

JOSH GREEN, M.D.
GOVERNOR



DENISE ISERI-MATSUBARA
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IN REPLY PLEASE REFER TO:
23:PECB/xxx

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

**SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
AND
SENATE COMMITTEE ON WATER AND LAND**

January 30, 2023 at 1:00 p.m.
State Capitol, Room 224

In consideration of
S.B. 507
RELATING TO WETLAND PRESERVATION.

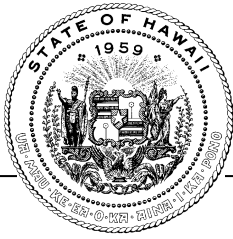
HHFDC **opposes** S.B. 507, which requires a proposed housing project of HHFDC that is exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, and construction standards to ensure that the proposed project does not impact wetlands or natural stormwater infrastructure.

While HHFDC respects the need for wetland preservation, HHFDC is concerned that this measure will 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 provide testimony.



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

JOSH GREEN, M.D.
GOVERNOR

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Statement of
SCOTT GLENN, Director

before the
**SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
and**

SENATE COMMITTEE ON WATER AND LAND

Monday, January 30, 2023, 1:00 PM
State Capitol, Conference Room 224

in consideration of
SB 507
RELATING TO WETLAND PRESERVATION.

Chairs Gabbard and Inouye, Vice Chairs Richards and Elefante, and members of the Committees on Agriculture and Environment and Water and Land, the Office of Planning and Sustainable Development (OPSD) offers the following comments on SB 507, which encourages the preservation of wetlands by, among other things, 1) adding definitions for "floodway", "natural stormwater infrastructure", and "wetlands" to section 343-2, Hawaii Revised Statutes (HRS), 2) amending 201H, HRS to add these definitions to affordable housing development provisions, and 3) requiring an environmental assessment (EA) for actions under the environmental impact statements law that impact wetlands or natural stormwater infrastructure.

The bill adds a new trigger (page 14) to Chapter 343, HRS: "Propose any development that would impact wetlands or natural stormwater infrastructure." This language introduces the undefined term "development". Confusion could result from differing opinions on the meaning of "development" as defined in other laws and intersection with Chapter 343, HRS.

The tenth element of the new "wetlands" definition (page 7) includes areas that formerly had wetland characteristics or functions, but have been altered or degraded by various means of urbanization. This would include areas of the primary urban core of Honolulu, as well as other developed parts of the state, which are not currently under the purview of Chapter 343, HRS. An EA or environmental impact statement (EIS) could be required for many typical urban uses that currently do not trigger Chapter 343, HRS. OPSD recommends consultation with the state and county proposing and approving agencies to ascertain their ability to process this potential increase in Chapter 343, HRS applicability.

Thank you for the opportunity to testify on this measure.



To: The Honorable Chairs Gabbard and Inouye, Vice-chairs Richards and Elefante, and members of the Senate Committees on Agriculture and Environment, and Water and Land

From: Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

Re: Hearing SB507 **RELATING TO WETLAND PRESERVATION**

Hearing: Monday, January 30, 2023, 1:00 p.m.

Aloha Chairs Gabbard and Inouye, Vice Chairs Richards and Elefante, and members of the Committees:

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean.

The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS SB507!

This Act would require that a proposed housing project that is exempt from planning, zoning, and construction standards prepare an environmental assessment and ensure that the proposed project does not impact wetlands or natural stormwater infrastructure.

While timely approval of housing projects is certainly an important goal, projects should not be sited without first considering whether they harm wetlands and

natural stormwater infrastructure. Most housing projects will not have difficulty showing that they do not have such impacts.

We thank the committees for hearing this important measure! We respectfully urge your passage of SB507.

Mahalo!

Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

SB-507

Submitted on: 1/29/2023 5:52:55 PM

Testimony for AEN on 1/30/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Virginia Tincher	Individual	Support	Written Testimony Only

Comments:

Chair Gabbard, Vice Chair Richards and Committee on Agriculture and Environment

Chair Inouye, Vice Chair Elefante and Committee on Water and land

Mahalo Senators Gabbard and others for introducing this important bill. I am with you as strong supporter

We know from science that wetlands and natural stormwater infrastructure protect our shoreline, clean our water and protect aquatic life. Incorporating that knowledge into every decision affecting wetlands and natural stormwater infrastructure is critical.

**Testimony of The Nature Conservancy
Supporting SB 507, Relating to Wetland Preservation.**

**Committee on Agriculture and Environment
Committee on Water and Land
January 30, 2023, 1:00 pm
Conference Room 224 and via Videoconference**

Aloha Chair Gabbard, Chair Inouye, Vice Chair Richards, Vice Chair Elefante, and Members of the Committees:

The Nature Conservancy (TNC) supports SB 507, Relating to Wetland Preservation.

Wetlands are a vital ecosystem that provides numerous benefits in Hawai'i, including minimizing flood damage, reducing sediments and nutrients flowing out onto the reefs, reducing erosion, sequestering carbon, and helping provide healthy food and clean water for local communities. Wetlands also provide habitat for native species, including endangered birds like ae'o (Hawaiian stilt) and 'alae 'ula (Hawaiian moorhen).

Including wetlands, floodways, and natural stormwater infrastructure in the Hawai'i Environmental Policy Act (Hawai'i Revised Statutes Chapter 343) will help to ensure that projects that affect these important natural systems are not overlooked and damaged by development. Our island communities cannot afford to lose the services provided by wetlands and the proposed bill will help to ensure their protection.

Mahalo for the opportunity to provide comments on SB 507.

The Nature Conservancy of Hawai'i and Palmyra is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 40,000 acres in 13 nature preserves and work in over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands. We forge partnerships with government, private parties, and communities to protect forests and coral reefs for their ecological values and for the many benefits they provide to people.

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