



LAND USE COMMISSION

Komikina Ho'ohana 'Āina

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
Ka 'Oihana Ho'omōhala Pā'oihana, 'Imi Wai wai a Ho'omāka'ika'i

JOSH GREEN, MD
GOVERNOR

DANIEL E. ORODENKER
EXECUTIVE OFFICER

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February 7, 2024

Statement of
Daniel E. Orodenker
Executive Officer
State Land Use Commission

Before the
Senate Committee on Water and Land

Wednesday February 7, 2024
1:00 PM
State Capitol, Room 229 and Video Conference

In consideration of
SB 2175
RELATING TO HOUSING

Chair Inouye; Vice Chair Elefante; and members of the Senate Committee on Water and Land:

The Land Use Commission (LUC) has strong concerns with SB2175 which would allow counties to reclassify lands up to 100 acres within the Agricultural and Rural Districts for affordable housing projects where at least 75% of the units would be for families with incomes at or below 100% of the area median income.

This bill is similar to HB673 SD2 from last year that allowed counties the ability to re-classify up to 30 acres of Agricultural lands with protections. However, SB 2715 does not contain many of the protections contained in HB673 SD2.

This measure poses significant risk to issues and land use needs outside of the housing crisis. It is well established that Hawai'i is unique in its limited land availability for competing needs. We have all been made critically aware, during the course of this crisis, how important it is that Hawai'i have a healthy agricultural industry and that Hawai'i develop policies that will promote food independence and sustainability. This large-scale planning and balancing of needs does not take place at the county level.

Such State-wide issue must be balanced against the need for housing. Sprawling development, rather than re-development of the already urbanized lands in Hawai‘i will not serve Hawai‘i well as a whole.

Further, it is also clear that the public policy goal of developing clean, renewable energy sources needs to be balanced in relation to affordable housing. This measure would jeopardize planning and initiatives by the LUC, PUC and clean energy proponents, and the Legislature itself.

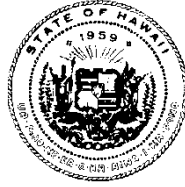
The LUC is also the only land use body that meets the State constitutional requirements of applying Public Trust Doctrine principles to its decisions. The public interest in water, the environment, traditional and customary practices, cultural resources and public access rights must be taken into account in any decision-making on district boundary changes. The counties are not designed to handle these issues (which also require contested case proceedings for proper adherence to the law). The constitutional mandate cannot be met in a legislative or ministerial proceeding.

The LUC believes that this measure, while directed at a recognized need, will not have the intended result and will in fact cause significant harm to other equally important State initiatives and won't pass constitutional muster.

Thank you for the opportunity to testify on this matter.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



DEAN MINAKAMI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
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Statement of
DEAN MINAKAMI
Hawaii Housing Finance and Development Corporation
Before the

SENATE COMMITTEE ON WATER & LAND

February 7, 2024 at 1:00 p.m.
State Capitol, Room 229

In consideration of
S.B. 2175
RELATING TO HOUSING.

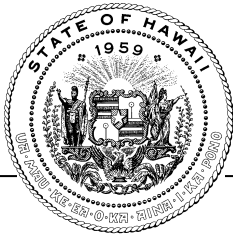
HHFDC **supports** SB 2175, which authorizes the counties to reclassify up to 100 acres of land areas in certain rural, urban, and agricultural districts, provided that at least 75% of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below 100% of the area median income.

We note, however, that given the high cost of materials, labor, land, and infrastructure, and lengthy entitlement and permitting process, it will be difficult for developers to 75% of housing units at 100% of the area median income. We suggest that the area median income limit be raised to 140%.

Two years ago, HHFDC and the Hawaii Public Housing Authority convened the working group established under Act 305, Session Laws of Hawaii 2022, also known as the Yes In My Backyard (YIMBY) Act, to explore ways to reduce zoning, regulatory, and statutory barriers to affordable housing development.

Currently, applicants for land-use changes of 15 acres or less apply directly to the counties instead of the Land Use Commission. There was a strong desire by several members of the YIMBY Act working group to give the counties greater authority to process State Land Use District boundary amendments to reduce the time and costs of affordable housing development.

Thank you for the opportunity to testify on this bill.



