

**lowen2-Lanaly**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 04, 2014 7:36 PM  
**To:** waltestimony  
**Cc:** unmanib@maui.net  
**Subject:** Submitted testimony for HB1919 on Feb 7, 2014 08:30AM

**HB1919**

Submitted on: 2/4/2014

Testimony for WAL on Feb 7, 2014 08:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Unmani Cynthia Groves	Individual	Support	No

Comments: Love this version! Supports Ua mau ke ea oka 'aina ika pono--our HI state motto. Go for it! I would participate in such ventures and encourage others to do so.

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.

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**From:** L J <lj@kalani.com>  
**Sent:** Wednesday, February 05, 2014 6:00 AM  
**To:** waltestimony  
**Subject:** SUPPORT HB1919 - being heard by WAL on 2/7/14

Aloha WAL Committee members reviewing HB1919  
Supportive of agricultural tourism and educational retreats

**It is very important that HB1919 continue to be hear and PASSED** (also SB2944 and HB1918), and please begin September 2014. One such educational retreats, Kalani Honua, has already been in existence for 40 years! These bills are necessary so that:

- All counties can support and engage in ag tourism, not just Maui County!  
(Current legislation must be amended because it only approves ag-tourism for Maui “the county with 3 islands”)
- All counties are allowed to acknowledge and support educational retreats as a means to increasing food production and building sustainable rural economies

Note the attached letters of 433 supporters, also viewable on [www.kalani.com/HelpHawaiiThrive](http://www.kalani.com/HelpHawaiiThrive) .

An example of an educational retreat in collaboration (for 40 years) with a 500 year ahupua’a heritage is mutually supportive relationship of the Kanaka’ole ‘ohana and Kalani Honua in revitalizing traditional sustainable living practices, per the following letter of support:

**From:** Kekuhi Kealiikanakaole [mailto:ohaililani@gmail.com] **Sent:** Tuesday, January 28, 2014 10:57 PM **Subject:** support for SB2944, HB1918 and HB1919

On behalf of my ‘ohana, please support **SB2944, HB1918** and **HB1919**. Educational retreats expand awareness and appreciation of the heritage and environment of Hawai’i while also providing a sustainable economy for rural areas and residents most in need of agricultural food production, education, employment, energy, recreation, safety, supplies, and services. These bills support the development of more sustainable methods of living, allowing greater implementation of county and state sustainable living policies, including furthering food and energy self-sufficiency in manners exemplified by educational retreats which engage local businesses, vendors, farmers and fisherman.

Kalani Honua is indeed an example of holism in the context of good living and aloha for our aina. Kalani Honua and Richard Koob have been our neighbors in Ke’eke’e, Kama’ili, Puna for as long as I know. I am 47. They have been good caretakers of a portion of our family land. Kalani Honua is a model of the potential of education, business, sustainability, stewardship and community. Our family is also engaged, at many levels, in education, spirit and social-ecological wellbeing of our aina for ourselves and our mo ‘opuna. Our models of education, like Kalani Honua's, are grounded in the health of our aina and are anchored in our balanced participation with aina as elder. Hence, our educational and spiritual inspiration comes from participating with and caring for Aina as the model teacher and classroom. Our own traditions depend on the health of our ecological relationships.

It is my pleasure to provide this letter in support of **SB2944, HB1918** and **HB1919** and Land Use Commission and county planning commission approvals for educational retreats.

E Ola E Na Kini...sustained life for all,

Kekuhi Kealiikanakaoleohaililani

Assistant Professor, Hawaii Life Styles, Hawaii Community College

[kekuhi@hawaii.edu](mailto:kekuhi@hawaii.edu) (808)934-2616

Me ke aloha pumehana,

LJ Bates III  
Executive Director  
Kalani Honua

*Hawaii's Largest Retreat Center ERUPTING with transformative aloha spirit on the  
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**Find Yourself Here!**

**SEEK** *your own Path.*

**SERVE** *within Community.*

**SHARE** *your Wisdom with Others.*

*Underneath our individual stories, what could possibly separate us?*

*- Jeff Foster*

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## lowen2-Lanaly

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**From:** Richard Koob <richard.koob@kalani.com>  
**Sent:** Tuesday, February 04, 2014 11:19 PM  
**To:** waltestimony  
**Subject:** PLEASE SUPPORT HB1919  
**Attachments:** Support letters for SB2944 HB1918 HB1919 educational retreats incl Kalani.pdf

