

JOSH GREEN, M.D.  
GOVERNOR



DENISE ISERI-MATSUBARA  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
**HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION**

IN REPLY PLEASE REFER TO:

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

**SENATE COMMITTEE ON HOUSING**  
**SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND**  
**MILITARY AFFAIRS**  
**AND**  
**SENATE COMMITTEE ON WATER AND LAND**

February 13, 2023 at 3:01 p.m.  
State Capitol, Room 225

In consideration of  
**S.B. 872**  
**RELATING TO HOUSING.**

HHFDC offers comments on S.B. 872, which allows HHFDC to develop certain housing projects that are exempt from laws, rules, and ordinances, including income restrictions, under certain circumstances. While we appreciate the proposal to have the Corporation develop housing projects and to increase the Corporation's flexibility in terms of the market it serves, we have concerns with some of these amendments to HRS 201H.

As a matter of good public policy, HHFDC supports income limits. Since land and infrastructure are typically contributed or subsidized by the state, the state should, in exchange for these subsidies, ensure that the individuals and families that benefit from these state subsidies are those that can least afford to pay market prices.

To become the developer of housing projects, HHFDC would need to have an entire new branch added to the Corporation in order to take on the level of work being proposed by this measure. Residential development, especially high-rise development, is a specialized industry that requires highly experienced staff to conduct due diligence, prepare cost estimates, design plans, and procure qualified contractors then manage construction. Procurement alone adds significant time and delays to the development process that is currently more efficiently being performed by the private sector.

Risk is another factor to consider. As the developer, the State would become liable for the project risks such as cost increases due to inflation, sales and marketing hurdles, market downturns, and construction defects. The bottom line is that HHFDC does not have the specialized staff necessary to independently construct housing projects.

It is much more efficient for HHFDC to partner with a private developer to construct housing projects. Presently for state lands suitable for housing development, HHFDC conducts master planning and due diligence to identify and resolve potential issues and then offers the land to private developers via a competitive RFP. The 690 Pohukaina project is a good example of this where hundreds of affordable units are being developed by a private developer who will assume the risk and leverage the state's gap financing program to more efficiently deliver these units to the market.

Thank you for the opportunity to provide testimony.



**SB872**  
RELATING TO HOUSING  
Senate Committee on Housing  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senate Committee on Water and Land

February 13, 2023

3:01 PM

Room 225

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The Office of Hawaiian Affairs (OHA) **STRONGLY OPPOSES SB872**, which would allow the Hawai'i Housing Finance and Development Corporation (HHFDC) to exempt housing developments from “all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon.” **OHA bases its opposition to SB872 on the measure’s language that would cause the State to violate the Hawai'i State Constitution, deprive all residents of Hawai'i of their right to inform good governance, and would not guarantee that any housing developed under the proposed mechanism would be affordable Hawai'i residents.**

Unsustainable planning and development throughout the history of the State created an urban infrastructure that spans most of the main Hawaiian Islands which is unsuitable for balanced and sustainable growth – this is the very reason the Legislature is always tasked with problem solving the need to meet housing demands with grave concerns about the State’s inability to feed its growing population. This current system was **never** designed to do both; it has always operated under the premise that agricultural lands and the capacity to grow food would be sacrificed for widespread real estate development. This antiquated and unsustainable system that has extensively permeated into the basic function of the State and its counties needs a complete overhaul – patchwork fixes to this broken system will only exacerbate the problems facing this State, as evidenced in the short history of the State’s mismanagement of the lands and natural and cultural resources of the Hawaiian Islands.

Article XI, Section 1 of the Constitution of the State of Hawai'i mandates that “the State and its political subdivisions **shall conserve and protect Hawai'i's natural beauty and all natural resources**, including land, water, air, minerals, and energy sources, and **shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State**. All public natural resources are held in trust by the State for the benefit of the people. [emphasis added]”<sup>1</sup> The proposed measure as

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<sup>1</sup> Haw. Const. art. XI, § 1.



**SB872**  
**RELATING TO HOUSING**  
Senate Committee on Housing  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senate Committee on Water and Land

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written directly violates the State’s Constitutional duty to protect all natural resources by exempting HHFDC projects from regulatory oversight at the County and State levels and significantly shortening the period that the State Land Use Commission (LUC) would have to approve a district boundary amendment (DBA).

**OHA must emphasize that this measure would facilitate widespread abuses against best practices in environmental conservation and the preservation and protection of Native Hawaiian cultural resources and identity. In addition, this measure creates a direct path to rampant urbanization through the suppression of the right of residents to comment and even to challenge the permanent alienation of food-producing lands.**

**I. This Measure Would Circumvent The LUC’s Mandate To Consider The Impact of Reclassifying All Lands**

The LUC is obligated, by law, to review all petitions for the reclassification of land and to consider the impact of that reclassification, as a matter of State concern, on the “preservation or maintenance of important natural systems or habitats;” the “maintenance of valued cultural, historical, or natural resources;” and the “maintenance of other natural resources relevant to Hawai’i’s economy, including agricultural resources[.]”<sup>2</sup> **This measure proposes to limit the LUC’s ability to review DBAs brought by the HHFDC that would reclassify any amount of land over 15 acres by limiting the review of all HHFDC petitions to no more than 45 days and automatically approving HHFDC petitions without a vote, potentially resulting in the permanent alienation of the affected lands.**

In addition to circumventing the LUC’s mandate, this measure would further violate Article XI, Section 3 of the Constitution of the State of Hawai’i which states that “[l]ands identified by the State as **important agricultural lands... shall not be reclassified by the State or rezoned by its political subdivisions without... [being] approved by a two-thirds vote of the body responsible for the reclassification or rezoning action.**”<sup>3</sup> The proposed measure, as written, would directly violate the State Constitution by automatically approving DBAs on

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<sup>2</sup> HRS §205-17.

<sup>3</sup> Haw. Const. art. XI, § 3.



**SB872**  
RELATING TO HOUSING  
Senate Committee on Housing  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senate Committee on Water and Land

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Important Agricultural Lands (IAL) brought by the HHFDC after 45 days without a two-thirds vote by the LUC.

**II. This Measure Would Deprive Hawai'i Residents From Their Right To Inform Good Governance And To Contest The Reclassification Of Lands That Are Likely To Result In Their Harm**

The LUC's decision-making process is subject to Chapter 91 rulemaking authority, which also requires the opportunity for contested cases.<sup>4</sup> The purpose of these contested case hearings is to provide the LUC with the complete picture – containing all relevant information – for the LUC to make an informed and appropriate decision on any petition to reclassify those lands. Contested cases are an exercisable right of individuals who will likely be impacted by the decision of the LUC. This specific process is not available at the county level and would deprive impacted residents from being able to contest the reclassification of lands based on the LUC's mandated criteria for review.

This measure as written would further limit the ability of the public to participate in the planning and zoning process and directly harm the public health and interest by limiting government oversight and transparency for the benefit of private developers by explicitly reducing the time for the LUC to review an application for a DBA from 365 days as enumerated under HRS §205-4(g) to no more than 45 days and guaranteeing automatic approval for DBAs after 46 days, which would also have the effect of contravening the public hearing requirement of HRS §205-4(b) which mandates that the LUC cannot hold a public hearing within less than 60 days following the filing of a petition under HRS §205-4(a). This would render the LUC toothless in direct contravention of the Commission's duty to promote the best use of land throughout Hawai'i and the State's Constitutional duty to protect the land of Hawai'i.

