

**Written Testimony before the
Senate Committee on
Water and Land and
Committee on Housing**

**By Kerstan Wong
Manager, Engineering Department
Hawaiian Electric Company, Inc.**

**March 28, 2018
2:45 pm**

SCR 179/SR 97

(Requesting the City Council of the City and County of Honolulu to Require a Conditional Use Permit-Major For Any and All Allowed Uses on Lands in P-2 General Preservation Districts That Are Within One Hundred Feet of a Residential Area)

Chairs Rhoads and Espero, Vice Chairs Gabbard and Harimoto and Members of the Committees:

My name is Kerstan Wong and I am testifying on behalf of the Hawaiian Electric Company and its subsidiaries, Hawaii Electric Light Company and Maui Electric Company.

Position: Oppose SCR 179/ SR 97.

Hawaiian Electric has existing transmission, subtransmission and distribution facilities throughout P-2-zoned areas on Oahu, often located within 100 feet of residential areas. These facilities are critical to move power around the grid from renewable generating resources as well as conventional generation to maintain overall system reliability. The proposed CUP Major permitting process would unnecessarily delay work on our facilities in these areas, and could negatively impact any emergency repairs on our system, which could elevate the risk for long-term power outages.

Under the existing Land Use Ordinance (“LUO”), Chapter 21, Revised Ordinances of Honolulu, Table 21-3, Master Use Table, Utility Installations Type A (those with minor impact) are currently a permitted use on P-2 zoned lands. For Utility Installations Type B (those with potential major impact) on P-2-zoned lands, the LUO requires a Conditional Use Permit – Minor. The existing process is fair and provides adequate regulatory oversight for Utility Installations. Hawaiian Electric asks that the existing CUP process in P-2 zoned land not be changed for Utility Installations.

Thank you for the opportunity to testify on this matter.



March 27, 2018

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Committee on Water and Land

Senator Will Espero, Chair
Senator Breene Harimoto, Vice Chair
Senate Committee on Housing

Comments, Concerns and Opposition to SCR 179 /SR 97 Requesting the City Council of the City and County of Honolulu to require a Conditional Use Permit-Major for any and all allowed uses on lands in P-2 General Preservation Districts that are within one hundred feet of a residential area.

Wednesday, March 28, 2018, at 2:45 p.m., in Conference Room 224

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

LURF appreciates the opportunity to provide **comments, concerns and OPPOSITION** to this bill, and respectfully requests that SCR 179 and SR 97 be **HELD** in your Committees to allow affected landowners, Agricultural and land use organizations to work with the proponents to address and resolve the issues or problems that gave rise to these measures, or in the alternative, that the measures be **AMENDED to exempt Utility Installations.**

SCR 179 and SR 97. These measures request that the City Council of the City and the City Council of the City and County of Honolulu to require a Conditional Use Permit-Major (CUP-Major) for any and all allowed uses on lands in P-2 General Preservation Districts that are within one hundred feet of a residential area.

The SCR 179 and SR 97 do not specifically state the issues or problems which gave rise to these measures, or the problems that are expected to be addressed by requiring a CUP-Major for any and all allowed uses on P-2 lands.

LURF's Position. LURF understands that there are existing electrical utility transmission, sub transmission, and distribution facilities throughout P-2 -zoned areas, which are critical to maintain the overall reliability of electrical utility systems from conventional systems as well from renewable energy resources to the grid.

Currently, Honolulu's Land Use Ordinance (LUO) allows minor Utility Installations as a permitted use on P-2 lands; and Utility Installations with potential major impacts are required to obtain a CUP-Minor permit. LURC understands that the current county land use process provides sufficient oversight of the electrical utility uses of Preservation lands.

According to testimony from the Hawaiian Electric Company, Inc., the CUP-Major permitting process proposed by SCR 179 and SR 97 could unnecessarily delay work on utility facilities in the P-2 district lands, and may negatively impact any emergency repairs of those utilities, which could elevate the risk for long-term power outages.

Understanding the importance of the issues raised by SCR 179 and SR 97, **LURF respectfully requests that this bill be DEFERRED, or HELD by our Committees** to allow stakeholders, including, but not limited to the counties, utility companies, government agencies, the public, private landowners, legal experts and other interested parties to work together to come to a consensus regarding the purposes of these measures, as well as alternatives to resolve the issues and problems which gave rise to these measures. **In the alternative, LURF respectfully requests that the measures be AMENDED to exempt Utility Installations.**

Thank you for the opportunity to provide comments and concerns relating to these proposed measures.

SCR-179

Submitted on: 3/28/2018 2:02:31 PM

Testimony for WTL on 3/28/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Board of Directors	Testifying for Royal Kunia Community Association	Support	No

Comments:

28 March 2018

Albi Mateo
Royal Kunia Community Assn.
688-9000
albi@royalkuniacommunityassociation.org

SCR 179 Testimony

To the Honorable Chair and Committee members,

I am providing written testimony in support of SCR 179.

