) addressees pedestrian orientation, but the 801 South Street towers add 1,700 parking spaces in an already congested area where ingress and egress will occur through one alley running between already over-crowded Kapiolani Boulevard and tiny Kawaihoa Street. With this many parking spaces being added, it is silly to argue that this is a pedestrian development for urban workers who will walk to work.

HAR § 15-217-56(d): Recreational and Open Spaces permits HCDA to require open space, which is very important in dense urban development. In the case of 801 South Street Tower B, HCDA counted the elevator lobby as "open space" and a hedge row by the alley as "recreational space."

More than anything else, HCDA and its "flexible" rules, subject to "interpretation" demonstrate that there are limits beyond which flexibility becomes arbitrary. Voters have no say in limiting the HCDA's authority to interpret its rules in a manner that makes them nothing more than words on paper. The Legislature must limit HCDA's authority before Kaka'ko becomes an unmanageable urban mess without infrastructure to support it, despoiling the aina and wreaking havoc for generations.

Governor, then-Congressman, Abercrombie, who opposed the HCDA for decades, expressed criticism of the HCDA's power and lack of political oversight most succinctly in 2005, stating, "This plan does not take into account our ordinary hard-working people of Hawaii," he said. "The best solution is for the Legislature to repeal the act that brought the HCDA into existence and put the authority back with the city."

"I think there is plenty of time to stand back and take a deep breath and decide whether we want the HCDA to continue to exist," he said.

(<http://archives.starbulletin.com/2005/11/15/news/story02.html>, accessed 2/7/14)

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January 2, 2014

HAND DELIVERED

Anthony J. H. Ching
Executive Director
Hawai'i Community Development Authority
461 Cooke Street
Honolulu, Hawai'i 96813

SUBJECT: First Revised Petition for relief from approval of Development Permit for Downtown Capital LLC 801 South Street Project, Phase II (Tax Map Key: 2-1-47:004) Issued by the Hawai'i Community Development Authority on December 4, 2013: Planned Development Permit No.: KAK 13-057

FROM: Petitioners
Association of Apartment Owners of The Royal Capitol Plaza
876 Curtis Street
Honolulu, HI 96813

Dear Director Ching and Members of the Authority:

Petitioners bring this petition against the Hawai'i Community Development Authority ("HCDA") requesting contested case relief from its December 4, 2013, decision to approve the Development Permit for Downtown Capital LLC 801 South Street Project (Tax Map Key: 2-1-47:004) Development Permit Number KAK 13-057 ("Permit") pursuant to HRS §§91-1, -8 to -9, HRS §§206E1-E35 and HAR Title 15, Chapters 217, 218 & §§15-219-34 & -45 to -56, the United States and Hawai'i Constitutions and all applicable statutes, rules, regulations and legal and equitable principles, including, without limitation, those cited in Exhibit 1, attached.

LEGAL AUTHORITY

Petitioners believe that the permit was issued without legal authority and, in their opinion, that:

1. The permit is invalid because it results from a denial of due process of law and is the result of improper delegation of legislative authority from the Hawai'i Legislature to the HCDA. *See*, Haw. Const., Article I, Section 5 and Article III,

Section 1; *State v. Willburn*, 49 Haw. 651, 426 P.2d 626 (1967); *In re Kauai Elec. Div.*, 60 Haw. 166, 181 (Haw. 1978); see, *Whitman v. Am. Trucking Ass'ns*, 531 U.S. 457, 472 (U.S. 2001).

2. The permit is invalid because it results from an improper delegation of the HCDA's authority and responsibility to protect and preserve the public health and safety and character of the Kaka'ako area to a private entity or entities. *Ka Pa'akai O Ka'Aina v. Land Use Comm'n*, 94 Haw. 31, 51, 7 P.3d 1068, 1088 (Haw. 2000).
3. The permit is invalid because it results from HCDA rules that violate constitutional and/or statutory provisions, and/or exceed the statutory authority of the agency, including without limitation, Haw. Const. Article IX, Sections 6 and 8 and Article XI Section 9; HRS §§206E-5.5, -5.6 and §206E-33. *Foytik v. Chandler*, 88 Haw. 307, 319, 966 P.2d 619, 631 (Haw. 1998); *Puana v. Sunn*, 69 Haw. 187, 189, 737 P.2d 867, 870 (1987).
4. The permit is invalid because it results from HCDA administrative rules, including without limitation, HAR Title 15, Chapters 217 and 218, & § 15-218-55, that contradict and/or conflict with the statute they purport to implement. *Foytik v. Chandler*, 88 Haw. 307, 319, 966 P.2d 619, 631 (Haw. 1998) (*quoting Hyatt Corp. v. Honolulu Liquor Comm'n*, 69 Haw. 238, 241, 738 P.2d 1205, 1206-07 (1987) (*quoting Agsalud v. Blalack*, 67 Haw. 588, 591, 699 P.2d 17, 19 (1985))).
5. The permit is invalid because it results from HCDA rules, including without limitation, HAR Title 15, Chapters 217 and 218, & § 15-218-55, which exceeds HCDA's authority under HRS §§206E-4, -5.5, -7, -31, -31.5 & -33 and improperly insulates HCDA's decision making from judicial review.
6. The permit is invalid because, without limitation HCDA's approval violated HAR §§15- 217-2 , -4 to -6, -8, -21 to -22, -24 to -27, -39, -53 to -59, -62 to -63, -90, and § 15-218-55 ; and provisions of the Mauka Area Plan Final Environmental Impact Statement ("FEIS") and/or Final Supplemental Environmental Impact Statement ("FSEIS"). The actions of HCDA in approving the permit were clearly erroneous, arbitrary and capricious, and result from improper delegation, abuse of discretion and a clearly unwarranted exercise of discretion. Furthermore, the permit is invalid because the proposal does not meet the criteria of HAR § 15-218-55. By granting the permit HCDA acted *ultra vires*.