Aloha WAL Committee members reviewing HB1919  
Supportive of agricultural tourism and educational retreats

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E Ola E Na Kini...sustained life for all,

Kekuhi Kealiikanakaoleohaililani

Assistant Professor, Hawaii Life Styles, Hawaii Community College

[kekuhi@hawaii.edu](mailto:kekuhi@hawaii.edu) (808)934-2616

Sincerely



**Richard Koob, thriving with sustainable farming for 67 years!**

Founder, Director Emeritus: KALANI Oceanside Retreat Village

808-965-0468 X104; 12-6860 Kalapana-Kapoho Beach Road, Pahoa, HI 96778

[www.KALANI.com](http://www.KALANI.com)

*Collaborating to provide Hawaii-Nature-Culture-Wellness-Sustainability education since 1975*  
*"Be the change you want to see in the world." - Gandhi*

**433 signatures on letters from supporters of educational retreats, such as Kalani Honua, and Senate Bill SB2944 and House Bills HB1918 and HB1919, to help Hawai'i thrive.**

- Kekuhi Kealiikanakaoleohaililani Assistant Professor, Hawaii Life Styles, Hawaii Community College [kekuhi@hawaii.edu](mailto:kekuhi@hawaii.edu) (808)934-2616
- The Hawai'i State Legislature, commendation and congratulation of Richard Koob, Founder
- Russell Kokubun, Chairperson, Board of Agriculture, State of Hawai'i Department of Agriculture
- William Steiner, Dean, University of Hawai'i College of Agriculture, Forestry and Natural Resource Management
- Faye Hanohano, Hawai'i State Representative, District 4
- Jackie Pualani Johnson, UHH Professor of Drama; Chair, Performing Arts Department
- Trina Nahm-Mijo, UHH-HCC Professor/Chair of Social Science Department
- Billy Kenoi, Mayor, Hawai'i Island
- Fred Blas, Hawai'i County Council Member, District 5
- Richard A. Criley, Emeritus Professor of Horticulture, University of Hawai'i at Manoa
- Leilehua Yuen and Manu Josiah, native Hawaiian culture practitioners
- Mark Kadota is an International Amsterdam and Honolulu based multimedia and performance artist, musician and hula practitioner and 30-year Kalani supporter
- Marilyn Cristofori, Chief Executive Officer, Hawai'i Art Alliance
- Helene Hale, former County of Hawai'i Chairwoman (pre mayor position) and Council member
- Thomas Tunsch, curator of Islamic Art, State Museums, Berlin, Germany; helped with Berlin's Centennial of Kalākaua's visit.
- Russell Ruderman, Hawai'i State Senator; President, Island Naturals Markets; community and business leader
- Scott Laaback, chef and culinary instructor, Dragon's Eye Learning Center
- Adi Eli-Ad, Los Angeles and Hawai'i filmmaker who loves and promotes Hawaii's nature, culture and wellness offerings
- Arthur Johnsen, visual artist, depicts Hawaii's heritage, owns gallery in Hilo, 30 years of instruction at Kalani
- Daron Scarborough, founder-director of the Puna Men's Chorus, also Waikiki Health Center wellness counselor
- Michael Kruzich, San Francisco based mosaic and mural artist, frequent Kalani collaborator
- David Ellis, President, Board of Directors, Puna Men's Chorus
- Barcus Adams, Kalani Horticulture Manager, Kalani community resident, and leading member of lower Puna's Community Emergency Response Team and Hui O Puna Makai association of coastal communities.
- Christina Ingenito, Social Worker in the field of Behavioral Health & Social Service Providers with a specialization in Clinical.
- Gerdine Markus, Founder-Director of Hilo's Pacific Academy of Music
- Robert Greenwood and Dana Luebke, Founder-Directors of Sun Ergos, a Company of Theatre and Dance
- Tiffany Edwards, Puna Newswoman, Big Island Chronicle and board member of Mainstreet Pahoia Association
- Steven Lund, Founder-Director, Hawaiian Sanctuary, Inc., a Pahoia area agriculture and wellness retreat
- Terra Ann Lund, Director, Cloud Nine Yoga Studio & School
- Bob Kirk, Owner, Kirk Construction, a leader in eco design, building practices, and community arts programs
- Micah Inoue, UH Student Commissioner on LGBT Equality, UHH Student Rep on Gender Identity & Equality 2010 Hawaii ACLU awardee for Student Advocacy
- Steven Jacquier, Agriculture, Research, Education professor, University of Alaska; member Puna Men's Chorus