By way of introduction, my name is Albi Mateo, General Manager for ROYAL KUNIA COMMUNITY ASSOCIATION. Additionally, I am a homeowner and resident of Royal Kunia (RK) subdivision since 1994.

The developer petitioned for parcels of land along the easterly side of Kunia Road to be rezoned from AG-1 to various zoning suitable for a master planned community. *See Exhibits A & B* Phase I of Royal Kunia has been developed as intended, except for approximately 170 acres zoned P-2 in the heart of the subdivision. Exhibit B provides a better understanding of the development with existing homes surrounding the P-2 land.

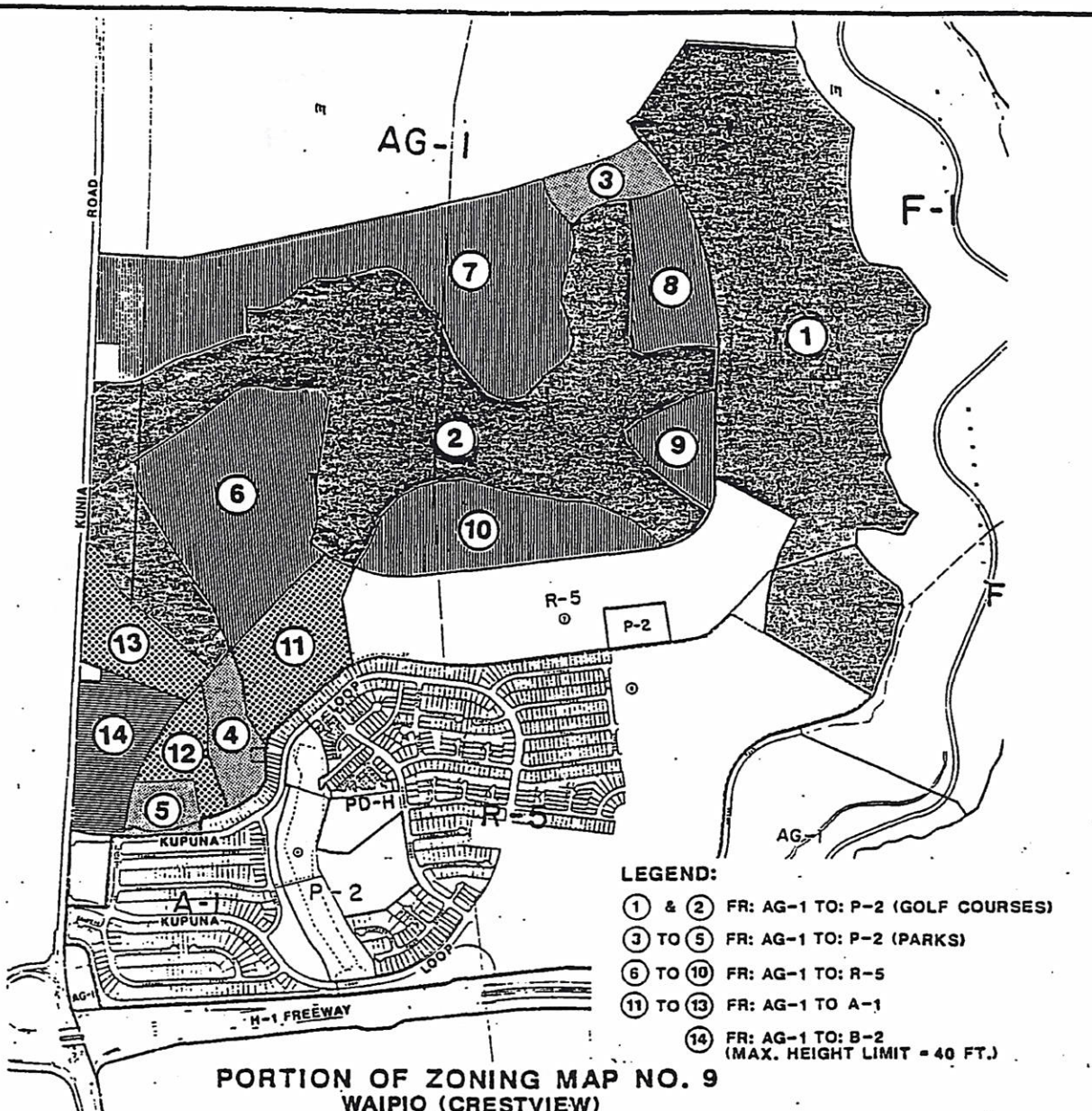
Due to a lack of public hearing requirement, approximately 130 acres of the 170 acres was CPR'd and sold without notice to the community. The new owners have no intentions of developing a golf course or maintaining the area for open space. As such, the master planned community that was presented to the State Land Use, City Council and applicable governmental agencies to obtain favorable decisions has been altered without public notice and hearing.

The homeowners in Royal Kunia trusted that the designated P-2 land could not be CPR'd, sold and used other than its intended use. I humbly ask for your ardent support, so homeowners are protected when buying into a master planned community that is still in development.

