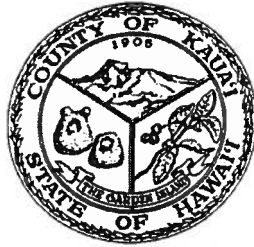


COUNTY COUNCIL

Jay Furfaro, Chair
Nadine K. Nakamura, Vice Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188
Fax (808) 241-6349
Email cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Līhu'e, Kaua'i, Hawai'i 96766

February 14, 2013

LATE

**TESTIMONY OF GARY L. HOOSER
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

**H.B. NO. 567, RELATING TO URBAN GROWTH COMMISSION
Committee on Economic Development & Business
Friday, February 15, 2013
10:00 a.m.
Conference Room 312**

Aloha Chair Tsuji and Committee Members:

Thank you for this opportunity to submit testimony in strong opposition of H.B. No. 567, Relating to Urban Growth Commission. My testimony is submitted in my capacity as an individual member of the Kaua'i County Council.

H.B. No. 567 is yet another attempt to take away community input and local control of the County planning process. The language being suggested which states that "the development standards established by the commission shall supersede all state and county development standards" is reflective of a PLDC mentality that believes in central control of development via broad sweeping away of local Ordinances and planning efforts.

Each County is different and may very well have different development standards, which is the nature of local communities. Each County should be free to develop according to its own personality and to choose its own path with regards to development criteria. For example Kaua'i has a strict height limitation that may not exist in other Counties.

We do not want a "one size fits all" homogenized development standard driven by the standards that exist on O'ahu or in other Counties.

For the reasons stated above, I encourage Committee Members to defer this item indefinitely or vote to HOLD H.B. No. 567. Again, thank you for this opportunity to submit testimony.

Sincerely,

GARY L. HOOSER
Councilmember, Kaua'i County Council

AB:lc

LATE

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 4:10 PM
To: edbtestimony
Cc: lance.duncan@live.com
Subject: Submitted testimony for HB567 on Feb 15, 2013 10:00AM

Categories: LATE TESTIMONY

HB567

Submitted on: 2/14/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Lance Duncan	Individual	Oppose	No

Comments: Thank you for the opportunity to testify. While I oppose this bill as written, I support the concept of having an urban growth commission which would work collaboratively and jointly with local jurisdictions to limit urban sprawl, both horizontal and vertical. Such joint efforts must not short circuit local planning commissions and community planning efforts, but must partner with them to develop solutions that are embraced by the communities affected. Should there be an emergency that requires exemptions from any of the planning, zoning, environmental regulations, it must be articulated what constitutes such an emergency, and how the local community must be involved in both declaring that emergency, as well as granting exemptions to a particular project or development effort. The bill cannot go forward as is without violating these principles of local control and home rule. Sincerely, Lance Duncan Pahoehoa, HI

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

LATE

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 4:11 PM
To: edbtestimony
Cc: kraul@hawaiiintel.net
Subject: *Submitted testimony for HB567 on Feb 15, 2013 10:00AM*

Categories: LATE TESTIMONY

HB567

Submitted on: 2/14/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Sydney A. Kraul, Jr.	Individual	Oppose	No

Comments:

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

LATE

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 5:04 PM
To: edbtestimony
Cc: dickmayer@earthlink.net
Subject: *Submitted testimony for HB567 on Feb 15, 2013 10:00AM*

HB567

Submitted on: 2/14/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Dick Mayer	Individual	Oppose	No

Comments:

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



LATE

Eric Gill, Financial Secretary-Treasurer

Hernando Ramos Tan, President

Godfrey Maeshiro, Senior Vice-President

Thursday, February 14, 2013

Chairs and Committee Members
Joint Hearing of the House Committees on Economic Development & Business and
Consumer Protection & Commerce
Hawaii State Legislature
State Capitol
415 S. Beretania Street

RE: HB 567 relating to Urban Growth Commission

Chair Tsuji, Chair McKelvey, and members:

UNITE HERE Local 5, a local labor organization representing nearly 10,000 hotel, health care and food service workers employed throughout the State, hereby registers our opposition to House Bill 567, relating to the Urban Growth Commission.

While we recognize the intent of HB 567, we are concerned that in its current form, the legislation before you does not adequately address or outline a process by which the proposed Commission would convene and or make decisions. Nor does it explicitly outline a process that would account for community and public input.

After appearing on numerous occasions on concerns related to the creation of the Public Land Development Corporation (PLDC) we recognize that the Legislature now acknowledges the importance of restoring public trust on issues that have great impact on the long term futures of our communities. HB 567 is no different.

We are confident that your Committees will look carefully through the legislation before you and take into account how many of the concerns related to the PLDC can be addressed here as well.

We urge your committees to oppose and defer HB 567. Thank you.