By issuing the permit, HCDA: (a) failed to fulfill its public trust obligations in considering the development proposal and permit request; (b) failed to comply with the objectives, policies, and guidelines of its organic statute, implementing regulations, Mauka Development Regulations and Plan and, without limitation, issued a permit after the time allowed by rule; (c) failed to submit or require a supplemental FEIS and/or FSEIS for the proposed development; (d) created a public nuisance with 788 parking stalls approved in Phase II for a total of more than 1,700 vehicles added to the area when Phase I and Phase II are considered in total, without any significant traffic management plan; (e) ignored needed infrastructure improvements that are required by the City and County of Honolulu in order for the City and County to accept and maintain any such improvements; and (f) failed to preserve or otherwise avoid degradation of public, historical and environmental conditions at and adjacent to the site.

7. The permit was the product of a hearing process in which HCDA predetermined the permit would be granted, without proper public notice, participation and hearing in violation of the Hawai'i Open Meetings Law, Haw. Rev. Stat., Chapter 92.
8. A request for contested case hearing under HAR §15-219-46, on the HCDA's grant of Planned Development Permit No. KAK 13-057, is timely, and Petitioners have standing to bring the contested case. *Blake v. County of Kaua'i Planning Comm'n.*, SCWC-11-0000342 (Haw. Sup. Ct. Dec. 19, 2013); *Kilakila 'O Haleakala v. Board of Land & Nat. Res.*, SCWC-11-0000353 (Haw. Sup. Ct. Dec. 13, 2013); *Kaleikini v. Thielen*, 124 Hawai'i 1, 26, 237 P.3d 1067, 1092 (2010); *Pub. Access Shoreline Haw. v. Haw. Cnty. Planning Comm'n*, 79 Hawai'i 425, 431, 903 P.2d 1246, 1252 (1995).

PETITIONERS' INTEREST

Petitioners Association of Apartment Owners of The Royal Capitol Plaza ("RCP-AOAO") are owners of a condominium tower located in the Kaka'ako mauka area at 876 Curtis Street, Honolulu, Hawai'i which is immediately Diamond Head of the approved 801 South Street Project, Phase II development. This Petition is brought on by and on behalf of the RCP-AOAO and others similarly affected by Planned Development Permit No. KAK 13-057. The injuries that the members of RCP-AOAO, other Kaka'ako residents and businesses located or utilizing the area adjacent to the land governed by Planned Development Permit No. KAK 13-057 by this development are detailed in this petition. The injuries of the RCP-AOAO from the project are

irreparable, involving their constitutional and civil rights and interests in real property, for which there is no adequate remedy at law.

STANDARDS OF REVIEW

1. On December 4, 2013, the HCDA approved the Planned Development Permit No.: KAK 13-057 for Downtown Capital LLC 801 South Street Project ("801 South Street"). Petitioners oppose HCDA's grant of this permit.
2. The development rules HAR, Title 15, Chapter 217 & 218 adopted September 14, 2011, are applicable to the development being contested in this case.
3. The 2011 Mauka Area Plan and the Mauka Area Rules ("MAR") are applicable and will be cited.
4. The contested case rules, HAR Title 15, Chapter 219, adopted February 1, 2012, are applicable and will be cited.

PETITIONERS' OPPOSITION--LEGAL AND FACTUAL BASES

1. Applying the following principles, which cannot be adjudicated and are outside the scope of HCDA's jurisdiction, it is Petitioners' opinion the permit cannot be and was not lawful:
 - a. The permit is invalid because it is the result of improper delegation of legislative authority from the Hawai'i Legislature to the HCDA. *See*, Haw. Const., Article III, section 1; *Alaka'i Na Keiki, Inc. v. Matayoshi*, 127 Haw. 263, 275, 277 P.3d 988, 1000 (Haw. 2012); *State v. Willburn*, 49 Haw. 651, 426 P.2d 626 (1967); *In re Kauai Elec. Div.*, 60 Haw. 166, 181 (Haw. 1978); *see, Whitman v. Am. Trucking Ass'ns*, 531 U.S. 457, 472 (U.S. 2001).
 - b. The permit is invalid because it results from an improper delegation of the HCDA's authority and responsibility to protect and preserve the public health, safety and character of the Kaka'ako area to a private entity or entities. *Ka Pa'akai O Ka'Aina v. Land Use Comm'n*, 94 Haw. 31, 51, 7 P.3d 1068, 1088 (Haw. 2000).
 - c. The permit is invalid because it results from HCDA rules that violate constitutional and/or statutory provisions, and/or exceed the statutory

- authority of the agency, including without limitation, Haw. Const. Article IX, Sections 6 and 8 and Article XI Section 9; HRS §§206E-5.5, -5.6 and §206E-33. *Foytik v. Chandler*, 88 Haw. 307, 319, 966 P.2d 619, 631 (Haw. 1998); *Puana v. Sunn*, 69 Haw. 187, 189, 737 P.2d 867, 870 (1987).
- d. The permit is invalid because it results from HCDA administrative rules, including without limitation, HAR Title 15, Chapters 217 and 218, & § 15-218-55, that contradict and/or conflict with the statute they purport to implement. *Foytik v. Chandler*, 88 Haw. 307, 319, 966 P.2d 619, 631 (Haw. 1998) (*quoting Hyatt Corp. v. Honolulu Liquor Comm'n*, 69 Haw. 238, 241, 738 P.2d 1205, 1206-07 (1987) (*quoting Agsalud v. Blalack*, 67 Haw. 588, 591, 699 P.2d 17, 19 (1985))).
 - e. The permit is invalid because it results from HCDA rules, including without limitation, HAR § 15-218-55, which improperly insulate HCDA's decision-making from judicial review.
 - f. The permit is invalid because the proposal does not meet the criteria of HAR § 15-218-55. By granting the permit HCDA acted *ultra vires*.
 - g. The permit was the product of a hearing process in which HCDA predetermined the permit would be granted, without proper public notice, participation and hearing in violation of the Hawai'i Open Meetings Law, Haw. Rev. Stat., Chapter 92.

The foregoing principles of law are beyond the scope of the HCDA's jurisdiction in any contested case. They are raised to document the bases for Petitioners' objections and to avoid any argument that they are waived by omission.