- Paul Porter supports of arts and education in Hawai'i and is an alaka'i leader in the Puna Men's Chorus
- E.B. Hutt Bush, Founder-Director of Being Point™ specialists in leadership, strategy, communication, culture and management
- Mary Jane Koob is a wellness leader on O'ahu, based at the Ihilani Resort and with her own private practice.
- Tony Selvage is a master violinist, who plays frequently in Kalani and other Hawai'i concerts
- Ron Nickel, Civil Engineer and the State of Hawai'i DLNR's Director of Soil and Water Conservation for Puna
- Jack Law, Honolulu businessman and longtime civil rights supporter received the 2011 *Dr. Martin Luther King, Jr. Friends Award* from Hawaii Friends of Civil Rights.
- Leslie Lai: Owner Kaleo's Restaurant and active in Pāhoa's Downtown Improvement Association
- Stuart Blackburn: Huna Healing instructor, chef and frequent Kalani collaborator
- Deborah Welch, Treasurer, Dragon's Eye Learning Center, member of Dragon's Eye Farm
- Rea Fox is an events coordinator, performing artist and leader of dance activities on O'ahu
- David Sander, O'ahu and Hawai'i Island yoga instructor and massage therapist
- Jim Larson, is a Kalani steward, volunteer and also teaches English in China
- Jonathon Lopez, O'ahu native and Mr. Hula award winner is kumu at Kalani and Horticulture asst. manager
- Aleisha MacNaughton, is a Kalani student volunteer
- Mike Kutter, Board of Directors, Easton Mountain Retreat
- John Fritchie is a social services leader in his home state of North Carolina
- Fredrika Cornell Scopp
- Peter Schwab
- Dr. Judy Lorien McClenaghan, retired psychologist, is a regular Kalani volunteer
- William McDonnelly, yoga instructor, TV personality, presents workshops at Kalani
- Geneviève Picard-Beaudoin, based in Montreal, is a nurse who has also volunteered at Kalani
- Ana Barroso, United Kingdom wellness practitioner
- Rev. Arthur Hakalani Pacheco
- Gary Jacobsson, C.M.R.F., C.A.S.
- Angelick Roy-Rouleau
- Venetia Featherstone-Witty
- Michael Pearson
- Kirby B Guyer, Hanalei
- Elias Zananiri is a Milwaukee and Hawai'i based performing artist and massage therapist
- Tuko Fujisaki is a Puna artist, and member of the Kalani board member and Arthur Johnsen Gallery
- Michael Allen is Kalani's security manager and Community Emergency Response Team supporter
- Patsy Dodd
- Cecelia Tavares
- Jared Owen Sam, Kalani workshops manager, yoga instructor, massage therapist
- Randolph McCreight, Kapoho "Pomalu" B&B owner
- Vivienne Tooman is former Hawai'i Preparatory Academy faculty and Headmaster's wife
- Robert Latenser, Architect
- Christine Kristen
- Karuna Johnson, builder
- Robert Kent, photographer, community leader
- Soul Dancer, Founder, Souldancer Network
- John Scarcella, neighbor, 12-7060 Eelekoa, Pāhoa, HI 96778
- Richard Hoff, Episcopal charities development manager, Peace Corps volunteer trained in Hawai'i
- Ken Norwood, Founder-Director, shared Resource Learning Center, Berkeley
- Dennis Dehler, Kalani Program Manager and Seaview resident
- Genie Goldberger – Puna businesswoman specializing in handmade crafts