Every long-time resident of the State knows the need to stockpile food and water in the face of crisis – the COVID-19 pandemic highlighted the State's need to vastly improve its food producing capacity due to the State's vulnerability to supply chain interruptions.<sup>5</sup> In spite

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<sup>4</sup> HRS §205-19.

<sup>5</sup> "Under normal conditions, our market food supply is replenished every 5-8 days with most commercial



**SB872**  
**RELATING TO HOUSING**  
Senate Committee on Housing  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senate Committee on Water and Land

---

of this, the State continues to operate within a dysfunctional system to permanently alienate agricultural lands for homes that may or may not go to long-time-multi-generationally-rooted local residents, when all agricultural lands will be needed to address the present and future needs of Hawai'i residents, especially considering the potential devastating impacts of the climate crisis – famine, being one of them. **This measure could potentially create an unchecked mechanism for reclassifying huge swaths of lands that should be used to provide food as well as meaningful and sustainable economic opportunities.**

**III. This Measure Does Not Ensure That Most Long-Time-Multi-Generationally Rooted Residents Will Be Able To Purchase, No Less Be Able To Afford, The Homes Intended To Be Built Through This Proposed Mechanism**

This measure's proposed mechanism would allow for the reclassification and development of any lands over 15 acres by the HHFDC appears to hinge upon the petitioned purpose to develop real estate such that "[f]ifty per cent of the units constructed under the proposed housing project shall be reserved for households with an income of up to one hundred forty per cent of the area median income [(AMI)] as determined by the United States Department of Housing and Urban Development[.]" According to the State, 140% AMI for a family of four ranges, by county from \$133,280 (Hawai'i County) to \$182,840 (Honolulu); this means that a family of four, would not spend more than 1/3 of their income on housing costs for a house that ranges, by relevant county, from \$328,000 (lowest for Hawai'i County) to \$940,700 (highest for Honolulu).<sup>6</sup> The average household (family of four) income for the State is roughly \$107,348; the median household income is \$83,173 – far below the affordability at 140% AMI.

The majority of Native Hawaiian families, in Hawai'i, are unable to makes ends meet,<sup>7</sup> with 63% of Native Hawaiians reporting that they are finding it difficult to get by.<sup>8</sup> Native

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warehouses maintaining a five-day supply of food in inventory.

<sup>6</sup> DBEDT, Income Schedule by Family Size, 2022, available at <https://dbedt.hawaii.gov/hhfdc/files/2022/04/2022-Income-Rent-Sales-Guidelines.pdf>.

<sup>7</sup> Aloha United Way / United for ALICE, *ALICE in Hawai'i: 2022 Facts and Figures*, Nov. 2022, p.6.

<sup>8</sup> *Id.* at 9.



**SB872**  
RELATING TO HOUSING  
Senate Committee on Housing  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senate Committee on Water and Land

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Hawaiians have the lowest household income.<sup>9</sup> Native Hawaiians have the highest poverty rates for individuals and families.<sup>10</sup> Native Hawaiians make less money,<sup>11</sup> with lower average earnings for both men and women.<sup>12</sup> Native Hawaiians have the highest rate of using public assistance and homeless services.<sup>13</sup> Native Hawaiians are overrepresented among the homeless in Hawai‘i.<sup>14</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>15</sup>

Despite the great need for affordable housing in Hawai‘i, **this measure would only reserve half of the constructed units for households at or below 140% AMI or allow for the sale of all the constructed units for any resident that meets the specific conditions regardless of income. This measure does not ensure that Native Hawaiians, let alone, most long-time-multi-generationally rooted residents will be able to purchase or even be able to afford the home that are intended to be built through this proposed mechanism.**

OHA urges the Senate Committee on Housing, Senate Committee on Public Safety and Intergovernmental and Military Affairs, and the Senate Committee on Water and Land to **DEFER SB872.**

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<sup>9</sup> Dept. of Business, Economic Development and Tourism, *Demographic, Social, Economic, and Housing Characteristics for Selected Race Groups in Hawaii*, Mar. 2018, p.3.

<sup>10</sup> *Id.* at 13.

<sup>11</sup> OHA Report, *Affordable Housing for Hawai‘i and Native Hawaiians: Exploring Ideas and Innovation*, Aug. 2020, p.10.

<sup>12</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.

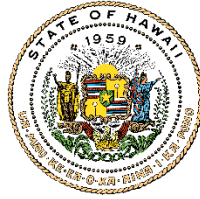
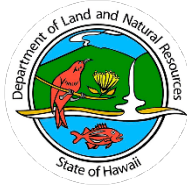
<sup>13</sup> *Id.*

<sup>14</sup> Partners In Care, *2022 Point In Time Count*, p.7.

<sup>15</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.

**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621  
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**DAWN N.S. CHANG**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**LAURA H.E. KAAKUA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
DAWN N. S. CHANG  
Chairperson**

**Before the Senate Committees on  
HOUSING  
and  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS  
and  
WATER AND LAND**

**Monday, February 13, 2023  
3:01 PM  
State Capitol, Conference Room 225 and Videoconference**

**In consideration of  
SENATE BILL 872  
RELATING TO HOUSING**

Senate Bill 872 proposes to allow the Hawaii Housing Finance and Development Corporation to develop certain housing projects that are exempt from laws, rules, and ordinances. **The Department of Land and Natural Resources (Department) offers the following comments.**

While the Department acknowledges the intent of the bill, we caution on potential unintended consequences of the proposed legislation. Pursuant to 44 Code of Federal Regulations (CFR) §59.24, the Federal Emergency Management Agency (FEMA) could suspend the State and/or counties from the National Flood Insurance Program (NFIP) for failure to adequately administer and enforce floodplain development regulations. Floodplain development permits are required for all work encroaching within Special Flood Hazard Areas (A or V zones) identified on FEMA's Flood Insurance Rate Maps (FIRMs). Any State or county law that is not consistent with the NFIP jeopardizes our continued eligibility and participation. The unintended consequences of program suspension, include:

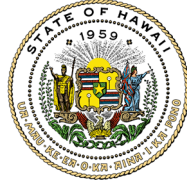
- No federal flood insurance can be sold or renewed in non-participating communities.
- Certain forms of Federal Disaster Assistance (including mitigation grants) will not be available in the event of a Presidential Disaster Declaration.



Furthermore, unregulated development within floodplains also increases the risk to life and property from flooding.

Mahalo for the opportunity to comment on this measure.

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



KENNETH S. HARA  
DIRECTOR OF EMERGENCY  
MANAGEMENT

JAMES DS. BARROS  
ADMINISTRATOR OF  
EMERGENCY MANAGEMENT

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF DEFENSE**  
**KA 'OIHANA PILI KAUA**  
**HAWAI'I EMERGENCY MANAGEMENT AGENCY**  
4204 DIAMOND HEAD ROAD  
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STATE OF HAWAI'I  
DEPARTMENT OF DEFENSE  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON SENATE BILL 872  
RELATING TO HOUSING

BEFORE THE SENATE COMMITTEES ON **HOUSING, PUBLIC SAFETY AND  
INTERGOVERNMENTAL AND MILITARY AFFAIRS, AND WATER AND LAND**

BY

JAMES DS. BARROS  
ADMINISTRATOR  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

FEBRUARY 10, 2023

Aloha Chair Chang, Chair Wakai, Chair Inouye, Vice-Chair Kanuha, Vice-Chair Elefante, and members of the committees:

I am James Barros, Administrator of the Hawai'i Emergency Management Agency (HI-EMA).