SUMMARY: It is Petitioners' opinion that the actions of HCDA in approving the Phase II permit were clearly erroneous, arbitrary and capricious, and characterized by both an abuse of discretion and a clearly unwarranted exercise of discretion. In issuing the permit, HCDA failed: (a) to fulfill its public trust obligations in considering the development proposal and permit request; (b) failed to comply with the objectives, policies, purpose and guidelines of its organic statute, Mauka Development Regulations and Plan and, without limitation, issued a permit after the time allowed by rule; (c) failed to submit or require a supplemental FEIS and/or FSEIS for the proposed development; (d) created a public nuisance by adding more than 1,700 vehicles to the area without any significant traffic management plan; (e) ignored

needed infrastructure improvements that are required by the City and County of Honolulu in order for the City and County to accept and maintain any such improvements; and (f) failed to preserve or otherwise avoid degradation of public, historical and environmental conditions at and adjacent to the site. Petitioners' specific points follow.

2. It is Petitioners' opinion that, without limitation, the permit violates the following principles:

- a. HAR §15-217-85(f): Multiple permit approvals. "When a proposed project requires more than one permit approval, the applicant shall apply for all such permit approvals concurrently."

Petitioners' Position: The regulation requires concurrent filing of all projects in a multi-project development. Notwithstanding HCDA's own rules, HCDA permitted the developer to file separate applications for building permits on Phases I and II eleven months apart. The 801 South Street project received sewer connection approvals for Phases I and II from the City and County of Honolulu on May 17, 2012. HCDA knew that two residential towers and two garages were planned for Phases I and II, collectively, but this fact was not disclosed until after Phase I was approved. HCDA thereby misled the public at the time Phase I was approved, by not disclosing the full scope of the project as a whole, which blunted public opposition by keeping the public uninformed. HCDA was required by its own regulations to review Phase I and II of this unified project concurrently. By issuing Development Permit Number KAK 13-057 HCDA denied Petitioners and the public an opportunity to effectively present their concerns to HCDA regarding Phases I and II of the project as a unified whole. As early as May 17, 2012, the City issued sewer connection approvals for Phases I and II of the project (confirmed by City and County). However, artificially breaking a single project into parts for piecemeal consideration seriously impacted "meaningful" community engagement required by HRS §206E-5.5. Doing so allowed HCDA to limit review by Petitioners and the community, as well as input received and considered by the HCDA. The Petitioners and public were unaware of the 801 South Street Phase II, at a time when HCDA clearly was aware it was planned for the project. Petitioners and the public were not fully and fairly informed of the magnitude and, specifically, Phase II of the project, until late August 2013, after Phase I had already been permitted.

- b. HAR §15-218-55(a)-(b) Workforce Housing: "New residential project(s) where at least seventy-five per cent of the residential units are set aside for purchase by families earning between one hundred to one hundred forty per cent of the AMI, which does not require financial assistance for construction from Federal, State, or County governmental bodies, and which meets the following unit size requirements shall qualify as a workforce housing project" and are exempt from the requirements of HAR §§ 15-218-35, 15-218-36, and 15-218-41.

Petitioners' Position: HAR § 15-218-55 exceeds HCDA's authority under HRS §§206E-4, -5.5, -7, -31, -31.5 & -33 and improperly insulates HCDA's decision-making from judicial review. The permit is invalid because the proposal does not meet the criteria of HAR § 15-218-55, and, therefore, even if the "workforce" exception is lawful, by granting the permit HCDA acted *ultra vires*, arbitrarily and contrary to the law and facts.

As described in submittals made to HCDA during its consideration of Phase II, and incorporated herein by reference,¹ 801 South Street Tower B is supposed to offer affordably priced units that comply with the Hawai'i workforce housing rules. To satisfy these rules, at least 75% of the residential units must be set aside for purchase by families earning between 100% to 140% of the Area Median Income (AMI). The developer requested exemption from HCDA rules and critical concessions from the HCDA because of the assertion that Tower B satisfies the workforce housing requirements. The proposed development does not and is based on unfounded assumptions, errors and omissions in their analysis, which concludes that 2 bedroom units costing as much as \$715,213 for a family of four satisfies the affordability requirements of HAR § 15-218-55.

If the permit request is evaluated in a manner that excludes the unfounded assumptions, errors and omissions in the applicant's analysis, it is apparent that the affordability requirements of HAR § 15-218-55 are not met.

Analyzed without the unfounded assumptions, errors and omissions, it is apparent that none of the 273 2-bedroom units in the proposed building are priced in accordance with HCDA's own workforce housing affordability and maximum size requirements. Also, none of the 45 3-bedroom units meet workforce housing maximum size requirements (as already acknowledged by

¹ All prior submissions in opposition to Phase II of the 801 South Street permit application also are so incorporated.

the developer). A total of 318 units should therefore be disqualified from HCDA's analysis of whether the proposal meets the workforce housing requirements. Once these units are excluded, the HCDA must reject the proposed development for not meeting the letter and purpose of HAR §15-218-55. The current proposal for 801 South Street Tower B would provide hundreds of market priced units; it does not provide units that are claimed to provide workforce housing as defined by HAR §15-218-55.

- c. HAR § 15-217-55(l)(3) - View Preservation: "The tower floor plate shall not exceed a horizontal plan projection dimension of 150 feet on one direction and a maximum length of 210 feet between two farthest points of the tower floor plate. The plan projection dimension measured perpendicular to the horizontal projection may exceed 150 feet provided that the maximum dimension between two farthest points on the tower footprint do not exceed 210 feet in length." HRS §206E-33, governing developments in the Kaka'ako Community Development District, also includes the following requirements:

- (4) Major view planes, view corridors, and other environmental elements such as natural light and prevailing winds, shall be preserved through necessary regulation and design review.

HAR § 15-217-55(l)(4) - "A proposed tower shall be located a minimum of 300 feet from an existing tower, when any portion of the proposed tower falls within the existing tower's mauka-makai zone . . ."

Mauka Area Rules Figure BT.10.G incorporates the view preservation and building massing limits contained in HAR § 15-217-55(l).

- The "Midrise Elements" described in Section 5.2 of the Mauka Area Plan reiterate this intent, stating:

The intent is to encourage projects that maintain Mauka-Makai view planes and to provide additional development scale choices.

Range of Height: 100 feet - 250 feet.

Footprint: The setback along View Corridor streets is 50 feet from the build-to line. The setback along all other Streets is 20 from the build-to line.