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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
INTERIM DIRECTOR

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Statement of
MARY ALICE EVANS, Interim Director

before the
SENATE COMMITTEE ON WATER AND LAND

Wednesday, February 7, 2024

1:00 PM

State Capitol, Conference Room 229

in consideration of
**SENATE BILL 2175
RELATING TO HOUSING.**

Chair Inouye, Vice Chair Elefante, and Members of the Senate Committee on Water and Land:

The Office of Planning and Sustainable Development (OPSD) offers **comments** on SB 2175 that would amend Section 205-3.1, Hawaii Revised Statutes (HRS), to authorize the counties to amend the State Land Use District Boundaries for lands 15 to 100 acres in size in the Rural and Urban Districts, and 15 to 100 acres in the Agricultural District – not including designated Important Agricultural Lands - for development in which, at least, 75 percent of the housing units are set aside for households with incomes at, or below, 100 percent of the area median income (AMI).

SB 2175 would streamline housing production because projects with 75 percent of their units at 100 percent AMI would qualify for expedited processing under Chapter 201H, HRS. The state has good experience with 201H projects, which can range in density.

If this measure is enacted, OPSD recommends that counties take into consideration adopted plans and availability of infrastructure in considering the appropriate density in exercising the authority provided under this bill.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE SENATE COMMITTEE ON WATER AND LAND

**WEDNESDAY, FEBRUARY 7, 2024
1:00 PM
CONFERENCE ROOM 229**

**SENATE BILL NO. 2175
RELATING TO HOUSING**

Chair Inouye, Vice Chair Elefante and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 2175 that authorizes the counties to reclassify up to one hundred acres of land areas in certain Rural, Urban, and Agricultural districts; provided that at least seventy-five per cent of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below one hundred per cent of the area median income. The Department offers comments and an amendment.

The Department recognizes the critical need for affordable housing throughout the State. The Department also recognizes the State's priority to achieve local food self-sufficiency. We are concerned that this measure as written does not account for the many considerations already in place to ensure orderly development. At minimum, to reduce the likelihood that the provision of affordable housing as described in this measure does not result in injudicious urbanization of Hawaii's most productive agricultural lands, we offer the following amendment:



(page 4, lines 6-13 – new language is bold and double-underscored)

"(b) Any department or agency of the State, and department or agency of the county in which the land is situated, or any person with a property interest in the land sought to be reclassified may petition the appropriate county land use decision-making authority of the county in which the land is situated for a change in the boundary of a district involving lands [~~less than fifteen~~] that are:

(1) Fifteen acres or less presently in the rural and urban districts [~~and lands less than fifteen~~];

(2) Fifteen acres or less than fifteen acres in the agricultural district that are not designated as important agricultural lands[~~-~~]; and

(3) One hundred acres or less in the rural and urban district and one hundred acres or less in the agricultural districts that are not designated as important agricultural lands **and not where the soil is classified by the land study bureau's detailed land classification as overall (master) productivity class A or B;** provided that at least seventy-five per cent of the

housing units on the land sought to be reclassified under
this paragraph are set aside for persons and families
with incomes at or below one hundred per cent of the area
median income."

Thank you for the opportunity to present our testimony.

February 7, 2024

The Honorable Lorraine Inouye, Chair

Senate Committee on Water and Land
State Capitol, Conference Room 229 & Videoconference

RE: Senate Bill 2175, Relating to Housing

HEARING: Wednesday, February 7, 2024, at 1:00 p.m.

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 11,000 members. HAR provides **supports** Senate Bill 2175, which authorizes the counties to reclassify up to one hundred acres of land areas in certain rural, urban, and agricultural districts; provided that at least seventy-five per cent of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below one hundred per cent of the area median income.

The Land Use Commission (LUC) is responsible for the classification of land parcels into urban, rural, agricultural and conservation districts. Additionally, the LUC acts on land use district boundary amendment petitions involving the reclassification of lands greater than 15 acres in agricultural, rural, and urban district areas, provided it is not in the conservation district or delineated as important agricultural lands. Currently, lands that are less than the 15 acres can be reclassified by the counties. Moreover, the county process involves opportunities for public input, which includes a presentation to the appropriate neighborhood board and public input at hearings before the appropriate county Planning Commission and City Council.

Hawaii has been struggling with the issue of affordable housing for decades. Challenges range from land and infrastructure costs, financing, regulatory challenges, and permitting. According to the Department of Business Economic Development and Tourism's 2019 report on Housing Demand in Hawaii, the state needs up to 45,497, housing units to meet demand in Hawaii by 2030.¹ Ultimately, we have a housing supply problem, and this measure is a creative approach to address those challenges, by increasing the acreage from 15 to 100 acres while allowing for more affordable housing to be built.

We do respectfully note that affordable housing projects may not pencil out at 75% of housing units for persons at or below 100% of AMI and that 50% of housing units may be a more achievable goal. Mahalo for the opportunity to testify in support.