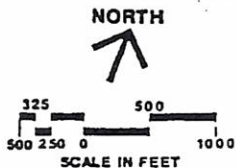
Thank you for your anticipated support.

Sincerely,

//signed//
Albi Mateo



Land situated along the Easterly side of Kunia Road approx. 2000 ft. North from the intersection of H-1 freeway and Kunia Road.



APPLICANT : HALEKUA DEVELOPMENT CORP.
 T.M.K. : 9-4-2: 17, 18, 46, 49, 50, 51, 53 & 54
 LAND AREA : 643.6 ACS.±
 FOLDER NO. : 89/Z-10
 PREPARED BY : Department of Land Utilization
 City and County of Honolulu

ORD.NO.

91-11

PUBLIC HEARING : Planning Commission
 1/24/90 & 2/21/90

City Council
 6/20/90

89/Z-18

EFF. DATE: MAR 13 1991

EXHIBIT A

Bill 58 (1990)
 CD-1, FD-1

Royal Kunia

Master Development Plan

PHASE II

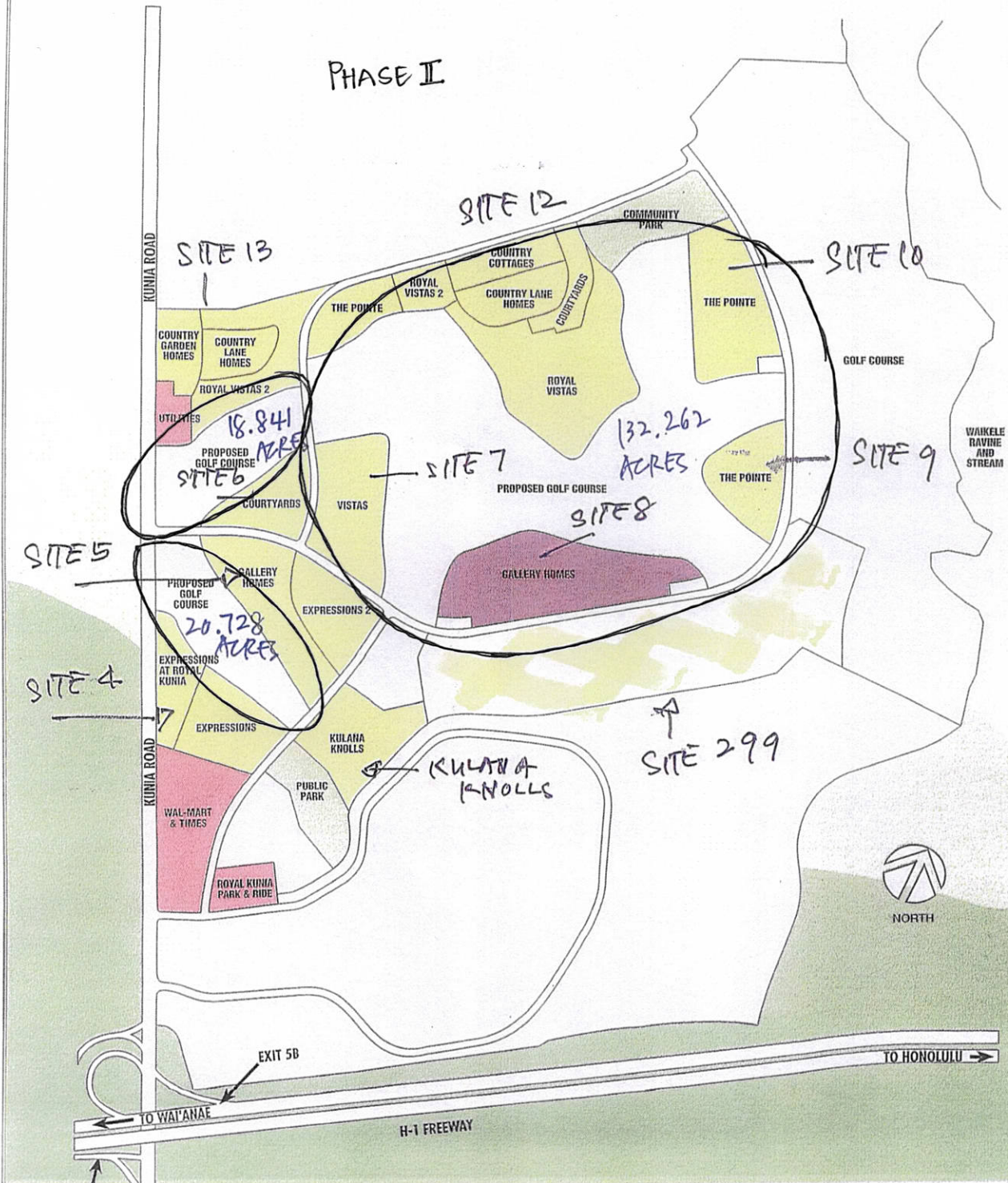


EXHIBIT B