HI-EMA provides written testimony to **OFFER COMMENTS** of SB872.

This bill would add a new section to Hawaii Revised Statutes Chapter 201H that in certain circumstances would allow the development of housing projects that are exempt from a wide array of statutes, ordinances, charter provisions and other government rules and regulations.

HI-EMA recognizes the value of such initiatives in addressing and reducing the shortage of affordable housing in Hawai'i. However, we have substantial concerns about portions of the bill which exempt developments from existing law.

The exemptions listed in SB872 could be construed to exempt certain developments from provisions of Hawai'i Revised Statutes 46. The intent appears to be to remove potential regulatory obstacles to the rapid development of housing.

However, HRS 46 is a vital provision for Hawaii's participation in the National Flood Insurance Program (NFIP). In the past, legislation which exempted development from HRS 46 threatened the State's participation in this national program, and potentially could lead to federal sanctions.

If Hawai'i were to be sanctioned by NFIP, the state's property owners would no longer be able to obtain federal flood insurance, and existing policies could not be renewed. As of the most recent data, more than 54,000 Hawai'i property owners were covered by NFIP, with more than \$13 billion in property insured. Typical homeowner's insurance does NOT cover flood damage, which is among the most common disaster-related claims in the state.

Any exemption from HRS 46 which triggers NFIP sanctions would leave those tens of thousands of property owners with no flood coverage, and they also potentially would be excluded from federal disaster relief.

We urge the committees to seek additional information from legal experts and the Department of Land and Natural Resources (DLNR), which serves as the State's coordinating agency for NFIP, to amend the language of SB872 as needed to protect Hawaii's participation in the flood insurance program.

Several other pending bills which would exempt much-needed projects from HRS 46 contain similar potential threats to NFIP. We would also urge the committees to apply eagle-eyed scrutiny to these exemptions and amend them as needed to reduce the risk of inadvertently leaving 54,000 property owners without flood insurance coverage.

Thank you for the opportunity to provide testimony.

James Barros: [james.barros@hawaii.gov](mailto:james.barros@hawaii.gov); 808-733-4300



## **SB872, Relating to exemptions for private-public development projects with HHFDC**

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12 February 2023  
Kihei, Maui, Hawaii

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

I am presenting this testimony on behalf of the Maui Nui Marine Resource Council to state our strong opposition to SB872 which would exempt housing projects developed under private-public partnerships with the Hawai'i Housing Finance and Development Corporation (HHFDC) from any state and county laws, ordinances, rules and restrictions concerning land development, planning, and building construction standards, and zoning, among other exemptions.

We appreciate this bill's stated intent to tackle our islands' housing challenges. However, the proposed exemptions for public-private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

The regulations that exist to guide and, yes, in some cases limit development are the result of decades of lessons learned about how poor planning can result in undesirable outcomes. For residents in Kihei on Maui, the past year has repeatedly underscored that building in flood zones (that was perfectly legal at the time) is a bad idea. It results in damage to property, disruption of commerce, and, sadly, even loss of life. Environmental, zoning, and building regulations are in place due to lessons learned. Some of these lessons cost dollars, some resulted in irrevocable loss of historical resources, and some resulted in the loss of life. Removing regulations that are intended to help developers ensure they are doing the right thing as they build necessary housing, is a disservice to homeowners, our community, and the state.

As this bill will have immediate and long-standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands, including irreversible impacts that will be felt for generations, we respectfully urge the Committees to HOLD SB872.

Mahalo nui for the opportunity to testify on this important issue.

Chief Scientist and Communications and Development Coordinator,  
Maui Nui Marine Resource Council



To: The Honorable Chairs Chang, Wakai, and Inouye, the Honorable Vice Chairs Kanuha and Elefante, and Members of the Committees

From: Climate Protectors Hawaii (by Ted Bohlen)

Re Hearing: **SB872 RELATING TO HOUSING**

Hearing February 13, 2023 at 3:01 p.m.

**The Climate Protectors Hawaii respectfully OPPOSES SB872.**

The Climate Protectors Hawaii appreciates the bill's apparent intent to develop housing, which we clearly need in Hawaii. But, we respectfully must oppose the bill because it authorizes exemptions for public private partnerships with the HHFDC that are simply too broad. The bill states the development of housing projects:

shall be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon.

Hawaii law has procedural requirements under zoning, building standards, environmental review, and historic preservation review to protect the public health, environment, iwi kupuna and cultural sites. This bill would jettison all these protections to expedite housing developments with units priced above what most local residents can afford.

This wholesale exemption from all protections is not necessary to build housing developments. This type of building would risk harming the environment and cultural resources, with potentially immediate, long standing, and irreversible impacts on the environmental, cultural, and socioeconomic health and well-being of our islands.

The Climate Protectors respectfully urge the Committees to please **HOLD SB872.**

Mahalo!

Climate Protectors Hawaii (by Ted Bohlen)



# SIERRA CLUB OF HAWAI'I

**SENATE COMMITTEE ON HOUSING,  
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY  
AFFAIRS, AND  
SENATE COMMITTEE ON WATER AND LAND**

February 13, 2023 3:01 PM Conference Room 225

**In OPPOSITION to SB872:** Relating to Housing

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Aloha Chair Chang, Chair Wakai, Chair Inouye, Vice Chair Kanuha, Vice Chair Elefante, and Members of the Committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **opposes SB872**, which would *automatically* exempt housing projects developed under or with the Hawai'i Housing Finance and Development Corporation ("HHFDC") from laws, rules, and ordinances that are critical to our islands' environmental, cultural, and economic integrity, as well as to our social fabric and climate resilience.

The Sierra Club appreciates that some of the language in this measure appears to be based on an existing statute, namely Hawai'i Revised Statutes section 201H-38. However, unlike that law, this measure would provide for the unconditioned and automatic exemption of projects developed by or in partnership with the HHFDC, without any participation or consideration by the counties, and potentially without income restrictions or other safeguards that can prevent the undue exploitation of public resources by private interests.

**Accordingly, this measure could lead to the commencement of development projects without any environmental assessment of avoidable environmental and cultural impacts and potential environmental health hazards; any historic preservation planning protections against the potential and permanent loss of cultural sites and resources; any consideration of land use plans and zoning ordinances that protect our communities' social and cultural fabric and food security needs; or any compliance with building code standards that take into account sea level rise or the need for developers to invest in cost-saving and climate-friendly renewable energy infrastructure.**

Moreover, such developments would not necessarily be reserved for those who may have the greatest need for housing relief, and this measure could allow entire developments to be sold to those earning the highest incomes – exacerbating concerns regarding undue private profiteering from what are essentially exactions against the public interest.