¹ Department of Business, Economic Development & Tourism. (2019). *Hawaii Housing Demand 2020-2030*. <https://files.hawaii.gov/dbedt/economic/reports/housing-demand-2019.pdf>

SB-2175

Submitted on: 2/5/2024 11:50:18 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Oppose	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition opposes SB2175. Public input on major development plans are crucial to the public interest.

SB-2175

Submitted on: 2/5/2024 1:25:35 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kupuna for the Mo'opuna	Testifying for Kupuna for the Mo'opuna	Oppose	Written Testimony Only

Comments:

Testimony in OPPOSITION to SB 2175

The Land Use Commission's authority must not be reduced or limited.

Please allow the LUC to continue doing its good work in overseeing land use district reclassification. This is the proper entity with the statewide experience and proven record to do so.

Mahalo.



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER & LAND

February 7, 2024

1:00 PM

Conference Room 229

In **OPPOSITION** to **SB2175**: Relating to Housing

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee on Water and Land,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES SB2175**, which could remove important protections for our natural and cultural resources, Native Hawaiian traditional and customary practices, food security, and other public interests in extremely large-scale land use changes.

The Land Use Commission (“LUC”) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, present and potential future agricultural production, and other public interests that may be affected by the reclassification of conservation, rural, agricultural, and urban lands. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process also ensures that data and other information from experts, cultural practitioners, and other stakeholders are adequately and expressly considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected.

By preventing the LUC from participating in district boundary amendment changes involving up to 100 acres, this measure may compromise our and future generations’ environmental, cultural, agricultural, and recreational interests in our islands’ lands and waters.

The Sierra Club appreciates the apparent intent of this measure to promote the production of “affordable” housing. **However, the Sierra Club notes that the LUC is not the apparent barrier to affordable housing production it is often purported to be.** The LUC is already required to approve or deny completed district boundary amendment applications within a year of receipt; for Chapter 201H “affordable housing” projects such as those described in this measure, this deadline is shortened to 45 days.¹ According to LUC staff, throughout the 2010s, all major 201H affordable housing projects were approved by the LUC within the 45 day timeline.²

¹ See <https://luc.hawaii.gov/about/district-boundary-amendment-procedures/>.

² A record of all LUC decisions organized by island is available online at: <http://luc.hawaii.gov/completed-dockets/decision-and-orders-for-boundary-amendments/>.

Notably, by having county planning departments solely shoulder the responsibility of balancing the various cultural, environmental, food security, housing, job production, and other interests and rights of the public in large-scale and complex development proposals involving up to 100 acres of land, this measure may only inhibit their capacity to process other permits and applications (such as for accessory dwelling units, new or retrofitted infrastructure, increased density for existing housing structures, variances, smaller land use changes, etc.) that may be critical to addressing our multi-faceted housing crisis.

If affordable housing development is a concern, Sierra Club encourages the Committee to explore the potential expansion of the LUC's enforcement authority. Since 1980, more than 25% of all the housing authorized by the LUC has not yet been built, much of which was proposed to be affordable and workforce housing. On O'ahu alone, 23,000 units approved by the LUC have not been constructed; this includes Ho'opili (DR Horton), Koa Ridge (Castle & Cooke), Gentry Waiawa (now owned by Kamehameha Schools), and Royal Kunia Phase II. Providing the LUC with reasonably enhanced enforcement authority will help to encourage developer-follow-through on commitments made during the district boundary amendment process, including with regards to the production of affordable housing units. Possible statutory language to accomplish this could read as follows:

"§205- **Penalty.** (a) Any petitioner for an amendment to

a district boundary that:

- (1) Violates; or
- (2) Neglects, fails to conform to, or comply with this chapter or any lawful order of the land use commission may be subject to a civil penalty not to exceed \$50,000 per day that the violation, neglect, or failure occurs, or reversion pursuant to section 205-4(g), but not both. The civil penalty shall be assessed by the land use commission after a hearing in accordance with chapter 91.

(b) Upon written application filed within fifteen days after service of an order imposing a civil penalty pursuant

to this section, the land use commission may remit or mitigate the penalty upon terms that it deems proper.

(c) If any civil penalty imposed pursuant to this section is not paid within a time period as the land use commission may direct, the attorney general shall institute a civil action for recovery of the civil penalty in circuit court."