Petitioners' Position: The garage has a floor plate of 118' x 211'. Therefore the distance between its two farthest points exceeds 210' - as described by the rule cited above. The garage structure has the same effect as if it were a tower; it will still obstruct view planes that were meant to be preserved under the Mauka Area Rules and as stated in the Mauka Area Plan. Additionally, occupants residing below the tenth floor will have a direct view of the parking structure and not much else.

The purpose and intent for view preservation will be violated by allowing a 107 foot 10 story garage structure within Tower A's 300 foot Mauka-Makai zone. The garage tower's massing is a physical presence that creates a visual wall when combined with its proximity to Tower A and as such interferes with preserving the view planes, which is stipulated in the Mauka Area Plan at page 28:

"The Mauka Area Plan proposes to preserve the views and visual assets and integrate new development into the existing urban skylines in a consistent and harmonious way to enhance the community."

- d. HAR § 15-217-2(c), Historic Preservation: "The rules are adopted to protect and promote the public health, safety and general welfare of the community and to protect and preserve places and areas of historical cultural, architectural, or environmental importance and significance, as set forth in the mauka area plan and chapter 206E, HRS."

HAR § 15-217-2(c)(3)(H) - "That the preservation and renewal of historic buildings be facilitated to affirm the continuity and evolution of society."

HRS §6E-2 defines an historic property as "any building, structure, object, district, area or site, including heiau and underwater site, which is over fifty years old." As State Historic Preservation Officer William Aila, Jr., noted in his October 9, 2013, letter to HCDA, the implementing regulations of HAR § 13-284 set forth an historic preservation review process which consists of specific steps. Mr. Aila's letter further explained those steps and their impact in the instant case:

(1) Identification and Inventory: The former Honolulu Advertiser building has been assessed by Mason Architects (June 2005). A list of character defining features which still existed at the time of the report is provided. An additional list of missing elements that could be restored or recreated is also included. Finally, non-contributing features that might

be altered or removed are also listed. In addition, potential exists for archaeological historic properties to be located within the project area, in the area of Tower 2, and **SHPD would like an archaeological inventory survey completed for the parcel.**

(2) Evaluation and Significance: Based on the above referenced report the Honolulu Advertiser Building has been determined to be eligible for the National Register under Criterion A. for its association with the Honolulu Advertiser, Hawaii's first English language non-governmental newspaper. It is also eligible under Criterion B for its association with Lorrin Thurston, who was instrumental in the overthrow of the Hawaiian Kingdom and the subsequent American rule over Hawaii, and finally, and not least, it is eligible under Criterion C, for its distinctive Beaux Arts style and because it represents the "work of a master": the Honolulu architecture firm of Emory and Webb. **Significance evaluations for potential archaeological historic properties will be completed as part of the archaeological inventory survey process.**

(3) Effect determination: HCDA has not provided, nor has SHPD been formally asked for an effect determination. However, **there seems to be agreement that the project will have an adverse effect on the Advertiser building.** An effect determination has not yet been made regarding archaeological historic properties.

(4) Mitigation commitments-these remain to be negotiated. We note that you propose to retain the "Office Building," which we agree is a good idea. However, so far, the plans submitted do not provide any detail on what retaining the "Office Building" means in terms of any proposed demolition to accommodate the proposed garage, or any rehabilitation or maintenance of the Advertiser building. **Agreement on these mitigation commitments is required before the project can proceed.**

(5) Detailed mitigation plans--these are developed after mitigation commitments are agreed to.

(6) Verification of the detailed mitigation plans. Not complete.

We note on page 2 of your letter that you request "that HCDA approve the plan for the News Building described in the Permit Application and coordinate with SHPD to confirm that although the Project will have an effect, the mitigation provided in this letter and the Permit Application

is adequate and nothing further is required by SHPD." As stated above, **additional information is required by SHPD regarding details of the proposed mitigation. HCDA needs to take SHPD's comments and request for information into account before it can approve the Project.**

We further note that on the last page of your letter, you state that you have had a meeting with Ms. Westfall, of SHPD, and Ms. Faulkner, of the Historic Hawaii Foundation, and as such, "Downtown Capital has consulted with SHPD on the Project." As outlined above, while you may have met on this project, **you have not met the requirements of HAR 13-284 for historic preservation review of your project.** While the process does not require a meeting, it is usually helpful for project proponents to discuss their project with SHPD at each step of the process.

Petitioners' Position. The development proposes to demolish a significant portion of what remains of the *Advertiser* Building, which has been deemed eligible for both the State and National Historic Registers. Furthermore, the imposition of a 10-story parking garage abutting the building degrades a beautiful example of the Beaux Arts Revival architectural style. The Historic Hawai'i Foundation opposes the proposed development. Most importantly, HCDA has not addressed the concerns raised by the SHPD and as stated in Mr. Aila's letter. Therefore, the permit was improperly issued because the historic preservation statute, regulations and purposes have not been fulfilled.

- e. HAR § 15-217-2(c)(1)(A) Pedestrian Orientation - Purpose: "For the community: That neighborhoods and transit-oriented development is compact, pedestrian-oriented and mixed use;"

HAR § 15-217-8 - Definition of terms: "'Smart growth' means an urban planning theory that concentrates growth in the center of a city to avoid urban sprawl and advocates compact, transit-oriented, walkable, bicycle-friendly land use, including complete streets, and mixed-use development with a range of housing choices."

Petitioners' Position: The development is not pedestrian-oriented and creates pedestrian-hostile environments. Furthermore, the development packet does not seem to address the requirement of pedestrian zone treatment along Kapiolani Boulevard, as defined in the Mauka Area Rules (Fig. PZ-2) and Mauka Area Plan, Section 7.3.5 (p.40). With the addition of 788 parking stalls

approved in Phase II, the project will include a total of more than 1,700 vehicles added to the area when Phase I and Phase II are considered in total. Furthermore, only one sub-standard means of ingress and egress is being provided to divert these vehicles from or onto Kawaiahao Street and Kapiolani Boulevard.

- f. HAR § 15-217-2(c)(1)(E) Range of Housing: "For the community: That within neighborhoods, a range of housing types and price levels be provided to accommodate diverse ages and incomes;"

HAR § 15-217-8 - Definition of terms: "'Smart growth' means an urban planning theory that concentrates growth in the center of a city to avoid urban sprawl and advocates compact, transit-oriented, walkable, bicycle-friendly land use, including complete streets, and mixed-use development with a range of housing choices."