Rather than pursue this highly problematic and potentially dangerous approach, the Sierra Club respectfully urges the Committees to first explore any number of other strategies – many of

which are currently under consideration by this legislature – that may help to address the multi-faceted housing crisis our islands are experiencing, and that do not risk the unnecessary and irreversible erosion of critically important public interests. These include:

- enhanced regulation and enforcement of vacation rentals;
- investments in municipal wastewater system upgrades;
- water source development and water conservation and reuse measures, to ensure greater availability of water for housing;
- meaningful enforcement of agricultural zoning, to prohibit further “gentleman farm” developments and associated real estate speculation;
- conveyance tax increases targeted at residential property sales valued in ranges that almost exclusively involve non-Hawai‘i buyers;
- audits of county planning departments for opportunities to increase permitting efficiency;
- investigations into the use of Department of Defense monthly basic allowances for housing (approx. \$2,000-\$4,000/month) to purchase real property or secure off-base rental housing needed by Hawai‘i residents;
- increases in the age of buildings that would be considered “historic property” subject to State Historic Preservation Review;
- investments in competitive salaries for State Historic Preservation Division (“SHPD”) staff and/or the authorization of third party reviewers to fulfill SHPD’s historic review responsibilities, subject to safeguards that can leverage the institutional memory of SHPD and the Office of Hawaiian Affairs;
- tax relief for long-term residential properties and tax increases for residential properties left vacant, or used for short-term vacation rentals;
- infrastructure development support for Department of Hawaiian Home Lands homesteads;
- financial literacy training and financial savings match incentives through individual development accounts designed to help individuals and families secure stable rental housing or first home purchases;
- a prohibition on housing discrimination against section 8 recipients;
- a prohibition on no-cause evictions subject to extenuating circumstances;
- rent controls for properties purchased by private equity firms;
- utility subsidies or tax relief for low-income rural communities that host utility-scale energy developments, landfills, or other community “disamenities”;
- investments in evidence-based Housing First policies;
- investments in social services and interventions for those experiencing mental health challenges;
- meaningful rehabilitation and reentry support for pa‘ahao reentering the community;

and many other “low hanging fruit” policies that can begin to tackle the root causes of our housing challenges, in an equitable, less controversial, and less potentially harmful manner.

Accordingly, we respectfully urge the Committees to **HOLD SB872**.

Thank you very much for this opportunity to provide testimony.





# Environmental Caucus of The Democratic Party of Hawai'i

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February 12, 2023

TO: Senator Stanley Chang, Chair,  
Senator Dru Mamo Kanuha, Vice Chair, and Members of the  
Senate Committee on Housing

Senator Glenn Wakai, Chair,  
Senator Brandon J.C. Elefante, Vice Chair, and Members of the  
Senate Committee on Public Safety and Intergovernmental and Military Affairs

Senator Lorraine R. Inouye, Chair,  
Senator Brandon J.C. Elefante, Vice Chair, and Members of the  
Senate Committee on Water and Land

Re: **SB 872 - Relating to Housing**

Hearing: Monday, February 13, 2023, at 3:01 pm, in Room 225 and via videoconference

POSITION: **Strong Opposition**

The Environmental Caucus has an enrolled membership of more than 7,000 politically active Hawaii voters. We strongly OPPOSE this bill

Like the vast majority of Hawaii's residents, most of the 7,000 members of our Caucus suffer financially and oftentimes physically because of the severe housing shortages and overcrowding in our State. Housing is indeed in long-standing crisis, and emerging from that crisis will take a long time and consume vast amounts of our efforts, resources, and money.

This bill would allow the Hawaii Housing Finance and Development Corp., a State agency, to enter into public-private partnerships with developers to build housing that would supposedly be "affordable." Such construction would "be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon."

This bill reflects the unfortunate mindset that planning and zoning laws and construction standards are all fuddy-duddy meaningless restrictions that undermine bold actions that would solve everyone's problems. That mindset is all wrong. Those planning and zoning laws and construction standards were enacted for good reasons after long battles against developers and



others who have less regard than they should have for what makes life worth living here in our “Paradise” – respect for our history, our cultures, our environment. These laws and standards are intended to keep us safe and make our neighborhoods reasonably pleasant to live in.

Among those laws and rules are ones that address historic preservation, sea-level rise, urban crowding, and other environmental issues. If there are problems with those laws and standards, then the Legislature and County Councils should directly address those problems, rather than simply allowing certain agencies and developers to be given wholesale exemptions from them.

And we also have major concerns about “public-private partnerships.” They have the unfortunate tendency to allot the risks to the public and the profits to the private partners.

As others have noted, this bill reflects the re-emergence of the thinking that was foisted on the public by the “Public Land Development Corporation” (PLDC) about ten years ago. That entity was so odious that the Legislature was obliged by public demand to repeal PLDC’s authorizing legislation in 2013, a mere two years after it was created.

Let us not repeat those mistakes. We regret that SB 872 would repeat them. We know that the bill’s authors have good intentions, but this bill is not the right way to solve our housing crisis. We don’t see any way to make amendments around the edges. Please defer this bill and look for better ways to address this crisis. Thank you very much for the opportunity to testify on this very important bill.

Alan B. Burdick and Melodie Aduja  
Co-chairs, Environmental Caucus

[burdick808@gmail.com](mailto:burdick808@gmail.com) 808-927-1500  
[legislativepriorities@gmail.com](mailto:legislativepriorities@gmail.com) 808-258-8889

**SB-872**

Submitted on: 2/11/2023 9:13:30 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kupuna for the Mo'opuna	Testifying for Kupuna for the Moopuna	Oppose	Written Testimony Only

Comments:

**No to SB 872.**

No automatic development exemptions!

SB 872 will have immediate negative impacts on the environmental, cultural, and socioeconomic health and well-being of these islands now and for the next generations to come.

Do not pass! Mahalo.



**Senate Committees on Housing / Senate Committees on Public Safety and Intergovernmental and Military Affairs / Senate Committees on Water and Land**

**Hawai'i Alliance for Progressive Action (HAPA) OPPOSES: SB872**

Monday, February 13th, 2023 3:01 p.m. Conference Room 225

Aloha Chairs, Vice Chairs and Members of the Committees,

We oppose SB872, and while appreciate this bill's apparent desire to tackle our islands' housing challenges, we believe the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

We respectfully urge the Committees to DEFER SB872.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'Anne Frederick', is positioned above the typed name.

Anne Frederick  
Executive Director

**SB-872**

Submitted on: 2/10/2023 1:00:10 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Oppose	Written Testimony Only

Comments:

Why not just give away the whole store? Housing is needed, we all know that. But to override planning, environmental, and other rules, ordinances, and laws is totally irresponsible and reprehensible. . You are telling people don't fight for what you believe, the environment doesn't matter, planning doesn't matter, don't waste your time because we can override all that you accomplish. This bill should die now.

**SB-872**

Submitted on: 2/10/2023 1:41:55 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elizabeth Bishop	Individual	Oppose	Written Testimony Only

Comments:

Thank you for the opportunity to testify in STRONG OPPOSITION to this bill to allow housing development without the requirement to meet certain laws, rules and ordinances under certain circumstances because it will open the door to even more corruption in the housing industry.

i also oppose this bill because it does not contain any preamble to explain to Hawaii residents why this legislation is necessary and of benefit to us.