LATE

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 10:39 PM
To: edbtestimony
Cc: toolohana@hawaiiantel.net
Subject: Submitted testimony for HB567 on Feb 15, 2013 10:00AM
Attachments: hundred headed hydra.odt

Follow Up Flag: Follow up
Flag Status: Completed

Categories: LATE TESTIMONY

HB567

Submitted on: 2/14/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Laurence Tool	Individual	Oppose	No

Comments:

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

LATE

Aloha Chairmen Tsuji, McKelvey and Distinguished Committee Members,

I am writing in opposition to HB567, not because I have concerns about urban growth, but because I have concerns about yet another blanket waiver of existing rules and standards.

This legislative session risks being remembered as The Year of Abdication. I don't fully understand why, but we seem to have a core group of elected officials who are suicidally determined to sign away their lawmaking obligation to one or another ad hoc, appointed, dictatorial board, exempt from all the rules and regulations previous legislatures have labored to put in place. PLDC, Act 97, SB215 ----they don't seem to care what it's for or what it's called. They just want to outsource their own job, which is to set fair public rules that everyone has to follow.

Those working to repeal the PLDC are finding that's not enough. It seems we must take arms against a hundred-headed hydra of ever-more-fanciful rogue agencies, each one sprouting up from the stump of the last. The name and purpose of each new agency shifts, but their common denominator is a total lack of accountability.

Today we confront HB567, which would create an innocent sounding "urban growth commission." As in other "exemption" laws, the new commission's standards are to "supersede all state and county development standards." Why? What's wrong with state and county standards? Why can't they be updated in the normal way? No explanation is given.

What's next? What new waiver will the morrow bring?

Can you really blame the average citizen for thinking our Capitol is infested with corporate lobbyists who write bill after bill trying to suspend and gut the regulations which protect us from their greedy and unscrupulous masters? Tracking all these waiver bills is hard enough for you; it's impossible for us. We can only conclude that our Capitol needs the legislative equivalent of tenting.

So how about a joint resolution against waivers? How about focusing the rest of the session on constructive legislation that saves lives, or lowers costs, or improves essential services, or creates new opportunities for our young people?

Honorable Legislators, let's not remember 2013 as The Year of Abdication. Instead, let's make this the legendary session when the Hawaii Legislature stood up together for the rule of law and said, with one voice, No More Waivers!

Mahalo for your attention.

LATE

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 10:42 PM
To: edbtestimony
Cc: merway@hawaii.rr.com
Subject: Submitted testimony for HB567 on Feb 15, 2013 10:00AM

Categories: LATE TESTIMONY

HB567

Submitted on: 2/14/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Erway	Individual	Oppose	No

Comments: Please just 'cool it' for this legislative session. Give yourselves and your constituents time to reconsider the PLDC and all of the ramifications from it. I urge you to vote NO on this bill.

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

LATE

edbttestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 15, 2013 10:14 AM
To: edbttestimony
Cc: palmtree7@earthlink.net
Subject: *Submitted testimony for HB567 on Feb 15, 2013 10:00AM*

Categories: LATE TESTIMONY

HB567

Submitted on: 2/15/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Oppose	No

Comments:

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

LATE



**Testimony to the House Committee Economic Development and Business
Friday, February 15, 2013
10:00 a.m.
State Capitol - Conference Room 312**

RE: HOUSE BILL NO. 567 RELATING TO URBAN GROWTH COMMISSION

Chair Tsuji and Vice Chair Ward, and members of the committee:

The Chamber of Commerce of Hawaii **opposes H.B. No. 567**. The bills propose amendments to Chapter 205 HRS to establish an urban growth commission to establish standards for density, building design, and infrastructure, and other standards the commission deems necessary to mitigate adverse impacts of development on the surrounding community, within urban growth boundaries.

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.

The bill does to identify a specific problem that is being solved that would require this type of legislation. In addition, the bill seems to be infringing on urban issues that are normally the responsibility of the counties. As we understand it, the counties are responsible for most of the planning (i.e. density, zoning, infrastructure, etc.) within their respective urban growth boundaries. The new commission will be able to supersede all government development standards for projects within the urban growth boundary.

With similar powers as the county for land use planning issues within the urban growth boundaries, the legislation appears to create a dual authority without a clear indication of how the new standards will be implemented within the existing county structure.

For these reasons, we cannot support the legislation as presently drafted. Thank you for the opportunity to express our views on this matter.

LATE

edbttestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 15, 2013 10:29 AM
To: edbttestimony
Cc: acurrie@hawaii.rr.com
Subject: Submitted testimony for HB567 on Feb 15, 2013 10:00AM

Categories: LATE TESTIMONY

HB567

Submitted on: 2/15/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Gretchen Ana Currie	Individual	Oppose	No

Comments: I oppose HB567 absolutely.

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

LATE

edbttestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 15, 2013 12:54 PM
To: edbttestimony
Cc: pamelapcm@gmail.com
Subject: *Submitted testimony for HB567 on Feb 15, 2013 10:00AM*

Categories: LATE TESTIMONY

HB567

Submitted on: 2/15/2013

Testimony for EDB on Feb 15, 2013 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Williams	Individual	Oppose	No

Comments:

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