- Hans Rainer K. Hemken, HRH Photography
- Richard Xavier Corral, MPP, CEO/Principal Consultant, Corral Consulting
- Yvette Taylor is steering committee member of KAPONO – Kalapana to Pohoiki Neighborhoods Organization
- Eva Lee, Tea Hawai'i & Company, Founder and Executive Director
- Lew Schwenk, Massage Therapist
- Nicole Lowen, Hawai'i State Legislator
- Janet Taylor, nurse, Kalani board member representing Kehena community
- Pamela Waiolena, educator, dancer, has run for County Council and Hawai'i State Legislature positions
- Kathleen Sheehan 808 572-8684 [spicypisces1@yahoo.com](mailto:spicypisces1@yahoo.com)
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- Tina Dala LCCE DONA(CD), DONA(PCD) SNEA RoE instructor [tdala@shaw.ca](mailto:tdala@shaw.ca)
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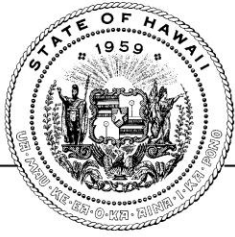
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**NEIL ABERCROMBIE**  
GOVERNOR

**JESSE K. SOUKI**  
DIRECTOR  
OFFICE OF PLANNING

Statement of  
**JESSE K. SOUKI**  
Director, Office of Planning  
Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEE ON WATER AND LAND**  
Friday, February 7, 2014  
8:30 AM  
State Capitol, Conference Room 325

in consideration of  
**HB 1919 HD1**  
**RELATING TO COMMUNITY-BASED EDUCATIONAL RETREATS.**

Chair Evans, Vice Chair Lowen, and Members of the Committee on Water and Land.

House Bill 1919 HD1 adds a chapter to the Hawaii Revised Statutes (HRS) entitled, *Kupuna Retreat Education Act for Teaching Ecology*, which authorizes counties to issue an “[e]ducational retreat permit.” That term is defined as “a remote rural farm-campus” that “[p]rovides instructional programs on ecology and related topics” and “[b]enefits local and on-campus residents and visitors.” The defined activity does not appear to be appurtenant to or primarily a farming operation as defined under HRS § 165-2.

The subject bill is unclear about whether this permit will affect the State Agricultural Land Use District.<sup>1</sup> If it does, we provide the following comments for your consideration:

- There are existing and well-used processes in place to permit uses such as educational retreats in appropriate areas in the agricultural district such that the bill is not necessary.

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<sup>1</sup> See HRS § 205-2 (“There shall be four major land use districts in which all lands in the State shall be placed: urban, rural, agricultural, and conservation.” As of November 12, 2013, approximately 49% of lands in the state are in the Conservation District and 46% is in the Agricultural District.)

In particular, the Special Permit process in HRS § 205-6 authorizes county planning commissions to “permit certain unusual and reasonable uses within the agricultural and rural districts other than those for which the district is classified.” Special permits have been granted by county planning commissions for proposed educational retreats and overnight accommodations in accordance with county special use permit rules and the guidelines set forth in Hawaii Administrative Rules (HAR) § 15-15-95.

- The counties and the State have not completed the process of identifying important agricultural lands (IAL) to the State of Hawaii. The intent of the IAL law is to “conser[ve] the State's agricultural land resource base and assur[e] the long-term availability of agricultural lands for agricultural use[.]”<sup>2</sup> The IAL law, passed in 2005, implements Article XI, Section 3, of the Hawaii State Constitution, which directs the State to “conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.”
- Allowing non-agricultural uses in the State Agricultural District may contribute to the impermanence syndrome, whereby agricultural use declines due to farmers’ disinvestment in their farm operations in anticipation of development. This has been observed to occur where competing uses are allowed in areas designed for agricultural uses.<sup>3</sup>

Accordingly, we believe the current county regulatory processes and the provisions of HRS Chapter 205 and HAR Chapter 15-15 adequately address the intent of the proposed bill.

Thank you for the opportunity to testify on this measure.

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<sup>2</sup> HRS § 205-41.

<sup>3</sup> *Impermanence Syndrome – Have you got it?*, Rutgers, at <http://njsustainingfarms.rutgers.edu/farmlandissues.html> (last visited, Feb. 3, 2014).