With aloha,

Elizabeth Bishop

**SB-872**

Submitted on: 2/10/2023 4:42:18 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jonnetta Peters	Individual	Oppose	Written Testimony Only

Comments:

Senate Chairs, Glenn Wakai, Stanley Chang, Lorraine Inouyes and Senate Committee Members,

Aloha mai kākou,

I strongly oppose SB872. No developer should be given the authority under a government assistance program in the development of housing projects to be exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon. These rules and regulations are put in place for everyone to abide by. What about safety issues? Zoning laws? This is an outrage to everyone else that have gone or currently going through the development planning process. Please do not pass SB872.

Jonnetta Kaina  
Peters  
Kāne'ohe, Ko'olaupoko Ahupua'a

Ahuimanu,

**SB-872**

Submitted on: 2/10/2023 8:59:09 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Seth Kamemoto	Individual	Oppose	Written Testimony Only

Comments:

I am a Hawaii resident testifying on behalf of myself in **opposition** of SB872 for three main reasons: (1) the conditions are much too weak, (2) the perpetuity clause is unenforceable, and (3) the “legislative body” of the county is being removed as the approver.

The proposed bill allows for the extremely broad exemptions in 201H-38 to be applied to housing projects that are only somewhat affordable for some part of the development (140% AMI for 50% of the project is not a lot of quality affordable units provided) **OR** that are offered to residents who own no other property (with no affordable restrictions). I see absolutely no need to provide incentives through 201H for housing for *\*any\** resident who doesn’t own property. First of all, it’s too easy to “shield” property ownership using trusts or LLCs or business entities. Second, it’s also quite easy to gain residency in Hawaii; so many people could qualify as “residents” who are not truly long-time residents.

And while in theory it would be nice to be able to enforce these rules forever, in reality I don’t see it possible. A developer will walk away once the building is built and sold. How many Hawaii developers have been in business for 60 years? How many will be for the next 600? 6,000? 6 million? A perpetuity clause is unenforceable.

This proposed bill also shares similar rephrasing as in another proposed bill SB763 in Section 2(3) where “legislative body” is removed and simply replaced with “county.” Removing the City Council as the approver of these projects would deny the public any meaningful input in this entire process. The public already has extremely limited input; these projects can often exempt themselves from the Environmental Assessment phase as well, leaving the public with no data on possible impacts, no input into the process, and without the City Council hearing the public would have no voice at all.

Thank you for your consideration.



**SB-872**

Submitted on: 2/11/2023 4:35:51 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robin Kaye	Individual	Oppose	Written Testimony Only

Comments:

Please do NOT pass this bill. The State's environmental review system was established to help citizens know about the impacts of actions or projects on our environment. It is not designed to punish developers nor defeat projects, but rather to provide transparency to the ways in which a particular development effort will impact the environment of the area on which it is to be placed. While it may add time and cost to a project, its positive impacts clearly outweigh those delays.

There is a clear need for housing in our state; no question about that. But exempting housing developments from environmental review is a dangerous -- and potentially hazardous -- precedent. Should we also exempt schools because we need them? Or major road construction projects?

Environmental review adds an eye to a development that allows for adjustment. It does not "kill" a project, but rather provides an opportunity to both understand the impacts of that project on our environment, and then to correct where possible those impacts. It is a good thing and this bill would deny that review.

Please do not pass this bill.

**SB-872**

Submitted on: 2/11/2023 9:16:54 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bianca Isaki	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

I respectfully OPPOSE SB872. It advances an incorrect approach to a housing crisis that assumes environmental protections drive up housing costs as opposed to global economic markets. Removing environmental review will only create a larger burden of unaccounted-for costs that by and large disproportionately fall on lower income communities.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Bianca Isaki

**SB-872**

Submitted on: 2/11/2023 11:11:54 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

Comments:

Hello,

My name is Nanea Lo and I STRONGLY OPPOSE SB872.

I appreciate this bill’s apparent desire to tackle our islands’ housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I urge the Committees to **OPPOSE SB872**.

me ke aloha ‘āina,

Nanea Lo, Mō‘ili‘ili

**SB-872**

Submitted on: 2/11/2023 12:40:39 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Dinner	Individual	Oppose	Written Testimony Only

Comments:

The foxes are drooling at the door of the chicken house. Let's create affordable housing without tearing the wings from the environmental protections. No, no no!

**SB-872**

Submitted on: 2/11/2023 1:50:42 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vernelle Oku	Individual	Oppose	Remotely Via Zoom

Comments:

I respectfully oppose SB872 as an individual. I live right next to the Chinese Cemetery P-2 (Preservation) zoned property in Manoa which is being proposed to be developed into four large 3-story apartment buildings.

if this bill passes, neighbors and the community will have no say in major developments which impact the flood risk (I personally suffered damages from the 2004 Manoa flood which wiped out a large concrete bridge, put cars in trees, and decimated uH Hamilton Library's basement of artifacts.). These projects also put at risk the Manoa water table and aquifer and adversely affect climate change on our island.

Please reconsider this bill which gives developers no incentive to consider the community or any long term repercussions in their rush to create large, tax-payer funded, profitable "affordable" housing developments.

**SB-872**

Submitted on: 2/11/2023 2:29:13 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Colleen Rost-Banik	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

My name is Colleen Rost-Banik, and I am a Sociology instructor at University of Hawaii, Manoa.

I respectfully OPPOSE SB872, and encourage you to do the same.

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

There are simply too many environmental, cultural, and historic issues to consider, and contractors should not get exemptions to fast track development, even when creating affordable housing.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Please oppose SB872.

Respectfully,  
Colleen Rost-Banik, PhD

**SB-872**

Submitted on: 2/11/2023 2:39:32 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eva Ardo	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to SB872 which exempts certain projects from zoning and DPP rules. Every developer including an ordinary resident should have to follow the same rules. Thank you.

**SB-872**

Submitted on: 2/11/2023 2:54:51 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Oppose	Written Testimony Only

Comments:

*My name is Mary True and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely, Mary True, Pepekeo*



**SB-872**

Submitted on: 2/11/2023 2:59:04 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Pete Wilson	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Peter Wilson and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,*

Peter Wilson

**SB-872**

Submitted on: 2/11/2023 3:05:14 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Camille Barcoma	Individual	Oppose	Written Testimony Only

Comments:

*Aloha kākou, Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*Aloha my name is Camille Barcoma and I OPPOSE SB872.*

*I appreciate this bill's desire to tackle our islands' housing crusus, however the exemptions for public private partnerships with the HHFDC are simply a huhue risk I feed with many significant and potentially irreversible impacts, for this bill if passed.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the loss of many cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building codes that take into account sea level rise or that could require efficient energy solutions - all of these and more would be neglected for the community and residences, for housing developments with units priced way above what most local residents can afford.*

*I was fortunate to have a home that was part of a self help project back in 2001 and back then with affordable home qualifications approved at \$176,000 were still far fetched for many local residence.*

*This bill will have immediate and future generation impacts on the environment, culture and socioeconomic health and quality of life within our islands. Please consider the big picture for our residents well being.*

*I respectfully urge the Committees to HOLD SB872.*

*Mahalo, Camille Barcoma*

**SB-872**

Submitted on: 2/11/2023 3:07:58 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Bo Breda and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely, Bo Breda*

**SB-872**

Submitted on: 2/11/2023 3:14:30 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Matt L	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is \_\_\_\_\_ and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford. This means 80% AMI is affordable not 120% AMI.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,  
Matt L.*

**SB-872**

Submitted on: 2/11/2023 3:22:17 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Gerwitz	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Laura Gerwitz and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely, Laura Gerwitz*

**SB-872**

Submitted on: 2/11/2023 3:58:45 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia Blair	Individual	Oppose	Written Testimony Only

Comments:

This bill is grossly negligent, disregarding Hawaii's laws and processes that safeguard the public need.