For the reasons described above, the Sierra Club respectfully urges the Committee to **HOLD** this measure. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/6/2024 6:22:16 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Henry Q Curtis	Testifying for Life of the Land	Oppose	Written Testimony Only

Comments:

Aloha

Please hold this bill as it attack the Land Use Commission's ability to safeguard the public interest, and the public trust

Feb. 7, 2024, 1 p.m.
Hawaii State Capitol
Conference Room 229 and Videoconference

To: Senate Committee on Water and Land
Sen. Lorraine R. Inouye, Chair
Sen. Brandon J.C. Elefante, Vice-Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: COMMENTS ON SB2175 — RELATING TO HOUSING

Aloha Chair Inouye, Vice-Chair Elefante and members of the Committee,

Thank you for considering [SB2175](#), which would authorize the counties to determine district boundary amendments for lands that are 15 acres or less that are presently in rural or urban districts; 15 acres or less in agricultural districts not designated as important agricultural lands; and 100 acres or less in those same areas, provided that 75% of the housing units on the land in question are set aside for persons at or below 100% of area median income.

This measure correctly diagnoses one of the causes of Hawaii's housing crisis: excessive red tape. The state Land Use Commission's authority over district boundary amendments greater than 15 acres often puts a roadblock in the way of new housing projects.

A Grassroot Institute of Hawaii report, "[Reform the Hawaii LUC to encourage more housing](#)," discussed how state policymakers could streamline the responsibilities of the LUC. Expanding the counties' powers to reclassify land through the district boundary amendment process was just one of the report's suggestions.¹

Unfortunately, the potential benefit of that change is diminished by the bill's inclusionary zoning restriction on DBAs of 15 to 100 acres.

¹ Jackson Makanikeoe Grubbe, "[Reform the Hawaii LUC to encourage more housing](#)," Grassroot Institute of Hawaii, September 2020.

Inclusionary zoning specifies that a certain percentage of homes in a proposed project have to be sold or rented at a certain price point — and that is a disincentive to homebuilders, as a large body of research shows.²

To make matters worse, the mandates force homebuilders to increase the prices of their market-rate homes to make up for the so-called affordable homes, and that becomes even more problematic depending on the percentage of homes that must be so-called affordable.

Based on the “Inclusionary Housing Calculator” developed by Grounded Solutions Network, our research shows that in housing markets that have a 50% inclusionary zoning requirement, it is nearly impossible to make a profit building housing without a government subsidy.³

For example, in 2006, Maui County adopted Chapter 2.96, Maui County Residential Workforce Housing Policy. This ordinance required any project with 10 or more units to provide 50% of the units as affordable.

The law also required a 25-year deed restriction. This resulted in only one workforce housing agreement executed between December 2006 until December 2014 in which only three homes were produced.

If government subsidies are required to keep the homebuilders interested, then we are talking about hidden, shifted costs to taxpayers — who often are the same people who need affordable housing — and further obstacles to efficient homebuilding.

As noted by economist Carl Bonham at the Economic Research Organization at the University of Hawai‘i, inclusionary zoning “reduces incentives for developers to produce all forms of housing, and will reduce the overall supply of housing units and increase the price of housing.”⁴

In other words, inclusionary zoning requirements are a roadblock to increasing Hawaii’s housing supply. It is likely that the high inclusionary zoning set-aside in this bill would frustrate the bill’s intent to generate housing growth by making construction financially unfeasible or by forcing homes outside the set-aside to be sold well above market price, thereby contributing to escalating housing prices.

² Tom Means, Edward Stringham and Edward Lopez, “[Below-Market Housing Mandates as Takings: Measuring their Impact](#),” The Independence Institute, November 2007; “[Inclusionary Zoning: Implications for Oahu’s Housing Market](#),” The Economic Research Organization at the University of Hawai‘i, Feb. 12, 2010; “[How land-use regulation undermines affordable housing](#),” Mercatus Research, November 2015; Paul Kupiec and Edward Pinto, “[The high cost of ‘affordable housing’ mandates](#),” The Wall Street Journal, Feb. 12, 2018; Benjamin Powell and Edward Stringham, “[Housing supply and affordability](#),” Reason Foundation, April 1, 2004; and “[Inclusionary zoning primer](#),” National Association of Home Builders, August 2019.

³ “[Inclusionary Housing Calculator 2.0](#),” Grounded Solutions Network, 2019.

⁴ Carl Bonham, “[The Unintended Consequences of Affordable Housing Policy](#),” The Economic Research Organization at the University of Hawai‘i, Sept. 8, 2013.