Petitioners' Position: Only one range of housing type is being proposed for both Phase I and Phase II of 801 South Street - Workforce Housing. Although there is a recognized need for this housing type, it should also be noted that the block bounded by Kapiolani Boulevard, Curtis Street, Kawaiahao Street and South Street will contain all of the same type of housing.

- g. HAR § 15-217-53(a) & -63 - Building Form/Height of Parking Structure: "Facades shall be built parallel to a build to line with a minimum frontage occupancy as per Figure 1.3 - C (building placements and encroachments)..."

- Figure 1.3 C: 75% minimum frontage occupancy at build to line for Kapiolani neighborhood zone.
- HAR § 15-217-54(f) - "All new principal buildings shall be designed with a street front element conforming to Figure 1.3 D...."
- Figure 1.3 D: Building Form: In the Kapiolani Neighborhood Zone requires street front element height of 30' - 65'.

HAR § 15-217-63 - Commercial, clinics, administrative and all other uses: 1 per 450 square feet of floor area.

Petitioners' Position: The Mauka Area Plan and Rules call for 75% frontage occupancy as a means of engaging the pedestrian with street front buildings, as opposed to isolating the pedestrian before reaching the primary entrance of

any building. The parking tower is one example of how the proposed development of Tower B does not engage pedestrians.

Under the Mauka Area rules, new buildings are required to have a 30' - 65' height limit to engage pedestrians. The garage structure has a street front element of 107' on South Street and Tower B presents a street front element of 410' on Kapiolani Boulevard. Thus, neither building complies with HCDA rules regarding street front elements. This requirement is necessary in order to provide a relatable, human-scaled environment at the street front.

On page 3 of the 801 South Street Conformance Matrix to Mauka Area Plan and Rules, the developer notes that the project conforms to the rules and states that "100% of tower will be flush with South Street facade" and "On Kapiolani Blvd., the street front would be podium, in lieu of podium the tower is consistent with and establishes street front elements." Petitioners dispute this statement, as, in Petitioners' opinion, the tower is not flush with the South Street facade as it is setback from South Street by approximately 220 feet.

The garage structure also is not flush with the South Street facade since it is set back from South Street by 58 feet, as required by the Mauka Area Rules (HAR § 15-217-55(l)(5)).

The tower frontage along Kapiolani Boulevard is not consistent with the street front elements required by the rules as it is 400 feet tall, considerably higher than the permitted 30 to 65 feet.

Petitioners believe the developer miscalculated the number of total stalls required - only 591 are required under current HCDA rules. There is an excess of 197 stalls in the current garage. Furthermore, Petitioners believe the Tower A development provides 280 extra stalls which could be used either for the commercial space or for the developer's anticipated demand for extra parking stalls by two-car residents.

h. HAR § 15-217-53, -54 & -55 - Frontage Types/Pedestrian Environment: HAR § 15-217-53(b) - "Wherever a build to line is equal to or greater than fifteen feet, a terrace front frontage type...shall be used."

- HAR § 15-217-54(f) - "All new principal buildings shall be designed with a street front element conforming to Figure 1.3 - D...."

- Figure 1.3 - D - Kapiolani Neighborhood Zone Building Form: Maximum Height - 400', Street Front Element Height - 30' - 65', Maximum Density (FAR) - 3.5
- HAR § 15-217-55(e)(3) - "Fences, walls, and hedges: Fences shall be constructed out of ornamental iron, steel, wood pickets and/or a synthetic wood product..."
- Figure 1.3-C - 75% minimum frontage occupancy at build-to line for Kapiolani neighborhood zone
- Figure BT-10, C.3 - "For above-ground garages, parking shall be concealed from view at street frontages through a liner of habitable space on at least three sides of the building; service streets and alleys excluded. Where exposed to the street, above-ground garages shall be screened from view at the street frontage by landscaping, green screens or cladding; service streets and alleys excluded."
- Figure FT.8, B.4 - Terrace Front, Frontage Elements: "Fences or walls defining and/or retaining the terrace shall not exceed three feet in height from the adjacent sidewalk."

Petitioners' Position: The build-to line along South Street is fifteen feet, which requires a terrace front type frontage. The developer has instead planned to provide a vehicular drop-off area on the South Street frontage. HCDA requested this be modified to a "pedestrian plaza" but did not explain what this was--it is not a defined term in HAR § 15-217-8--or describe how it would be determined that the requested modification had been met by the developer. On both South Street and Kapiolani Boulevard, Tower B and its corresponding garage structure do not provide street front elements within the required height range of 30 to 65 feet. This requirement is necessary in order to provide a relatable, human-scaled environment at the street front. By ignoring this requirement, the development is not consistent with the Mauka Area Rules and creates a less pedestrian-friendly environment, which does not comply with the Mauka Area Plan, including, the following:

- Mauka Area Plan 5.0 - Urban Design: "While not every street needs to have wide sidewalks designed to attract large numbers of pedestrians, all should provide safe, pleasant, human-scaled walking conditions...;"
- and, "Appropriate design of the pedestrian realm includes not just the sidewalks and crosswalks, but also the design of buildings along the

street. Low-rise building elements are sited next to the sidewalk to enclose the street space, with pedestrian entries, windows and other opening at grade level...”

- Figure BT.10, C.3: Although the parking structure will be screened with a facade of aluminum louvers, the structure is not concealed by habitable space on any side, except for the side facing the alley. Habitable spaces surrounding a parking structure can add human-scaled elements and “soften” the visual impact of a parking structure - particularly one of the size proposed by the developer. By choosing not to provide a liner of habitable spaces, the developer is creating a hard, massive visual element that lacks any human-scaled elements. The visual impact of the garage can be illustrated by the facade of the storage facility on the Ewa side of South Street. There is no shade from the elements and no pedestrian facilities.

By neglecting to provide pedestrian elements, the developer is not complying with the improvement to the pedestrian realm as envisioned in the Mauka Area Plan at 40:

- “Improving the pedestrian realm entails the following elements:
- Developing a fine-grained network of walkable (Pedestrian Tolerant or Supportive) streets and pathways.
- Buffering pedestrians from traffic by placing a furnishing area next to the curb and by providing on-street parking.
- Creating consistent street walls of low-rise building elements to frame the public street space at a human scale and to provide visual interest.”

