



**SB139 SD2**  
**RELATING TO IMPORTANT HOUSING LANDS**  
House Committee on Housing  
House Committee on Water and Land

March 21, 2023

9:00 AM

Room 430

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The Office of Hawaiian Affairs (OHA) offers its **COMMENTS** on SB139 SD2, which would require the Hawai'i Public Housing Authority (HPHA) to conduct a study identifying certain State-owned lands that are located within a one-half-mile radius of any rail mass transit station and that are most suitable for constructing at least one hundred thousand units of housing. **OHA offers these comments in light of the Legislature effectively deferring each measure that was introduced for the purpose of OHA using its Kaka'ako lands ("Hakuone") for much-needed housing. OHA is concerned that Native Hawaiian interests and the interests of OHA, as a Native Hawaiian-focused State agency, are being discarded, while similar interests – such as in housing development – are being consistently advanced elsewhere; a great many housing measures are being supported by this Legislature, while citing to the State's housing crisis, yet all of OHA's attempts to address this critical need have been thwarted. OHA offers amendments to address inequities at the very crux of systemic issues that have severed Native Hawaiians and the interests of Native Hawaiians from the Hawaiian Islands.**

Native Hawaiians continue to endure inequities and disparities that stem from unresolved historical injustices<sup>1</sup> – injustices that established systems of oppression and institutions of racism that have yet to be dismantled and which persist in their severing of Native Hawaiians from their ancestral lands, their annihilation of Native Hawaiian presence in the Hawaiian Islands, and their attempted erasure of Native Hawaiian identity.<sup>2</sup> The State of Hawai'i, on the condition of its admission to the Union,<sup>3</sup> was obligated with an extra duty of care to the Native Hawaiian people,<sup>4</sup> as a result of these historical injustices. The State reinforced that extra duty of care for the betterment of conditions of Native Hawaiians by enshrining this founding principle within the Hawai'i State Constitution.<sup>5</sup> The State has continuously acknowledged its extra duty of care to the Native Hawaiian people through

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<sup>1</sup> Pub. L. 103-150 (1993), 107 Stat. 1510 "Apology Resolution."

<sup>2</sup> "If we are ever to have peace and annexation the first thing to do is to obliterate the past," stated by Samuel Mills Damon, Vice President of the Provisional Government and Executive Council for the Republic of Hawai'i, Council of State (Provisional Government of the Hawaiian Islands, 1895). 26 November 1895. Hawaii State Archives Series 424 Vol. 4.

<sup>3</sup> Pub. L. 86-3, 73 Stat. 4; Hawai'i Admissions Act of 1959.

<sup>4</sup> Id. at §5(f).

<sup>5</sup> Haw. Stat. Con. Art. XII, Section 4-7 (1978).



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additional statutory obligations vested in OHA<sup>6</sup> and in recognition of Native Hawaiians as the only indigenous, aboriginal, and maoli people of Hawai‘i.<sup>7</sup>

Despite the intractable traverse that far-too-many Native Hawaiians must endure, which is most evident in the diasporic conditions<sup>8</sup> that have priced out Native Hawaiians from their homelands,<sup>9</sup> or in the myriad of onerous health disparities faced by Native Hawaiians still hanging on for survival in these islands,<sup>10</sup> this State will occasionally invoke policies and proposals that undermine its extra duty of care to the Native Hawaiian people. **OHA asks the Legislature, as it has done many times before, to recognize and uphold its extra duty of care for the betterment of conditions of Native Hawaiians.**

**The majority of Native Hawaiian families, in Hawai‘i, are unable to makes ends meet,<sup>11</sup> with 63% of Native Hawaiians reporting that they are finding it difficult to get by.<sup>12</sup> Native Hawaiians have the lowest household income.<sup>13</sup> Native Hawaiians have the highest**

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<sup>6</sup> Haw. Rev. Stat. §10.

<sup>7</sup> Haw. Rev. Stat. §10H-1.