**lowen2-Lanaly**

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**HB1919**

Submitted on: 2/5/2014

Testimony for WAL on Feb 7, 2014 08:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lyn Howe	Individual	Support	No

Comments:

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**NEIL ABERCROMBIE**  
Governor



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**TESTIMONY OF SCOTT E. ENRIGHT**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON WATER AND LAND**  
**FRIDAY, FEBRUARY 7, 2014**  
**8:30 A.M.**  
**Room 325**  
**HOUSE BILL NO. 1919, HOUSE DRAFT 1**  
**RELATING TO COMMUNITY-BASED EDUCATIONAL RETREATS**

Chairperson Evans and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1919, House Draft 1.  
The Department of Agriculture offers comments.

This bill seeks to create a new permit at the county level to establish educational retreats focusing on ecology and related topics, and other programs and facilities supportive of education, employment, energy, the economy, recreation, services, supplies, safety, and agricultural food production. The location of educational retreat sites are remote rural farms with land rated as "A" by the Land Study Bureau or "Other Important" land as classified by the Agricultural Lands of Importance to the State of Hawaii (ALISH) system. "A" rated lands have the highest productivity potential for most agricultural crops. These retreat sites allow for accommodations for up to eight persons per acre and a maximum habitable site of 500 acres.

The Department of Agriculture supports efforts to increase food production and promote agricultural education. We recommend the counties, as they develop their ordinances and rules for educational retreat permits, carefully scrutinize land uses and



activities proposed in this measure that are not specifically related to agricultural production and activities.

Thank you for the opportunity to present our testimony.

DEPARTMENT OF PLANNING AND PERMITTING  
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February 7, 2014

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

Dear Chair Evans and Committee Members:

SUBJECT: House Bill No. 1919, HD1  
Relating to Community-Based Educational Retreats

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 1919, HD1, which would establish a new Chapter in the Hawaii Revised Statutes (HRS) to address "kupuna educational retreats." The Bill also would create a new county permitting process for these retreats.

We are not opposed to the retreat concept. Our opposition is based primarily on the basis of county home rule. We are concerned that what amounts to a county zoning permit is being mandated by State law, and at the same time, sets aside compliance with county plans, zoning, and building regulations.

Our position is also based on the following:

- The Bill includes many details on application requirements, and enforcement avenues. This seems more akin to a request for proposals rather than an enabling State law.
- Notwithstanding the comment in Section 1 of the Bill regarding the special permit process, we believe the special permit is the well-established, flexible permit process that already is available for retreats. Accordingly, we agree with testimony submitted by the State Department of Agriculture on this Bill to the House Committee on Energy and Environmental Protection on January 30, 2014.

The Honorable Cindy Evans, Chair  
and Members of the Committee on Water & Land  
Hawaii State House of Representatives  
Re: House Bill No. 1919, HD1  
February 6, 2014  
Page 2

- The Bill is unclear in its relationship to Chapter 205, HRS, which is the State Land Use law. Is the intent that a retreat permit application must be made by someone who has already been given a special use permit? Is reference to a "rural area" related to the State Rural District or could the proposed site be in the State Agricultural District? How will important State goals, such as the protection of important agricultural lands and coastal zone management, be considered in the evaluation of a permit application?
- We are perplexed by the level of detail about densities, and the allowable size of projects. In other contexts, this level of development would be described as "sprawl." At maximum levels, a retreat could involve 4,000 persons, which would likely change the overall demand for public services, including county and State roads, sewers, schools, and police and fire protection, especially if tourists, students and local residents would be encouraged to visit. Using the State Department of Education's school impact fee analysis, a community of 4,000 could reflect about 1,000 school-age children.
- It is not clear whether the proposed permit would be available on Conservation District lands.
- The DPP does not have the resources to implement, monitor, and enforce a program for the proposed educational retreat permit.
- Honoring our kupuna and teaching ecology to expand awareness and appreciation of the heritage and environment of Hawaii does not require a new State law, or educational retreats. Moreover, while these retreats may be sustainable from an isolationist perspective, they could impose more demands on public services and facilities, and therefore, not be sustainable from a regional or county perspective. We do not see how these retreats strongly tie Hawaii to a globally competitive economy, as cited in Section 1 of the Bill.

For these reasons, please hold House Bill No. 1919, HD1, in Committee. Thank you for the opportunity to testify.

Very truly yours,



George I. Atta, FAICP  
Director

GIA:cl

HB1919-mh