While allowing counties to approve DBAs over 15 acres is a much-needed reform, we urge you to remove the condition that DBAs of 100 acres or less must set aside 75% of housing units for purchase by persons at or below 100% area median income.

Thank you for the opportunity to testify.

Ted Kefalas
Director of strategic campaigns
Grassroot Institute of Hawaii



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February 7, 2024

HEARING BEFORE THE
SENATE COMMITTEE ON WATER AND LAND

TESTIMONY ON SB 2175
RELATING TO HOUSING

Conference Room 229 & Videoconference
1:00 PM

Aloha Chair Inouye, Vice-Chair Elefante, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau respectfully opposes SB 2175, which authorizes the counties to reclassify up to one hundred acres of land areas in certain rural, urban, and agricultural districts; provided that at least seventy-five percent of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below one hundred percent of the area median income.

HFB recognizes and supports the need for affordable housing. We also recognize that in the land category system used today, agriculture was originally the catchall land classification and that some lands included within the agricultural district were not necessarily considered optimal for agriculture.

However, agriculture has significantly evolved. Soil classification is no longer the determinant of land good for agriculture. Greenhouses, hydroponics, aquaculture, and aquaponics are just a few of the many types of agriculture that can occur on *all* classes of land (A, B, C, D, E). Some of the best floriculture and hydroponic operations in Hawai'i are on C, D, and E lands. The total environment, including rainfall amount and timing, day and night-time temperatures, wind, and humidity each contribute to whether a particular region is suitable for a specific crop. In many cases, the soil type and even the existing terrain are not determinative of whether farming can exist and thrive.

Hawai'i Farm Bureau has serious concerns about this measure; allowing residential developments to be interspersed with farming operations often causes problems that can result in the failure of farms. This cannot be allowed. Because of the pandemic, everyone better understands now the importance of agriculture in our isolated and vulnerable state.

We must protect agricultural lands from well-known threats and avoid simplistic solutions to Hawai'i's housing problems.

HFB is opposed to eliminating the oversight of the Land Use Commission and its process for agricultural boundary amendments. The urgency to address Hawai'i's need for affordable housing should not be allowed to eliminate Hawai'i's use of productive agricultural land.

Thank you for your consideration of our concerns.



Hawaii's Thousand Friends

335 Hahani Street #342132 * Kailua, HI 96734 * Phone/Fax (808) 262-0682 E-Mail: htf3000@gmail.com

February 7, 2024

COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair

Senator Brandon J. C. Elefante, Vice Chair

Committee Members

SB 2175

RELATING TO HOUSING

Hawaii's Thousand Friends, a statewide non-profit water and land use planning organization dedicated to protecting the environment, human health, and cultural and natural resources opposes SB 2175, which authorizes the counties to reclassify up to 100 acres of land in agricultural districts.

SB 2175 notes that there has been a lack of affordable housing for decades and cite the Land Use Commission's oversight of agricultural land and joint jurisdiction over rural lands as one of the reasons for lack of affordable housing thus the need to convert agricultural designated lands to urban.

Instead of doing the usual piecemeal legislation over how much agricultural land should go to the counties there is a more comprehensive way to resolve the issue. HRS 205-18 allows for a comprehensive 5-Year Boundary Review now described as classification and districting of all lands in the state to be conducted and is long overdue.

For example, the last 5-Year Boundary Review in 1992 recommended that 4,383 acres of agriculture designated land on Oahu be transferred to the urban district. Since then neither the State Office of Planning and Sustainable Development, the counties or the legislature have authorized another boundary review.

The boundary review process was intended to institutionalize **regular** comprehensive evaluations of the State land use district classifications, the process used for reclassifications, district regulations and the opportunity for the Land Use Commission to reclassify lands.

Under the State Constitution Article XI Section 1 the State and its political subdivisions (counties) *shall conserve and protect Hawaii's natural beauty and all natural resources including land, water,....and shall promote the development and utilization of these resources in a manner consistent with their conservation....*



LATE

Hawai'i State Legislature
415 S. Beretania St
Honolulu, HI 96813
Attn: Senate Committee on Water and Land

RE: OPPOSING SB2175

Dear Chair Inouye, Vice Chair Elefante, and Members of the Committee,

Aloha. Conservation Council for Hawai'i, with members throughout the nation, and the Hawai'i affiliate of the National Wildlife Federation, respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district changes and balancing the myriad public interests that may be impacted could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committee may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Aloha nui,