The developer requested a modification for the fence height requirement from 3 feet to 6 feet in order to provide privacy to ground floor occupants. HCDA denied this one request for modification.

- i. HAR § 15-217-58(d)(7): Driveway Rules: Requires that “[f]or large lots² that abut other parcels not subject to a permit application, an alley of at least twenty-six feet in width must be provided at the edge of the lot that is adjacent to the other parcels to ensure access by vehicles and access to light and air of the

² The total square footage for the project (Phases I & II) exceeds 140,000 square feet and, therefore, should meet the requirements of the Large Lots as defined in HAR §15-217-58(b).

other parcels. An alternative proposal may be considered as long as it meets the intent of providing light, room, and air to neighboring parcels."

Mauka Area Rules provide:

- Fig. 1.3 - up to 15' front build to line in Kapiolani neighborhood zone.
- Fig. NZ-2: 5' - 10' build to line required along Kapiolani Blvd.
- Fig. PZ.2 - Pedestrian Zone Treatment, Kapiolani Zone

Petitioners' Position: The alley provided to provide ingress and egress for the more than 1,700 total vehicles is less than twenty-six feet wide and does not provide equivalent "light, room, and air to neighboring parcels." The permit application proposed to increase setback along Kapiolani Blvd. to 22 feet to "enhance the pedestrian experience and provide more visibility by pedestrians of the vehicle entrance along Kapiolani Boulevard." The development packet did not identify any pedestrian elements or fixtures intended specifically to comply with the required Pedestrian Zone Treatment along Kapiolani Boulevard.

- j. HAR § 15-217-59(c)(1) to (7): Building Green Standards: Provides for "standards intended to result in a responsible development pattern that conserves natural resources and provides a healthy environment for inhabitants of the mauka area."

Petitioners' Position: The permit included a request for exemption from the Leadership in Energy and Environmental Design (LEED) Green Building Rating Systems. LEED is a third-party certification program and the nationally accepted benchmark for the design, construction and operation of high performance green buildings. The intent of the rule dovetails with the state's "Clean Energy Initiative," with the stated goal of relieving dependence on foreign oil. By foregoing this requirement, the project is contrary to Hawaii's stated goal of energy independence.

- k. HAR § 15-217-63(c)(3): Parking Access/Kapiolani Driveway: Requires that "Curb cuts shall be setback a minimum of twenty-two feet from adjacent properties. Lots with less than 100 linear feet of frontage are exempt from this provision."

Petitioners' Position: The modification granted by HCDA permits the developer to place the curb cut to the alley six feet and three inches away from the adjacent property. This presents an imminent pedestrian hazard. The property

abutting the development site is occupied by the pre-owned Lexus dealership. The building for the dealership abuts the existing sidewalk, creating a “blind” corner for a vehicular access lane (or alley) only six feet away. Kaka’ako residents have noted that even at the existing driveway to the *Advertiser* parking lot, there have been dangerous pedestrian-vehicle encounters because of obstructed views. The developer’s plan to add more than 1,700 vehicles access through the sub-standard alley substantially increases this hazard. The development again runs counter to the Mauka Area Plan, 5.0 Urban Design.

- L. HAR § 15-217-56(d): Recreational and Open Spaces: Requires “Residential projects requiring a development permit shall provide 55 square feet of recreation space per dwelling unit. The required on-site recreation space, if provided outdoors, may be used to satisfy the open space requirements.”

Mauka Area Plan Fig. BT-10.D.1- "At least 15% of the lot area shall be provided as open space and shall be open to the sky."

Mauka Area Plan Fig. BT-10, D.3 - “Open space shall have a minimum dimension of 40 feet on any one side.” See, Figure 1.11 - Civic Space. Open space may be and is apparently counted as "recreational space" for purposes of the permit. Therefore, the dimensional requirements apply.

- Mauka Area Plan, 6.1.2: "The amount of land committed to public park space falls far short of the City and County of Honolulu’s Park Planning Standards...60 acres of park space.... It is unrealistic to expect that such a large amount of land can be acquired for public parks in a built-up urban area like Kakaako....Therefore, a combination of strategies is needed to meet the demand for parks and outdoor recreation...."
- and Mauka Area Plan 6.2.4: “Due to Kakaako’s limited public park space is limited (sic), new housing development should incorporate recreational facilities for the use of residents. Developer should provide on-site recreational facilities for project residents.”

Petitioners’ Position: The proposed 410 units require 22,550 square feet of recreation space. The Mauka Area Plan recognized the lack of available land for public parks and open spaces in the Kaka’ako district, and it emphasized that private development must provide residents with sufficient space for recreational activities. The project does not fulfill this purpose or the express recreational space set-aside criteria.

The developer proposed to provide recreational space in the following manner:

- Meeting Room 1: 2,058 square feet
- Meeting Room 2: 4,473 square feet
- Open space = 16,603 square feet

It appears that "Meeting Room 1" is actually the ground floor elevator lobby for Tower B through which ground floor and other occupants must access their units. This is not a meeting room and does not meet the definition of "recreational space" contained in HAR § 15-217-8, "an outdoors or indoors open space within a development that can be located at any level and is available for recreational use." Thus, recreational space would not include an elevator lobby. Similarly, the narrow strips abutting the Diamond Head side of the alley are being counted as "recreational space" when it is apparent that no recreation could occur there, especially given the more than 1,700 vehicles using that alley for ingress and egress.

The open space provided, as shown on Sheets 1A and B of the plans, is divided up into small strips that range in width from about six to twenty feet; the forty foot dimensional requirement is met on one dimension of any strip - no strip meets the forty foot minimum in both dimensions. As noted, most of these open areas are situated adjacent to vehicular lanes or driveways. It would be unsafe to hold any kind of recreational activity in these areas, particularly for children, the elderly or disabled.

The only actual recreational area that Tower B provides is Meeting Room 2. The 4,473 square foot room falls short of the 22,250 square feet mandated for recreation.

The open space shown on Sheets 1A and B of the developer's submitted plans also do not appear to correspond with any of the typologies exemplified in Mauka Area Plan Figure 1.11.

- m. HAR § 15-217-2(c)(3)-General Public Welfare: "For the block and the building: (A) That buildings and landscaping contribute to the physical definition of thoroughfares as civic places; (B) That development adequately accommodates automobiles while respecting the pedestrian and the spatial form of public areas; (C) That the design of streets and buildings reinforce safe environments; but not at the expense of accessibility;"

HAR § 15-217-4 - Minimum Requirements: “The provisions of the rules are minimum requirements for the protection and promotion of public health, safety, and welfare.”

Petitioners' Position: The Mauka Area Rules are meant to provide the minimum requirements for health, safety and welfare. Modifications that permit development at standards less than specified by the rules are unlawful and would result in detriment to public health and safety *per se*.

- n. HAR §15-217-58 Large Lots: Requires that “[e]ach building within a large lot project shall comply with the applicable requirements in the development standards by zone and all other relevant standards in the rules.” Large Lots rules also require: (1) dividing the large lot into pedestrian-oriented blocks; and (2) mid-block pedestrian passageways and courtyards at least every 300 feet.

Petitioners' Position: None of these features are included in the development plans for Phase I & II. The total square footage of the parcels for Phase I & II exceed 140,000 square feet, therefore the requirements of Large Lot developments should apply to the development.

The combination of Phase I and II essentially walls off the neighboring capitol district. The buildings include massing and articulation that do not reflect a human scale; rather they impose large, monolithic, and repetitive building fabric.

- o. HAR § 15-217-80(d): Consistency with Rules/Plan: - “Approval of an improvement or development permit shall require all the following findings of fact:”
- (1) Mauka Area Plan consistency. That the proposal complies with and advances the goals, policies and objectives of the Mauka Area Plan;
 - (2) Mauka Area Rules consistency. That the proposal will protect, preserve, or enhance desirable neighborhood characteristics through compliance with the standards and guidelines of the Mauka Area Rules; and
 - (3) Compatibility. That the proposal will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use.”

Petitioners' Position: Because of the lack of adherence to the Mauka Area Rules and Plan, and the impacts of these deviations, Petitioners believe the development permit does not satisfy any of the above listed requirements:

- It does not comply with nor advance the goals, policies and objectives of the Mauka Area Rules as shown in the discussions above.
 - It does not comply with nor advance the goals, policies and objectives of the Mauka Area Plan as shown in the discussions above.
 - The development plan, as proposed, does not create a pedestrian-friendly neighborhood and actually intends to create a pedestrian hazard on Kapiolani Boulevard and therefore does not protect, preserve or enhance the neighborhood characteristics as set forth in the Mauka Area Rules. Although the packet specifically describes six modifications, in reality numerous additional Mauka Area Rules would require modification in order to support this development.
 - As proposed, the design of Tower B and its parking garage seem to provide a substantial adverse effect on neighboring properties and residents and will isolate Kaka'ako visually and physically from the Honolulu Civic Center.
- p. The Mauka Area Plan FEIS and FSEIS are outdated and do not properly contemplate the impact of the proposed project.

Petitioners' Position: Before the Phase II begins, the existing FEIS and FSEIS must be updated and amended to reflect changes in circumstances since their adoption. *Unite Here! Local 5 v. City & County of Honolulu*, 123 Haw. 150, 231 P.3d 423 (Haw. 2010); and/or acted in excess of its statutory authority.

RELIEF REQUESTED

Petitioners respectfully request that:

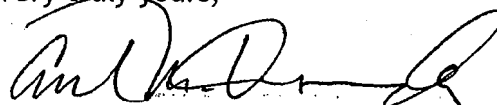
1. The HCDA rescind approval of the Development Permit for Phase II of the Downtown Capital LLC 801 South Street Project Planned Development Permit Number KAK 13-057.
2. HCDA conduct and complete another supplement Environmental Impact Statement that addresses, evaluates and mitigates all the changes that have been granted to ensure there is adequate sewer, public parks, public schools, health care facilities and road infrastructure.

3. Reevaluate any reapplication for a Permit for Phase II of the Downtown Capital LLC 801 South Street Project Planned Development according to the principles and concerns expressed in this Petition.

4. Either: (1) Grant the request for a public contested case hearing pursuant to HAR § 15-219-46 for a determination of the issues that can properly be determined by the HCDA; or (2) deny the request for contested case hearing pursuant to HAR § 15-219-46; and, (3) regardless of whether granting or denying the request, state, with particularity, whether HCDA asserts that any of the issues raised herein are not ripe for adjudication under standards established in *Office of Hawaiian Affairs v. Hous. and Cmty. Dev. Corp. of Hawai'i*, 121 Hawai'i 324, 336, 219 P.3d 1111, 1123 (2009); *Pele Defense Fund v. Puna Geothermal Venture*, 8 Haw. App. 203, 204, 797 P.2d 69, 71-72 (1990); *Leone v. County of Maui*, 128 Hawai'i 183, 284 P.3d 956 (2012).

Petitioners request the HCDA schedule this matter for a contested case hearing as soon as practicable.

Very truly yours,



Carl M. Varady
Attorney for Petitioners

c: William Aila, Jr., State Historic Preservation Officer
Hon. Carol Fukunaga
George I. Atta, FAICP, LEED AP, CEI, Director, Planning and Permitting
Michael D. Formby, Director, Transportation Services

EXHIBIT 1: Royal Capitol Plaza AOA – Petition

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NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

ESTHER KIA'AINA
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

October 9, 2013

Ryan Harada
Downtown Capital LLC
215 N. King Street, Ste 1000
Honolulu, HI 96817

Log No. 2013.5697
Doc No. 1310PA01

Dear Mr. Harada:

RE: 801 South Street, Building B project and the former Honolulu Advertiser Building (News Building)
Honolulu, Kona Moku, Island of O'ahu
TMK: (1) 2-1-047:004 (por)

We are in receipt of your September 19, 2013 letter to Mr. Anthony Ching, the Executive Director of the Hawaii Community Development Authority (HCDA). Thank you for copying the letter to us. We wanted to take the opportunity to clarify some items of your letter.

You state that applicable federal and Hawaii laws allow for the demolition of the entire News Building. While this is true, the intent of 6E also states:

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.

