

LATE

HB-1902

Submitted on: 2/2/2022 4:50:05 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
HHFDC Dean Minakami	DBEDT-HHFDC	Comments	Yes

Comments:

Please see HHFDC comments submitted

DAVID Y. IGE
GOVERNOR



DENISE ISERI-MATSUBARA
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
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IN REPLY REFER TO:

LATE

Statement of
DENISE ISERI-MATSUBARA
Hawaii Housing Finance and Development Corporation
Before the

HOUSE COMMITTEE ON HOUSING

February 3, 2022 at 9:00 a.m.
State Capitol, Room 423

In consideration of
H.B. 1902
RELATING TO WETLAND PRESERVATION.

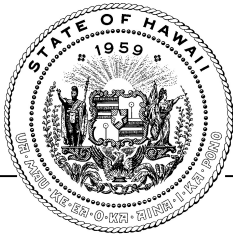
The HHFDC **offers the following comments with amendments on** H.B. 1902, which amends provisions that exempt a proposed housing project of HHFDC from statutes, ordinances, charter provisions to include a requirement that the proposed project does not impact wetlands or natural stormwater infrastructure.

HHFDC is concerned that his measure might unnecessarily restrict the use of 201H-38 for affordable housing projects, as all developments generate stormwater runoff, which is conveyed to stormwater drainage systems. Most stormwater drainage systems eventually discharge into the ocean or a stream, which fall within the definition of "Natural Stormwater Infrastructure" in the bill. Consequently, all development projects have some impact on Natural Stormwater Infrastructure although, in most cases, the impact is negligible.

HHFDC suggests amending the section relevant to 201H-38 to state: "The development of the proposed housing project does not have a significant adverse impact on wetlands or natural stormwater infrastructure...".

This way, HHFDC would have the discretion to determine if a project has a significant impact on wetlands or natural stormwater infrastructure. This would also allow HHFDC to implement mitigation measures to lessen the impact to wetlands or natural stormwater infrastructure if there are any impacts and still have projects use 201H-38.

Thank you for the opportunity to testify.



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

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Coastal Zone
Management
Program

Environmental Review
Program

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented
Development

Statewide Geographic
Information System

Statewide
Sustainability Branch

Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
HOUSE COMMITTEES ON HOUSING AND WATER AND LAND
Thursday, February 3, 2022
9:00 AM
State Capitol, Conference Room 423

in consideration of
HB 1902
RELATING TO WETLAND PRESERVATION.

Chairs Nakamura and Tarnas, Vice Chairs Hashimoto and Branco, and Members of the House Committees on Housing and Water and Land.

The Office of Planning and Sustainable Development (OPSD) offers **comments** and **concerns** on HB 1902, which would exclude an affordable housing project from using the exemptions and expedited approvals process under HRS § 201H-38 if it may impact “wetlands and natural stormwater infrastructure”, add new definitions to HRS § 343-2, and add a new trigger for environmental assessments under HRS § 343-5.

OPSD is concerned that amending § 201H-38 would create unnecessary roadblocks to affordable housing projects. Section 201H-38 does not exempt affordable housing projects from Chapter 343 review that would assess potential impacts to nearby wetlands; it does provide an expedited approvals process and exemptions from permit requirements that help make affordable housing projects practical. Agencies can apply for a general exemption from Chapter 343 for affordable housing projects under HAR 11-200.1-15 (c) (10) provided certain conditions are met such as consistency with county zoning that allows housing and does not require variance for shoreline setback or siting in an environmentally sensitive area.

OPSD is also concerned with the inclusion of wetlands as an additional general trigger for environmental assessments. While the numerous ecological values of wetlands are acknowledged, the definition and extent of wetlands is more elusive. Typically, wetlands are regulated by the U.S. Army Corps of Engineers, with their extents subject to a wetland delineation study involving soils and vegetation analysis. Wetlands are also transitional natural features

which can evolve over time. Wetlands are already required to be assessed as part of the existing environmental review requirements, such that their identification and appropriate mitigation measures can be assessed in the context of the proposed action.

Of particular further concern is the added definition of “wetlands” as areas that “formerly had wetland characteristics or functions but have been altered or degraded by channelization, filling, draining, dredging, grading, grubbing, deep ripping, groundwater pumping, hardening of surfaces, or introduction of non—native or aggressive—invasive plant and animal species.” Identifying former wetland areas may be difficult given that these areas have likely been dramatically altered, e.g., Waikiki, Moiliili, or Kapahulu on Oahu. To require an environmental assessment for every proposed action, including building a single-family residence on private, Urban District land, would be onerous.

Thank you for the opportunity to testify on this measure.

HB-1902

Submitted on: 2/1/2022 7:12:10 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mike Moran	Kihei Community Association (KCA)	Support	No

Comments:

Aloha

We see a strong need for this measure as we see the situation in South Maui. While we have a severe need for truly affordable housing in our region, we find it totally unreasonable where some developers dangle fulfilling this need by proposing to build housing not only in a few remaining wetlands, but also right in dry riverbeds! We ask for your support Mahalo

Mike Moran for the Kihei Community Assoc

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Submitted on: 2/1/2022 9:05:36 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ted Bohlen	Hawaii Reef and Ocean Coalition	Support	No

Comments:

Hawaii should protect its remaining wetlands and natural stormwater infrastructure because they provide invaluable ecological benefits, including productive ecosystems and flood protection. This bill would help protect wetlands and natural stormwater infrastructure against development by eliminating an exemption and requiring an environmental review under HRS c. 343.

Please protect our wetlands and natural stormwater infrastructure by passing this bill.

Hawaii Reef and Ocean Coalition (by Ted Bohlen)

HB-1902

Submitted on: 2/1/2022 11:24:41 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
robin knox	Save the Wetlands Hui	Support	No

Comments:

My name is Robin Knox and I am testifying in support of HB 1902 on behalf of Save the Wetlands Hui. The Hui has a simple mission, to conserve, protect, and restore wetlands. Yesterday, Feb 2,2022 was declared World Wetlands Day by the United Nations to draw international attention to the plight of wetlands which are being lost a a rate 3 times faster than rainforest. The wetlands are the kidneys of the planet and are crucial to mitigation of climate change. According to the Hawaii Department of Land and Natural Resources, wetlands comprise less than 3% of the land in Hawaii, yet they represent a significant economic resource to native Hawaiian communities, and provide invaluable services to our communities. Wetlands provide us with many ecosystem services including drainage and flood retention; keeping pollutants such as sediment and nutrients out of the ocean; providing a place and resources for cultural practices, native plants and habitat for native insects, birds, and aquatic life; reducing streambank and shoreline erosion, and increasing climate adaptation resiliency and mitigate climate change by sequestering carbon, The health, indeed the very existence, of these culturally and ecologically significant areas face many threats, most of all development impacts. Please pass this bill to protect wetlands into law.

LATE

HB-1902

Submitted on: 2/2/2022 11:58:23 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lucienne de Naie	Sierra Club Maui	Support	No

Comments:

Sierra Club Maui strongly supports thos effort to adopt needed standardfs to protect our essential wetland areas statewide. Maui has seen a shocking loss of wetlands over the past 40 years, and as uncertainies in weather patterns increase and more violent and frequent large storm events occur, we need every wetland area we have to be protected and well-managed.

Please take this common sense approach to increasing our resiliency.

Mahalo nui loa

Lucienne de Naie

Sioerra Club Maui, Conservation Chair

HB-1902

Submitted on: 1/31/2022 4:39:40 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lois Crozer	Individual	Support	No

Comments:

Thank you for submitting this bill. This is absolutely necessary because sometimes people can't see the forest for the trees. We need to protect our land!! People will continue to have children, and these children will continue to need housing, it's never ending. Our land is finite. We can't keep building irresponsibly.

HB-1902

Submitted on: 1/31/2022 6:50:17 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Joanna Pashdag	Individual	Support	No

Comments:

Although housing is a critical issue in Hawaii, the protection of our natural resources is a critical issue as well. We must ensure that new housing developments do not negatively impact remaining wetlands or natural stormwater infrastructure. I SUPPORT HB 1902.

Mahalo.

HB-1902

Submitted on: 1/31/2022 8:28:19 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kristen Perreira	Individual	Support	No

Comments:

In support

HB-1902

Submitted on: 2/1/2022 3:13:56 PM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Scott Young MD	Individual	Support	No

Comments:

I support house bill 1902 because our wetlands need protection as they are an important element of our environment that protects the viability of our reefs as they catch and clean waters coming off the higher land. They are nature's way of having flood control when we have a big rain and we have lost many of them already and they need to be protected and in fact reestablished and regenerated. I believe that our wetlands have been overlooked and are actually a very high priority for protecting the marine environment and keeping our fishing viable and our resident and tourist enjoyment intact. Without wetlands our quality of life and our tourist industry viability will be lost. Mahalo Genesis S. Young MD

HB-1902

Submitted on: 2/2/2022 1:30:35 AM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cara Oba	Individual	Support	No

Comments:

Representatives of the Housing and Water and Land Committees,

The inclusion of a requirement to ensure that proposed projects do not impact wetlands or natural stormwater infrastructure is critical as we seek to mitigate damage to our ecosystems and adapt to climate change.

Protecting wetlands was identified by the Greenhouse Gas Task Force to have moderate greenhouse gas sequestration benefits, high co-benefits (climate resilience, water quality, soil health, food security, ecology, livelihoods), and low adverse risks from taking this action. Requiring the additional work to do an environmental assessment is the least we can do to prevent irreparable damage to our already imperiled systems.

By imperiled, I refer to the challenges that we expect to face due to climate change -- in particular, flooding and erosion due to storms, periods of drought and heavy rain, and sea level change. Coastal estuaries and wetlands with their vegetation and natural transitional formations (as opposed to hard walls/construction) provide buffers in case of storms. They assist to mitigate erosion, filter stormwater, and reduce the impact of waves.

As we consider developing more means of resiliency in food security as well, we may also look to wetlands for agricultural purposes and we want to retain these options that can serve multiple benefits.

We also live in a state with exceptionally high rates of endangered species (plants and animals). Wetlands are an important habitat and we should consider impacts of projects on our biodiversity as well.

This bill encourages us to be prudent. An evaluation that proves no harm is a very reasonable requirement. We don't want to make grave mistakes that we may later regret as a community. Our future selves will thank us for acting with caution and forethought. I strongly support this bill.

I appreciate your time and consideration.

HB-1902

Submitted on: 2/2/2022 8:26:42 AM

Testimony for HSG on 2/3/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
cybil moran	Individual	Support	No

Comments:

Aloha kakahiaka,

It is our kuleana to malama i ke kai by supporting this bill. As we saw in the recent storm, development, the condition of our wetlands, and stormwater runoff have a huge impact on what makes it to our ocean. We must think of the long term implications. We must protect our aina. In strong support of this bill, as it is pono.

Mahalo nui loa,

Cybil