*Jonnetta Peters
Executive Director*

Telephone/Fax: 224.338-6511 | email: info@conservehi.org

web: www.conservehawaii.org | P.O. Box 2923, Honolulu, HI 96802

President: Colleen Heyer | **Vice President:** Sunshine Woodford | **Secretary:** Makaala Kaaumoana

Treasurer: Dendra Best | **Directors:** Puanani Anderson-Fung,
Bret Nainoa Mossman, Michael Nakachi, Mashuri Waite Ph,D

Executive Director: Jonnetta "Jonee" Peters

Operations and Events Manager: Leah Kocher

National Wildlife Federation Region 12 Director: Rachel Sprague

National Wildlife Federation Pacific Region Associate Director: Emily Martin

Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation

SB-2175

Submitted on: 2/4/2024 1:37:12 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tamara Paltin	Individual	Oppose	Written Testimony Only

Comments:

I speak in opposition of SB2175, although the land use commission requires extra time and an extra step I think that jumping from an authority of 15 acres to 100 acres is too much too soon. I could be supportive of a slight increase of up to 25 acres total but I do see the value that going through the land use commission provides for larger changes in zoning

Mahalo for your commitment to our communities,

Tamara Paltin

SB-2175

Submitted on: 2/5/2024 9:16:42 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kyle K Kajihiro	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it undermines the authority of the Land Use Commission, which has been a vital entity for balancing land uses.

SB-2175

Submitted on: 2/5/2024 9:06:54 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Carty	Individual	Oppose	Written Testimony Only

Comments:

Protect the public interest and kill 2175

SB-2175

Submitted on: 2/5/2024 9:23:17 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marilyn Mick	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Marilyn Mick and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Marilyn Mick, Honolulu

SB-2175

Submitted on: 2/5/2024 9:27:34 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Milena Kari	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Milena Kari and I OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 10:07:04 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristen Young	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Kristen Young, I am a Honolulu resident, and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments’ capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC’s authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 10:58:42 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

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

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Michele Nihipali and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Thank you for your consideration,

Michele Nihipali

54-074 A Kam Hwy.

Hawula, HI 96717

SB-2175

Submitted on: 2/5/2024 11:06:11 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Oppose	Written Testimony Only

Comments:

Environmental cultural, agricultural and other interests must be transparently balanced to address public concerns. We need to hold developers accountable. They and the government work for the public. Mahalo

SB-2175

Submitted on: 2/5/2024 12:15:06 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Shay Chan Hodges and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

--Shay Chan Hodges

Haiku, Maui

SB-2175

Submitted on: 2/5/2024 12:17:57 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

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

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Peter Wilson and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments’ capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC’s authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 12:21:20 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

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

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Bo Bredan and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments’ capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC’s authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 12:38:10 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Oppose	Written Testimony Only

Comments:

SB2175 eliminates the Land Use Commission’s authority to protect the public interest, including by explicitly evaluating kama‘āina and expert testimony, in the urbanization of up to 100 acres of rural and agricultural lands. It is a false argument that the LUC has impeded affordable housing projects. No completed affordable housing application has been denied within the extremely short 45-day statutory deadlines imposed on the LUC, and *tens of thousands of housing units have been approved by the LUC, but never built*. While there may be an urgent need for affordable housing, and I commend those working to make that happen, the answer is not in the LUC, it is in in developers who already hold permits but have never built what they said they would - and for which the state has never monitored or enforced the promises made!

SB2175 is unnecessary. I oppose this bill.

SB-2175

Submitted on: 2/5/2024 1:28:15 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

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

Comments:

I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 1:55:17 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Harter	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Nancy Harter and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify. Nancy Harter

SB-2175

Submitted on: 2/5/2024 3:01:23 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Kaleiheana Stormcrow and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 5:54:21 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mariko Whitenack	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai kākou!

Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Mariko Whitenack and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 6:50:33 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Oppose	Written Testimony Only

Comments:

Bad idea! So drop it!

SB-2175

Submitted on: 2/5/2024 9:42:51 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

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

Comments:

My name is Mary True and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments’ capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC’s authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Mary True, Pepekeo, 96783

SB-2175

Submitted on: 2/5/2024 9:46:46 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Barry	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Barbara Barry from Maui and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

*Accordingly, I respectfully urge the Committee to HOLD SB2175.
Mahalo nui for the opportunity to testify.*

SB-2175

Submitted on: 2/5/2024 9:52:45 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

I respectfully OPPOSE SB2175.

This bill would hamstring the Land Use Commission's ability to oversee land use district reclassifications. Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

I strongly urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/5/2024 11:09:03 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keila Paahana	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-2175

Submitted on: 2/5/2024 11:37:09 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Bambara	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify and thank you for hearing my plea.