While SHPD understands your intent to create workforce housing, and acknowledges the importance of workforce housing in our state, we do not believe that our choices should be either workforce housing or historic preservation. With proper planning, the people of our state, no matter their income, should be able to afford and benefit from both, as the legislature intended.

It is for this purpose that HRS 6-E and its associated Administrative Rules were created. HRS §6E-42 requires that SHPD be allowed to comment on any project affecting a historic property. HRS §6E-2 defines a historic property as "any building, structure, object, district, area or site, including heiau and underwater site, which is over fifty years old." SHPD's comments, as defined in HAR 13-284 are in the form of a historic preservation review process which consists of the following steps:

1. Identification and Inventory

The former Honolulu Advertiser building has been assessed by Mason Architects (June 2005). A list of character defining features which still existed at the time of the report is provided. An additional list of missing elements that could be restored or recreated is also included. Finally, non-contributing features that might be altered or removed are also listed.

In addition, potential exists for archaeological historic properties to be located within the project area, in the area of Tower 2, and SHPD would like an archaeological inventory survey completed for the parcel.

2. Evaluation and Significance

Based on the above referenced report the Honolulu Advertiser Building has been determined to be eligible for the National Register under Criterion A, for its association with the Honolulu Advertiser, Hawaii's first English language non-governmental newspaper. It is also eligible under Criterion B for its association with Lorrin Thurston, who was instrumental in the overthrow of the Hawaiian Kingdom and the subsequent American rule over Hawaii, and finally, and not least, it is eligible under Criterion C, for its distinctive Beaux Arts style and because it represents the "work of a master": the Honolulu architecture firm of Emory and Webb.

Significance evaluations for potential archaeological historic properties will be completed as part of the archaeological inventory survey process.

3. Effect determination

HCDA has not provided, nor has SHPD been formally asked for an effect determination. However, there seems to be agreement that the project will have an adverse effect on the Advertiser building. An effect determination has not yet been made regarding archaeological historic properties.

4. Mitigation commitments –these remain to be negotiated.

We note that you propose to retain the "Office Building," which we agree is a good idea. However, so far, the plans submitted do not provide any detail on what retaining the "Office Building" means in terms of any proposed demolition to accommodate the proposed garage, or any rehabilitation or maintenance of the Advertiser building. Agreement on these mitigation commitments is required before the project can proceed.

5. Detailed mitigation plans—these are developed after mitigation commitments are agreed to.

6. Verification of the detailed mitigation plans. Not complete.

We note on page 2 of your letter that you request "that HCDA approve the plan for the News Building described in the Permit Application and coordinate with SHPD to confirm that although the Project will have an effect, the mitigation provided in this letter and the Permit Application is adequate and nothing further is required by SHPD. As stated
Exh. 1.25 to Testimony of Carl M. Varady

above, additional information is required by SHPD regarding details of the proposed mitigation. HCDA needs to take SHPDs comments and request for information into account before it can approve the Project.

We further note that on the last page of your letter, you state that you have had a meeting with Ms. Westfall, of SHPD, and Ms. Faulkner, of the Historic Hawaii Foundation, and as such, "Downtown Capital has consulted with SHPD on the Project." As outlined above, while you may have met on this project, you have not met the requirements of HAR 13-284 for historic preservation review of your project. While the process does not require a meeting, it is usually helpful for project proponents to discuss their project with SHPD at each step of the process.

We look forward to working with you to complete the historic preservation review and ensuring that Hawaii retains its important historic and cultural heritage.

Sincerely,



William Aila, Jr
State Historic Preservation Officer

cc: Anthony Ching, Executive Director, HCDA
Nicki Thompson, Acting Administrator, SHPD
Angie Westfall, SHPD
Susan Lebo, SHPD

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 08, 2014 3:54 AM
To: waltestimony
Cc: icuryy2c@gmail.com
Subject: Submitted testimony for HB1864 on Feb 8, 2014 08:30AM

HB1864

Submitted on: 2/8/2014

Testimony for WAL on Feb 8, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
C. Willson	Individual	Support	No

Comments: As a 25-year Kaka'ako resident, I SUPPORT all legislation to abolish the HCDA. HCDA is a rogue agency. It has been incompetent in supporting and administering compliance with the State plan, conformance with County Standards, producing a traffic plan with adequate solutions, addressing the inadequate ground elevation to keep the area dry under forecast sea level rise, and in addressing community concerns. This agency must be ELMINATED in the name of good government. There is a formal process for development on O'ahu, and we expect compliance with County standards, without the State – or the moneyed interests – subsuming County controls. I have read the EIS for the Mauka Area Plan for Kaka'ako, and current sea level rise information from NOAA, SOEST, and other current authorities has not considered at all, and it appears the agency is intent on forcing its Faustian, high density, “pave paradise” agenda on the County, even where contrary to County standards. This MUST be stopped. The power grab to eliminate County oversight has the appearance of gross impropriety at best, and wholesale corruption at worst. While abolishing HCDA is the proper remedy, I also support HB1860, HB1861, HB1863, HB1865, HB1866, and HB1867 to curb HCDA actions so I also support those bills in case it cannot be completely abolished in this session. I would appreciate it if this testimony could also be included for those bills. Thank you for supporting County oversight over ALL Oahu development.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

To Representative Cindy Evans
Chair, Water & Land Committee
State Capitol
Honolulu, HI 96813

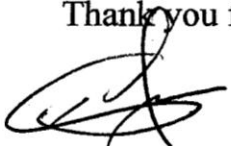
Saturday, February 8, 2014, 8:30 A.M.

I am writing in opposition to House Bills 1860, 1861, 1863, 1864, 1865, and 1866.

In one way or another these bills seek to modify or eliminate the way that the Hawaii Community Development Authority operates or provides services to the public. I believe that making any changes at this point in time to the authority would slow the opportunity for people to own homes or condominiums in Kakaako at a time when housing is sorely needed. As someone who is employed in the area I can tell you that this kind of option is really needed.

I would jump at the chance to own a high or low-rise condominium home in the Kakaako district. I think the district will prove its worth time-and-time again as families and people like myself actively seek to find more affordable housing in an urban setting that will be closer to work and other amenities like cafes, parks, lofts, stores, and high-rises with affordable and other housing options.

Thank you for the opportunity to offer these comments.



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