**SB-872**

Submitted on: 2/11/2023 4:00:36 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Greg Puppione	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Greg Puppione and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.,*

*Greg*

**SB-872**

Submitted on: 2/11/2023 4:32:16 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
B.A. McClintock	Individual	Oppose	Written Testimony Only

Comments:

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.



**Chair Stanley Chang**  
**Vice Chair Dru Kanuha**

**Senate Committee on Housing**

**Chair Glenn Wakai**  
**Vice Chair Brandon Elefante**

**Senate Committee on Public Safety & Intergovernmental & Military Affairs**

**Chair Lorraine Inouye**  
**Vice Chair Brandon Elefante**

**Senate Committee on Water & Land**

**Monday February 13, 2023**  
**3:01PM**

**TESTIMONY IN OPPOSITION TO SB872 RELATING TO HOUSING**

Aloha Chair(s) Chang, Wakai and Inouye, Vice Chair(s) Kanuha and Elefante, Members of the Senate Committee(s) on Housing, Public Safety & Intergovernmental & Military Affairs, and Water & Land,

My name is Jun Shin. I am a recent graduate of the University of Hawai‘i at Mānoa and a member of the Hawai‘i State Youth Commission. I am testifying as an individual in **OPPOSITION** to **SB872**, Relating to Housing.

As a young soon-to-be working person, I sincerely appreciate that the legislature is trying its best to address our cost-of-living crisis, but exemptions from worker’s rights, historical preservation, environmental assessments, building standards, public participation, etc for public private partnerships with the Hawai‘i Housing Finance & Development Corporation is very, very, very concerning. Also this measure is not going to benefit the broadest amount of people.

Only half of the units in the housing projects will be reserved for households with an income of up to 140% of the area median income (AMI), not 100% of units. So that means that the remaining units could just be built for the sake of profit and left vacant, or it will only be affordable to the wealthy. Housing advocates will also tell you that the United States Department of Housing and Urban Development’s AMI measurement is a very flawed way of determining housing policy, it’s only going to leave many, many working people and poor people out in the

cold. This bill in its current form will not really move the needle on our affordability crisis, and could have serious consequences on the people of Hawai‘i and the environment.

Please **DEFER** this measure.

Mahalo for the opportunity to testify,

Jun Shin,  
State House District 23 | State Senate District 12  
Cell: 808-255-6663  
Email: junshinbusiness729@gmail.com

**SB-872**

Submitted on: 2/11/2023 5:07:34 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jody Smith	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill unless environmental assessments are required! There is wisdom in doing an environmental evaluation which protect Hawaii's natural resources (such as water, required by all) and unique and severely endangered wildlife.

**SB-872**

Submitted on: 2/11/2023 5:12:03 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin Kelly	Individual	Oppose	Written Testimony Only

Comments:

This bill is bad policy.

This state and the counties herein passed statutes, ordinances, charter provisions, and rules relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units for good reason. They should not be abandoned without robust public discussion.

Please defer this measure.

Thank you for the opportunity to testify on this bill.

**SB-872**

Submitted on: 2/11/2023 5:36:16 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kim Jorgensen	Individual	Oppose	Written Testimony Only

Comments:

This is testimony in STRONG OPPOSITION to SB872.

Affordable housing is an important goal, but we don't have to sell our cultural and environmental souls to build it.

Environmental assessments exist for a reason: to not cut off our noses to spite our faces generations from now. Some people may not care if future generations ask, "What were they thinking???", but I do.

Please do not approve this Public Lands Development Corporation 2.0. Mahalo.

**SB-872**

Submitted on: 2/11/2023 5:41:49 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bret Mossman	Individual	Oppose	Written Testimony Only

Comments:

Aloha kākou,

I am writing in strong opposition to SB872. This bill will only serve to harm our communities here in Hawai‘i.

Do not advance this bill.

Mahalo

**SB-872**

Submitted on: 2/11/2023 5:49:25 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Denise Boisvert	Individual	Oppose	Written Testimony Only

Comments:

The following is what comes to mind when I think of SB872:

No-holds-barred / Carte blanche / Anything goes / The Wild West / Free for all / Rules schmules / Whatevah

I STRONGLY OPPOSE SB872 because the passage of it will be giving all of the above to developers by exempting them from environment assessments. And the subsequent damage, albeit with good housing intentions, will NEVER be able to be undone.

Haven't we learned anything from all the environmental and cultural mistakes related to unbridled development over the past 200 years?

**SB-872**

Submitted on: 2/11/2023 6:22:25 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
C. Kai Lucas	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, members of the committees

I am a registered voter in Senate District 9 (Chang), and a member of Neighborhood Board #2. My name is Kai Lucas, and I respectfully OPPOSE SB872.

While I appreciate this bill's apparent desire to tackle our islands' housing challenges, the exemptions for public-private partnerships with the HHFDC are too broad.

- Environmental assessments protect natural resources and prevent human health hazards
- Historic preservation review can avoid the permanent loss of cultural sites and iwi kūpuna
- Community development plans and zoning ordinances protect culturally, socially, and agriculturally significant landscapes
- Building standards take into account sea level rise and require energy efficient features

All of these and then some are simply waived in SB872 for housing developments with units priced out of reach for most local residents. I respectfully urge the Committees to HOLD SB872.

me ka pono,  
Kai Lucas



**SB-872**

Submitted on: 2/11/2023 6:43:50 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carl J. Berg	Individual	Oppose	Written Testimony Only

Comments:

SB872 would have immediate and long standing impacts on the environmental, cultural, and socioec-onomic health and well-being of our islands, irreversible impacts that will be felt for generations.

I strongly oppose this bill.

**SB-872**

Submitted on: 2/11/2023 7:08:04 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
SCOTT WERDEN	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Scott Werden and I respectfully OPPOSE SB872.

I appreciate this bill’s apparent desire to tackle our islands’ housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Sincerely,

Scott Werden



**SB-872**

Submitted on: 2/11/2023 7:26:24 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dave Kisor	Individual	Oppose	Written Testimony Only

Comments:

Please do not even consider this abomination. Thank you.

**SB-872**

Submitted on: 2/11/2023 7:35:42 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ann Wallace	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Sincerely, Ann Wallace

**SB-872**

Submitted on: 2/11/2023 8:00:56 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Ashley	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Elizabeth Ashley and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,  
Elizabeth Ashley*

**SB-872**

Submitted on: 2/11/2023 9:04:25 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kapulei Flores	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB872. I appreciate this bill’s apparent desire to tackle our islands’ housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible. This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations. This bill exempts housing projects from *any* state and county laws, ordinances, rules and restrictions concerning land development, planning, and building construction standards, and zoning, among other exemptions. We need requirements and standards like environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features. All of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

**SB-872**

Submitted on: 2/11/2023 9:15:11 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Haywood	Individual	Oppose	Written Testimony Only

Comments:

I am against SB872 because the exemptions from laws concerning development and the improvement of land, planning, zoning, construction standards, and income restrictions risk significant and possibly irreversible impacts.

The laws that govern construction are there for a reason. Environmental impacts, which include those relevant to human health and habitat, historic preservation of cultural and spiritual sites, consideration of socioeconomic factors and agricultural land use are important to communities. We **MUST** also pay attention to energy efficiency and building standards that take into account sea-level rise.

Once something is built, it's generally too late. Let's develop new housing within the parameters of the laws that exist so that it is built right the first time.



**SB-872**

Submitted on: 2/11/2023 9:59:37 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Elisabet Sahtouris	Individual	Comments	Written Testimony Only

Comments:

*Dear Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Dr. Elisabet Sahtouris and I respectfully OPPOSE SB872.*

*The exemptions for public private partnerships with the HHFDC risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,  
Dr. Elisabet Sahtouris*

**SB-872**

Submitted on: 2/11/2023 10:56:23 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB872. While the bill intends to provide much needed housing to Hawaii's residents, SB872 does so in a grossly negligent manner, without regard for Hawaii's laws and processes that safeguard the public's needs - including for housing that is truly affordable.

SB872 would have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands, irreversible impacts that could be felt for generations.

Please do not pass this harmful bill.

**SB-872**

Submitted on: 2/12/2023 6:16:13 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy Ching	Individual	Oppose	Written Testimony Only

Comments:

*Aloha Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Randy Ching I respectfully OPPOSE SB872.*

*This is PLDC 2.0. This bill is a developer's wet dream -- gutting permitting laws in the name of affordable housing.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,*

*Randy Ching*

*Honolulu*

**SB-872**

Submitted on: 2/12/2023 7:14:24 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Riley Nakasone	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB 872.

**SB-872**

Submitted on: 2/12/2023 7:45:37 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
joan H koff	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is \_\_\_Joan Koff\_\_\_ and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford. Further, these projects often represent temporary solutions with housing to be offered at fair market prices after a period, effectively eliminating the original intent of providing more housing for poor and other disenfranchised groups.*

*This bill will likely have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,  
Joan Koff*

Hawaii resident for 50 years



**SB-872**

Submitted on: 2/12/2023 8:54:21 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert H Stiver	Individual	Oppose	Written Testimony Only

Comments:

SB872 is a free-for-all for developers. 'Nuf written...if you pass it, shame on you!~

**SB-872**

Submitted on: 2/12/2023 9:12:28 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
jerry lam	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 872 which would enable OHA to build residential towers on Kakaako makai land. The rules have been written. They must abide by them. The value of the parcels is over \$300,000,000 (as assessed by the City). The deal was fair as revealed today by Governor Neil Abercrombie. There are only three swimming spots that Oahu residents living in town can frequent and Kewalo's is one of them. Please do not give in to OHA's pressure. Plus their reputation in the past has been riddled with corruption as you well know. Thank you for this chance to testify! Jeeremy Lam, M.D.



**SB-872**

Submitted on: 2/12/2023 9:23:23 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michal Fentin Stover	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

I respectfully OPPOSE SB872. I am a resident of Kaua'i and a registered voter.

Our islands have a critical need for more affordable housing. However, SB872's exemptions for public private partnerships with the HHFDC are too broad and risk too many significant and potentially irreversible impacts for it to be adopted.

Specifically, SB872 would eliminate environmental assessments and historic preservation reviews and would provide exemptions from community development plans, zoning ordinances and building standards, all of which are important to protect the environment, our history, and our people. In return, we would gain housing developments with units priced above what most local residents can afford. The tradeoff is not acceptable.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Sincerely,  
Michal F. Stover

**SB-872**

Submitted on: 2/12/2023 10:14:12 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kenani Gramberg	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

No one should be exempt from any laws. A law for one is a law for all.

Mahalo,

Kenani Gramberg

**SB-872**

Submitted on: 2/12/2023 11:25:39 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

oppose

**SB-872**

Submitted on: 2/12/2023 11:31:17 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Katherine Burke	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

My name is Katherine Burke and I respectfully OPPOSE SB872.

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Sincerely,

Katherine Burke

**SB-872**

Submitted on: 2/12/2023 12:11:04 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Aj Jaeger	Individual	Oppose	Written Testimony Only

Comments:

**Aloha,**

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is \_\_Aj Jaeger\_\_ and I respectfully OPPOSE SB872.*

*While it's packaged as good thing it has total disregard for environmental, local and community standards and input.*

Allowing it to pass will give developers a free rein to do what they want and would allow a back door opportunity to change planning and zoning. Zoning that keeps our communities from becoming another Kaka'ako or Waikiki.

We have affordable housing that isn't being utilized as well as becoming unaffordable after a few years. Work on changing that.

Respectfully,

Aj Jaeger, Kailua, Oahu

**SB-872**

Submitted on: 2/12/2023 12:27:26 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrea Nandoskar	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose!

**SB-872**

Submitted on: 2/12/2023 1:03:36 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Travis Thompson	Individual	Oppose	Written Testimony Only

Comments:

*I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,*

Travis Thompson, MD

**SB-872**

Submitted on: 2/12/2023 1:05:46 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lori Poaipuni	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I strongly oppose SB872 and urge you to do the same. Why do we keep proposing bills that benefit the rich, foreign and corporations; over our aina and people. Hawaii is the state of money can buy you everything. While its people continue to be outpriced, homeless and forced to move away to survive. How well this bill benefit or future generations? As always you'll sell it in the media as affordable housing, when really it's only affordable to the select few.

"Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes, building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford, and potentially sold to the richest among us."

Do not let this bill move forward, it's detrimental to Hawaii and it's people.



SENATE COMMITTEE ON HOUSING  
Senator Stanley Chang, Chair  
Senator Dru Mamo Kanuha, Vice Chair

SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND  
MILITARY AFFAIRS  
Senator Glenn Wakai, Chair  
Senator Brandon J.C. Elefante, Vice Chair

SENATE COMMITTEE ON WATER AND LAND  
Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair

Date: February 13, 2023

**Re: SB 872 RELATING TO HOUSING**

**Position: OPPOSE**

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

My name is Beth England and I respectfully OPPOSE SB872.

I appreciate this bill's intent to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Sincerely,

Beth England

**SB-872**

Submitted on: 2/12/2023 1:31:25 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shay Chan Hodges	Individual	Oppose	Written Testimony Only

Comments:

My name is Shay Chan Hodges and I respectfully OPPOSE SB872.

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Sincerely,

Shay Chan Hodges

**SB-872**

Submitted on: 2/12/2023 2:01:24 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sharde Freitas	Individual	Oppose	Written Testimony Only

Comments:

My name is Sharde Freitas and I respectfully OPPOSE SB872.

I appreciate this bill’s apparent desire to tackle our islands’ housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Mahalo,

Sharde Freitas

**SB-872**

Submitted on: 2/12/2023 2:26:46 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Tara Apo	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Tara Apo and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,*

*Tara*

**SB-872**

Submitted on: 2/12/2023 3:42:49 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
tlaloc tokuda	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

My name is Tlaloc Tokuda from Kailua Kona and I respectfully OPPOSE SB872.

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Mahalo for your consideration

tlaloc tokuda

Kailua Kona HI 96740

**SB-872**

Submitted on: 2/12/2023 2:53:11 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lucienne de Naie	Individual	Oppose	Written Testimony Only

Comments:

Please do not give "blank checks" for actions on public lands. Anyone who regularly listens in to BLNR meetings can easily see how many lessee's of state lands are already taking advantage of the public agencies. The public is concerned that the "pay to play " antics we have seen among our highly placed legislators will only increase when there are exemptions to every other form of review over use of public lands

**SB-872**

Submitted on: 2/12/2023 4:23:33 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Ward	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

My name is Deborah J Ward and I respectfully OPPOSE SB872.

I am a farmer in Mt View, and I am acutely aware of the housing shortage, and the need for more housing in the state, HOWEVER!

I am also an environmental advocate, and I am on the Hawaii County Public Access, Open Space and Antural REsources Peservation Commission, and I can image some very sad and poorly conceived outcomes if this bill becomes law.

The exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Aloha, Pumehana,

Deborah J Ward

808-769-2403



**SB-872**

Submitted on: 2/12/2023 4:32:39 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lanny Sinkin	Individual	Oppose	Written Testimony Only

Comments:

This bill basically abolishes government in the field of housing for the wealthy. The negative impacts in the areas of the environment, safety, climate, and numerous other fields will be extensive. The act is almost a satire on how to govern. Please vote down this terrible piece of legislation.

**LATE**

**SB-872**

Submitted on: 2/12/2023 5:25:59 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mary Marvin Porter	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees

My name. Is Mary Marvin Porter and I oppose SB872

This proposal, to support "development of housing projects exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units", is truly astounding and goes against the good planning that government is supposed to provide. It is obviously a grossly wrong effort to provide housing.

Please vote against SB872.

Mahalo,

Mary Marvin Porter

Island Eyes Video Journalism

HCR 1, Box 5505, Kea'au Hawai'i 96749

808-982-9100

**LATE**

**SB-872**

Submitted on: 2/12/2023 6:46:06 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
jennifer valentine	Individual	Oppose	Written Testimony Only

Comments:

*I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

**LATE**

**SB-872**

Submitted on: 2/12/2023 7:42:53 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Keiko Gonzalez	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Keiko Gonzalez and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Aloha,*

Keiko Gonzalez

**LATE**

**SB-872**

Submitted on: 2/12/2023 7:54:22 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Breanne Fong	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairs Chang, Wakai, Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,

My name is Breanne Fong, and I respectfully OPPOSE SB872.

I appreciate this bill’s apparent desire to tackle our islands’ housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.

Sincerely,

Breanne Fong

**LATE**

**SB-872**

Submitted on: 2/12/2023 8:23:58 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tim Streitz	Individual	Oppose	Written Testimony Only

Comments:

Thank you for working to fix the broken 201H law. I have witnessed in my neighborhood how developers manipulate the good intentions of the law by requesting enormous exemptions, which cause significant conflicts with the project site's established zoning and neighborhood character, while contributing little towards affordable housing at the lower end of the range, such as 80 to 100 percent of the area median income. We must demand more affordably priced units in order to use this 201H process. Otherwise, developers can still provide housing units as allowed under the existing zoning.

Please modify this bill to define affordable units up to 100 percent of the area median income, and keep the units affordable for at least 30 years if not in perpetuity (longer periods of affordability will result in a larger affordable housing stock). Sec. 201H-\_\_(b)(1)(B) of the bill is especially troubling in that there would be no income restrictions on the units at all. This is no different than a market rate housing development and should be entirely eliminated from the bill.

The counties should also have at least 90 days to review and approve the requested exemptions because these are complex projects that need to address community concerns. They are similar to zone changes since they can change allowed land use, height, floor area ratio, and other regulations.

**LATE**

**SB-872**

Submitted on: 2/12/2023 8:33:37 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Tara Rojas	Individual	Oppose	Written Testimony Only

Comments:

*My name is Tara Rojas and I OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to OPPOSE SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,*

*Tara Rojas*

**LATE**

**SB-872**

Submitted on: 2/12/2023 9:10:42 PM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

My name is Diane Ware from Ka'u Moku and I respectfully OPPOSE SB872.

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.



**LATE**

**SB-872**

Submitted on: 2/13/2023 7:11:13 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Leimomi Fisher	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

**I respectfully OPPOSE SB872.**

I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.

Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.

This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.

Accordingly, I respectfully urge the Committees to **HOLD SB872**. Mahalo nui for the opportunity to testify.

Leimom Fisher

**LATE**

**SB-872**

Submitted on: 2/13/2023 7:31:47 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Michele Nihipali and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Sincerely,  
Michele Nihipali*

*54-074 A Kam Hwy.*

*Hauula, HI 96717*

**LATE**

**SB-872**

Submitted on: 2/13/2023 8:19:23 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Maria Walker	Individual	Oppose	Written Testimony Only

Comments:

Aloha Commttee Members,

I am writiing to you to express my strong opposition to SB872. I agree that there is a severe shortage of affordable housing in Hawai'i, but this bill would sacrifice careful stewardship of our home in the process of allowing development exempt from Environmental Impact Statements.

Any time we are considering developing an area, there are myriad important considerations that are addressed in an environmental review: impacts on the land, air and water, cultural and historical features , climate change and sea level rise, the presence of iwi kupuna or endemic species. Without deep respect annd attention paid to all these matters, we are permanently altering and potentially destroying these places; that is not the legacy we, as the current stewards of the very limited, finite, land in our islands.

Please consider preventing this bill from moving forward, so we can all work together to create housing solutions that are truly affordable to the average resident, and that help support our rich natural, cultural, and historical environments for generations to come..

Thank you for hearing my testimony,

Maria Walker

Kapa'a HI 96746

**LATE**

**SB-872**

Submitted on: 2/13/2023 9:05:47 AM

Testimony for HOU on 2/13/2023 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicholas Wood	Individual	Oppose	Written Testimony Only

Comments:

*Dear Chairs Chang, Wakai, and Inouye, Vice Chairs Kanuha and Elefante, and members of the committees,*

*My name is Nick Wood, a resident in the Liliha neighborhood and I respectfully OPPOSE SB872.*

*I appreciate this bill's apparent desire to tackle our islands' housing challenges. However, the exemptions for public private partnerships with the HHFDC are simply too broad, and risk too many significant and potentially irreversible impacts, for this measure to be feasible.*

*Environmental assessments that can avoid unnecessary environmental impacts and human health hazards; historic preservation review that can prevent the permanent loss of cultural sites and iwi kūpuna; community development plans and zoning ordinances that protect culturally, socially, and agriculturally significant features and landscapes; building standards that take into account sea level rise or that could require energy efficient features - all of these and more would be thrown out the window, for housing developments with units priced above what most local residents can afford.*

*This bill could have immediate and long standing impacts on the environmental, cultural, and socioeconomic health and well-being of our islands - including irreversible impacts that could be felt for generations.*

*Accordingly, I respectfully urge the Committees to HOLD SB872. Mahalo nui for the opportunity to testify.*

*Aloha,  
Nick Wood*