Susan
Bambara
Hawai'i

Kurtistown,

SB-2175

Submitted on: 2/6/2024 12:31:47 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jun Shin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Jun Shin and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district changes and balancing the myriad public interests that may be impacted could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committee may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

SB-2175

Submitted on: 2/6/2024 5:58:33 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I oppose, oppse, oppse this bil!!!!

special interest written all over this.

i have testified and have experienced the upholding of the law from the LUC to be standing ovation stellar, accurate and never wavering on the purpose of this commission.

There are a range of public interests that WILL BE impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Every year special interest try to dismantle something in our system that upholds our state motto. Clearly this bill dismantles a system that protects our public lands from corporate gain and major environmental impact. We would be going backwards significantly and our lands would be irreversibly negatively impacted quickly. DLNR cannot even keep tabs on our current mess.

Do not pass this bill.

Aloha

Maki Morinoue

Holualoa, HI

96725

SB-2175

Submitted on: 2/6/2024 6:56:09 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John R. Gordines	Individual	Oppose	Written Testimony Only

Comments:

You are encroaching on agricultural lands. Once taken over with housing it can not be used for food production or ranching. Use rural and commercial lands.

SB-2175

Submitted on: 2/6/2024 7:14:37 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl hendrickson	Individual	Oppose	Written Testimony Only

Comments:

Aloha- The LUC should not have its ability to oversee land use district reclassification limited or eliminated.

The county planning department is already overburdened. This bill could inadvertently delay affordable housing by the planning department's capacity to issue other permits and applications needed housing development.

By decimating the LUC's ability to oversee large-scale land use changes, this disingenuous bill accordingly represents yet another assault on common sense and the public interest

SB-2175

Submitted on: 2/6/2024 8:08:52 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I stand in opposition to SB2175.

The Land Use Commission has experience and expertise in assessing and reviewing the impacts of land use changes and should not have its ability to oversee land use district reclassifications undermined by shifting the work to the counties.

Rather than reduce the LUC's authority, the committee may wish to consider providing it with enforcement tools to better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Mahalo for your time and consideration.

Keoni Shizuma

SB-2175

Submitted on: 2/6/2024 8:57:39 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Stayton	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

I am writing to you as a 35 year resident of this state and I oppose SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Susan Stayton, Lawai, HI

SB-2175

Submitted on: 2/6/2024 9:36:49 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lela Kalama	Individual	Oppose	Written Testimony Only

Comments:

Aloha Kākou,

I oppose SB2175 as we need to keep the LUC in place as is currently. By decimating the LUC's ability to oversee large-scale land use changes, this disingenuous bill accordingly represents yet another assault on common sense and the public interest, disguised as a purported "solution" to our housing needs. Please do not pass this bill.

mahalo,

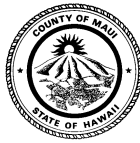
Lela Kalama, Keaau, Hi

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins




Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 6, 2024

TO: The Honorable Senator Lorraine R. Inouye, Chair, and
Members of the Senate Committee on Water and Land

FROM: Alice L. Lee
Council Chair 

SUBJECT: **HEARING OF FEBRUARY 7, 2024; TESTIMONY IN SUPPORT OF SB2175, RELATING TO HOUSING**

I support this measure to allow counties to reclassify land that is 100 acres or less if 75 percent of the housing units to be reclassified are set aside for affordable housing.

I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **support** this measure for the following reasons:

1. This measure appropriately increases local oversight of land use.
2. It will help to expedite the development of affordable housing by incentivizing developers to pursue large projects.
3. Affordable housing must be a priority if Maui County and the rest of the State are to maintain our residents, workforce, and quality of life. Finding ways to expand housing opportunities can be accomplished if we work together and put all of our available resources to use. This measure makes progress toward that goal.