<sup>8</sup> “Hawai‘i has rapidly transformed economically, socially, and politically, creating a place that is unable to support a thriving Native Hawaiian community. This has resulted in a Native Hawaiian diaspora as individuals and families move away from the islands in search of economic and educational opportunities. This diaspora presents a modern challenge to Native Hawaiian identity and culture, bringing separation of people from each other, from the land, and from the ancestral home,” Ciera Pagud, Shawn Kana ‘iaupuni, Wendy Kekahio, *Eia Hawai‘i, he Moku: Exploring Native Hawaiian Migration Patterns Past to Present*, Dec. 2022, p.11.

<sup>9</sup> “Hawai ‘i’s economic conditions, specifically job availability and career advancement, play a large role in overall [Native Hawaiian out-migration] decisions; More Native Hawaiian participants seek better paying jobs outside of Hawai‘i as a result of struggling financially than non-Hawaiians,” Ciera Pagud, Shawn Kana ‘iaupuni, Wendy Kekahio, *Shifting Sands and Economic Currents Affecting the Decision to Leave Hawai i*, Dec. 2022, p.2.

<sup>10</sup> “Native Hawaiians have a disturbingly higher rate of chronic diseases than many other ethnic groups and the general population in Hawai‘i and the larger U.S. While the leading causes of death are generally the same, the rates of Native Hawaiians afflicted with chronic diseases are greater and occur a decade earlier. These rates are disturbingly three times greater than for the general population of Hawai‘i.” Department of Native Hawaiian Health, John A. Burns School of Medicine, *Assessment and Priorities for the Health and Well-Being in Native Hawaiians and Pacific Islanders*, 2020, p.9.

<sup>11</sup> Aloha United Way / United for ALICE, *ALICE in Hawai ‘i: 2022 Facts and Figures*, Nob. 2022, p.6.

<sup>12</sup> Id. at 9.

<sup>13</sup> Dept. of Business, Economic Development and Tourism, *Demographic, Social, Economic, and Housing Characteristics for Selected Race Groups in Hawaii*, Mar. 2018, p.3.



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poverty rates for individuals and families.<sup>14</sup> Native Hawaiians make less money,<sup>15</sup> with lower average earnings for both men and women.<sup>16</sup> Native Hawaiians have the highest rate of using public assistance and homeless services.<sup>17</sup> Native Hawaiians are overrepresented among the homeless in Hawai‘i.<sup>18</sup> OHA is deeply concerned with Native Hawaiians being driven out of Hawai‘i by economic instability stemming from socio-political-economic upheaval, which has largely disconnected Native Hawaiians from their ‘āina for more than a century. Today, more Native Hawaiians live outside of the Hawaiian Islands, far beyond the boundaries of their own homeland.<sup>19</sup>

As the principal public agency in the State responsible for the performance, development, and coordination of programs and activities relating to Native Hawaiians,<sup>20</sup> OHA offers the following amendment to Section 1 (a) of this measure to include a housing unit suitability assessment for OHA-owned lands within the contemplated range from rail mass transit stations, to read:

SECTION 1.           (a) The Hawaii public housing authority shall conduct a study identifying certain state-owned lands that are located within a one half-mile radius of any rail mass transit station, including lands owned by the office of Hawaiian affairs and excluding lands under the jurisdiction of the department of Hawaiian home lands, that are most suitable for

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<sup>14</sup> Id. at 13.

<sup>15</sup> OHA Report, *Affordable Housing for Hawai‘i and Native Hawaiians: Exploring Ideas and Innovation*, Aug. 2020, p.10.

<sup>16</sup> Dept. of Native Hawaiian Health, John A. Burns School of Medicine, *Assessment and Priorities for the Health and Well-Being in Native Hawaiians and Pacific Islanders*, 2020, p.12.

<sup>17</sup> Id.

<sup>18</sup> Partners In Care, *2022 Point In Time Count*, p.7.

<sup>19</sup> “Estimates from the American Community Survey showed that in 2011, there were about 296,400 Native Hawaiians in Hawai‘i and about 221,600 on the continental U.S. Just a decade later, those numbers flipped. In 2021, there were about 309,800 Native Hawaiians in Hawai‘i and about 370,000 in other states,” Hawaii Public Radio, *More Native Hawaiians Flock to mainland cities and leave Hawai‘i*, Jan. 23, 2023, *citing high costs*, citing the US Census Bureau’s American Community Survey 2021.

<sup>20</sup> HRS §10-3.



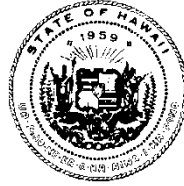
**SB139 SD2**  
**RELATING TO IMPORTANT HOUSING LANDS**  
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constructing at least one hundred thousand units of housing;  
provided that the Hawaii public housing authority may contract  
the services of another entity to conduct the study, and  
provided that the Hawaii public housing authority may contract  
the services of another entity to conduct the study.

OHA appreciates the opportunity to provide comments on SB139 SD2 and **asks that the Legislature adopt OHA's recommendations in addressing and put an end to the long-standing inequities and disparities within the State.** Mahalo nui loa.

JOSH GREEN, M.D.  
GOVERNOR



HAKIM OUANSAFI  
EXECUTIVE DIRECTOR

BARBARA E. ARASHIRO  
EXECUTIVE ASSISTANT

**STATE OF HAWAII**  
HAWAII PUBLIC HOUSING AUTHORITY  
1002 NORTH SCHOOL STREET  
POST OFFICE BOX 17907  
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IN REPLY, PLEASE REFER TO:

Statement of  
**Hakim Ouansafi, Executive Director**  
**Hawaii Public Housing Authority**

Before the  
**HOUSE COMMITTEE ON HOUSING**  
**AND**  
**HOUSE COMMITTEE ON WATER & LAND**

**Tuesday, March 21, 2023**  
**9:00 AM – Room 430, Hawaii State Capitol**

In consideration of  
**SB 139, SD2**  
**RELATING TO IMPORTANT HOUSING LANDS**

Honorable Chair Hashimoto and Chair Ichiyama, and members of the House Committee on Housing and House Committee on Water & Land, thank you for the opportunity to provide testimony concerning Senate Bill (SB) 139, SD2, relating to housing.

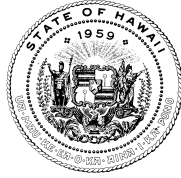
The Hawaii Public Housing Authority (HPHA) supports SB 139, SD2. This measure requires the HPHA to conduct a study recommending certain state-owned lands located within a one-half mile radius of any rail mass transit station, excluding lands under the jurisdiction of the Department of Hawaiian Home Lands, that are most suitable for constructing at least one hundred thousand housing units. Appropriates funds to the HPHA to conduct the study, or contract services to conduct the study.

Please know that there is value in this study and its potential recommendations should complement and build upon the work completed by the TOD Council.

The HPHA appreciates the opportunity to provide the Committees with its testimony regarding SB 139, SD2. We thank you very much for your dedicated and continued support.

**JOSH GREEN, M.D.**  
GOVERNOR  
STATE OF HAWAII  
*Ke Kia 'āina o ka Moku 'āina 'o  
Hawaii 'i*

**SYLVIA J. LUKE**  
LT. GOVERNOR  
STATE OF HAWAII  
*Ka Hope Kia 'āina o ka Moku 'āina  
'o Hawaii 'i*



**IKAIKA ANDERSON**  
CHAIRMAN DESIGNATE, HHC  
*Ka Luna Ho 'okele*

**KATIE L. DUCATT**  
DEPUTY DESIGNATE TO THE  
CHAIRMAN  
*Ka Hope Luna Ho 'okele*

**STATE OF HAWAII**  
**DEPARTMENT OF HAWAIIAN HOME LANDS**  
*Ka 'Oihana 'Āina Ho 'opulapula Hawaii 'i*

P. O. BOX 1879  
HONOLULU, HAWAII 96805

**TESTIMONY OF IKAIKA ANDERSON, CHAIRMAN-DESIGNATE  
HAWAIIAN HOMES COMMISSION  
BEFORE THE HOUSE COMMITTEE ON HOUSING AND  
THE HOUSE COMMITTEE ON WATER AND LAND  
HEARING ON MARCH 21, 2023 AT 9:00AM IN CR 430**

**SB 139, SD 2, RELATING TO IMPORTANT HOUSING LANDS**

March 21, 2023

Aloha Chair Hashimoto, Chair Ichiyama, and members of the Committees:

The Department of Hawaiian Home Lands submits comments on this measure which requires the Hawaii Public Housing Authority to conduct a study identifying certain state-owned lands located within a one-half mile radius of any rail mass transit station, excluding lands under the jurisdiction of the Department of Hawaiian Home Lands, that are most suitable for constructing at least one hundred thousand housing units. This measure also appropriates funds to the Hawaii Public Housing Authority to conduct the study, or contract services to conduct the study.

The department appreciates the intent of this bill and we agree that the exclusion of lands under the jurisdiction of the Department of Hawaiian Home Lands as noted in SB 139, SD 2 is appropriate.

Thank you for your consideration of our testimony.



**Hawai'i YIMBY**  
Honolulu, HI 96814

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Tuesday, March 21, 2023

House Committee on Housing  
House Committee on Water & Land  
Hawai'i State Capitol  
Honolulu, HI 96813

**RE: SUPPORT for SB 139 SD 2 - RELATING TO IMPORTANT HOUSING LANDS**

Aloha Chairs, Vice Chairs, and Members of the Committees,

On behalf of Hawai'i YIMBY, I'm writing to support SB 139 SD 2, which would require HPHA to identify state-owned lands within a half-mile of rail stations suitable to build 100,000 units of housing.

We are in the midst of a devastating housing crisis. The average renter in our state spends 42% of their income on rent—far above the second most expensive state, California, where the average renter spends 28% of their income on rent. And the reason for our out of control costs is that we force our residents to play a cruel game of musical chairs. We are building far too few homes to even just support population growth among local residents.

Something has to give. Either we build adequate housing, or our residents will be squeezed tighter and tighter, paying an ever-expanding slice of their income just to keep a roof over their heads here. Since we are so far unable to build adequate housing supply, it has been our residents who suffer—unable to save for retirement or homeownership due to the cost of living, or forced to move to the mainland, or forced out into homelessness.

The answer has to be that we must build adequate housing. And the most important place to build it is near mass transit. To build enough housing to keep costs from continuing to



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skyrocket at an unsustainable rate, we will need to build up, not out. We can no longer sustain the housing we need by building out into green space, and our unique environment can no longer tolerate it.

HART provides a unique opportunity. A future where our residents take the train to work, reducing traffic on our clogged freeways and climate impacts from our car-dependent transportation infrastructure. A future where we have vibrant communities dense enough to finally support our population. But to reach that future, we will need to make enormous investments in building dense housing. Directing HPHA to help guide us to that future is an important first step.

Hawai'i YIMBY (*Yes In My Backyard*) is a new and rapidly growing grassroots advocacy organization dedicated to working to advance bold and effective solutions for Hawai'i's devastating housing crisis. Our members are deeply concerned about Hawai'i's chronic and worsening housing shortage, which has caused home prices to rise much faster than incomes and pushes thousands of kama'āina out to the mainland or into homelessness every single year.

We urge your support for this bill. Thank you for the opportunity to testify.

Sincerely,

Matt Popovich

Co-Lead, Hawai'i YIMBY





## TESTIMONY OF ELLEN GODBEY CARSON IN SUPPORT OF SB139

**I write in support of SB139.** While I write as an individual, I have served as President and director of Institute for Human Services, a volunteer for Faith Action for Community Equity Housing Now, and member of the Church of the Crossroads Peace and Justice Mission Team, spending hundreds of volunteer hours helping Hawaii find better systemic ways to address its affordable housing crisis.

We need to create a large infusion of affordable housing within this decade, with tens of thousands of housing units economically built and offered at affordable rates. This study will assist in identifying state lands near rail transit stations that could be dedicated to housing to meet Hawaii's needs. Concentrating housing around our rail stations permits the country to remain country, while creating a dense urban corridor that will foster vibrant neighborhoods, jobs and retail services, while decreasing dependency on cars.

I have traveled to Singapore and marveled at their system that allows approximately 90% of their population to own their own home, at affordable prices, on an island that shares many of the same daunting challenges we have in Hawaii. Their success relies on several factors, one of which is building on government owned lands near transit stations so as to create less expensive housing in more functional settings.

Our current methods for creating affordable housing in this state have been inadequate, incremental, unbelievably slow and tedious. This study is a good start to identifying properties that could be used to make major progress on increasing our housing supply for Hawaii's families and workforce.

Respectfully submitted,

Ellen Godbey Carson  
Honolulu, Hawaii