Thank you for your consideration.

ocs:proj:legis:24legis:24testimony:sb2175_paf24-002(33)_pmg

SB-2175

Submitted on: 2/6/2024 10:34:36 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Bianca Isaki and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district changes and balancing the myriad public interests that may be impacted could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committee may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Bianca Isaki

SB-2175

Submitted on: 2/6/2024 10:39:48 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Leo Braulick	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee:

My name is Nathan Leo Braulick and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Nathan Leo Braulick

2333 Kapi'olani Blvd

Honolulu, HI 96826

SB-2175

Submitted on: 2/6/2024 11:51:09 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kapali Keahi	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Kapali Keahi and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district changes and balancing the myriad public interests that may be impacted could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committee may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Mahalo nui,

Kapali Keahi

SB-2175

Submitted on: 2/6/2024 1:29:39 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

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

Comments:

In general, I oppose stripping the LUO of their power and authority to protect and allocate land use for our state, especially for the sole promise of delivering more affordable housing. In this particular case, the “promise” itself could be false. Based on the “provided that at least seventy-five per cent of the housing units on the land sought to be reclassified under this paragraph are set aside” clause, a 99.9 acre agriculture lot could be converted into 99 \$10M mansions on 1 acre plots and 300 studios on 0.9 acres to rent at 100%AMI. It’s also not clear how the “set aside” would be guaranteed into the future. Could they just sell the 300 studios in the above example at an “affordable” 100%AMI for-sale rate?

LATE

SB-2175

Submitted on: 2/6/2024 2:21:46 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Momi Nuuhiwa	Individual	Oppose	Written Testimony Only

Comments:

Testimony for SB2175

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Momi Nuuhiwa and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments’ capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC’s authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Momi Nu‘uhiwa

Hilo

LATE

SB-2175

Submitted on: 2/6/2024 3:08:37 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
fred hofer	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose !

LATE

SB-2175

Submitted on: 2/6/2024 3:31:59 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alyssandra	Individual	Oppose	Written Testimony Only

Comments:

Protect the public interest! Stop developing/urbanizing on rural and agricultural lands

LATE

SB-2175

Submitted on: 2/6/2024 3:54:40 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Kidd	Individual	Support	Written Testimony Only

Comments:

I support this measure

SB-2175

Submitted on: 2/6/2024 8:03:48 PM

Testimony for WTL on 2/7/2024 1:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Diane Ware from Moku o Ka'u and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Volcano HI 96785-0698

LATE

SB-2175

Submitted on: 2/6/2024 9:17:10 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cullen Hayashida	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

I am Cullen Hayashida of the Moanalua Gardens Community, and I wish to submit testimony to OPPOSE SB2175.

A range of public interests may be impacted, potentially for generations, by large-scale land use changes. Environmental, cultural, agricultural, socioeconomic, and other interests must be carefully and transparently balanced to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large-scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production by reducing planning departments' capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC's authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

LATE

SB-2175

Submitted on: 2/6/2024 11:29:22 PM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Breanne Fong	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

My name is Breanne Fong, and I respectfully OPPOSE SB2175.

There are a range of public interests that may be impacted, potentially for generations, by large-scale land use changes. These interests - environmental, cultural, agricultural, socioeconomic, and others – must be carefully and transparently balanced, to address public concerns, mitigate unnecessary impacts, and minimize conflict and controversy. The Land Use Commission has decades of experience in doing just this, and should not have its ability to oversee land use district reclassifications limited or eliminated.

Forcing county planning departments to take on the new burden of solely administering land use district reclassification and balancing the myriad public interests in large scale land use changes could have significant, long-lasting, and avoidable impacts on those interests. This could even have the inadvertent effect of delaying affordable housing production, by reducing planning departments’ capacity to administer other permits and applications needed for housing development and redevelopment.

Rather than reduce the LUC’s authority, the committees may wish to consider providing it with enforcement tools that can better hold developers accountable when they fail to produce promised affordable and workforce housing units after their petitions for district boundary amendments are approved.

Accordingly, I respectfully urge the Committee to HOLD SB2175. Mahalo nui for the opportunity to testify.

Breanne Fong

LATE

SB-2175

Submitted on: 2/7/2024 5:28:49 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John NAYLOR	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I OPPOSE SB2175. Please protect a whole range of Public interests by sending this back to the "drawing board."

Mahalo,

JN Makawao

LATE

SB-2175

Submitted on: 2/7/2024 9:01:31 AM

Testimony for WTL on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE!



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Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kauai

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Senate Water and Land Committee,

The Hawaii Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU opposes SB2175.**

While we acknowledge the need for affordable housing, we firmly believe that it should not come at the expense of agricultural land. Hawaii's unique climate and fertile soil have allowed our farmers to cultivate a diverse range of crops and support our local economy. By allowing the counties to reclassify up to one hundred acres of land for housing purposes, SB2175 undermines the vital role that agriculture plays in our state.

The Hawaii Farmers Union urges you to reconsider the implications of SB2175 Housing on our agricultural lands and communities. We believe that a more balanced approach, which protects the agricultural sector while adequately addressing housing needs. Thank you for considering our concerns.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF