

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  
HONOLULU, HAWAII 96813  
FAX: (808) 587-0600

### Statement of DEAN MINAKAMI

Hawaii Housing Finance and Development Corporation  
Before the

### SENATE COMMITTEE ON HOUSING AND SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

February 08, 2024 at 1:05 p.m.  
State Capitol, Room 225

In consideration of  
**S.B. 3047**

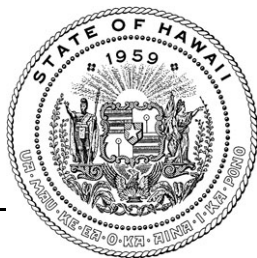
### **RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.**

HHFDC **supports** SB 3047, which expands the criteria that make affordable housing projects eligible for exemption from environmental assessments to include qualified projects within the state agricultural district located on up to 15 acres of land.

There is a substantial need for affordable housing throughout the State of Hawaii. Lengthy regulatory and entitlement processes delay and add unnecessary costs to the development of affordable housing projects, often making them unfeasible. This bill streamlines the regulatory process for qualified affordable housing projects.

HHFDC will work with the Office of Planning and Sustainable Development, Environmental Review Program to implement this measure.

Thank you for the opportunity to testify.



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**  
KA 'OIHANA HO'OMOHALA PĀ'OIHANA, 'IMI WAIWAI  
A HO'OMĀKA'IKA'I

**JOSH GREEN, M.D.**  
GOVERNOR

**SYLVIA LUKE**  
LT. GOVERNOR

**JAMES KUNANE TOKIOKA**  
DIRECTOR

**DANE K. WICKER**  
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804  
Web site: [dbedt.hawaii.gov](http://dbedt.hawaii.gov)

Telephone: (808) 586-2355  
Fax: (808) 586-2377

Statement of  
**JAMES KUNANE TOKIOKA**  
Director  
Department of Business, Economic Development, and Tourism  
before the  
**SENATE COMMITTEE ON HOUSING  
AND  
SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT**

Thursday, February 8, 2024  
1:05PM  
State Capitol, Conference Room 225

In consideration of  
**SB 3047**  
**RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.**

Chairs Chang and Gabbard, Vice Chairs Hashimoto and Richards, and members of the Committee. The Department of Business, Economic Development and Tourism (DBEDT) strongly supports SB 3047, which expands the criteria that make certain affordable housing projects eligible for exemption from environmental assessments (EA).

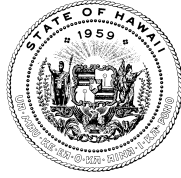
Expanding the eligibility criteria that make affordable housing projects eligible for exemption from EAs to include qualified projects within the state agricultural district located on up to 15 acres would help to streamline the regulatory process, potentially making affordable housing projects more feasible.

Increasing the availability of affordable housing would help to keep essential workers from leaving the state due to high housing costs, which will have a positive impact on long-term economic growth.

Thank you for the opportunity to testify.

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

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



KALI WATSON  
CHAIRMAN, HHC  
*Ka Luna Ho'okele*

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

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

P. O. BOX 1879  
HONOLULU, HAWAII 96805

**TESTIMONY OF KALI WATSON, CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
BEFORE THE SENATE COMMITTEE ON HOUSING AND  
THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
HEARING ON FEBRUARY 8, 2024 AT 1:05PM IN CR 225**

**SB 3047, RELATING TO ENVIRONMENTAL IMPACT STATEMENTS**

February 8, 2024

Aloha Chairs Chang and Gabbard, Vice Chairs Hashimoto and Richards, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) supports this bill, which would add a new section to Chapter 343, Hawaii Revised Statutes, that would exempt certain affordable housing projects from the requirements of the chapter.

DHHL intends to develop affordable housing projects that fit within the definition provided in this measure. DHHL appreciates the intent of this bill because it will help to streamline processes for the development, planning, permitting, and construction of all new affordable housing projects produced by the state and counties.

Thank you for your consideration of our testimony.



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

**LATE**

JOSH GREEN, M.D.  
GOVERNOR

MARY ALICE EVANS  
INTERIM DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <https://planning.hawaii.gov/>

Statement of  
**MARY ALICE EVANS, Interim Director**

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

Thursday, February 8, 2024, 1:05 PM  
State Capitol, Conference Room 225

in consideration of  
**SB 3047  
RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.**

Chairs Chang and Gabbard, Vice Chairs Hashimoto and Richards, and Members of the Senate Committees on Housing and Agriculture and Environment.

The Office of Planning and Sustainable Development (OPSD) **supports** SB 3047, which codifies the exemption from environmental impact statements for affordable housing projects that meet certain criteria.

In the interest of transparency and consistency with established notification process for exempt actions, OPSD offers the following amendments to SB 3047:

On page 1, lines 5 and 6, delete the phrase "Notwithstanding any requirements of this chapter to the contrary," so the sentence reads "(a) The construction of a new affordable housing project that:..."

On page 2, amend line 4 to read "shall be considered as a general type of action eligible for exemption pursuant to HAR Chapter 11-200.1-15."

With these changes, new affordable housing projects referenced in the bill will be exempt from the requirement to prepare an environmental assessment or an environmental impact statement and will be required to file a notice of exemption to the Environmental Notice.

Exemption will streamline the development process for these projects. The minor filing and reporting requirements of the current process are not overly burdensome on agencies and do provide public notice and awareness of proposed actions for which an environmental review document is not being required.

Thank you for the opportunity to testify on this measure.

*Affordable Housing Connections LLC*

*dba AHC Hawaii RB-23812*

*735 Pahumele Place*

*Kailua, Hawaii 96734*

February 5, 2024

Hawaii State Senate

Attn: Committee on Housing And Committee on Agriculture and Environment

Subject: **S.B. 3047 – Relating to Environmental Impact Statements, Testimony in Support**

Thursday, February 8, 2024, at 1:05PM, Conf. Rm. 225

Dear Chair Chang, Vice Chair Hashimoto, Chair Gabbard, Vice Chair Richards and members of the Committees on Housing, Agriculture and Environment, I am submitting testimony in **STRONG SUPPORT** for **S.B. 3047**, which allows for certain exemptions from obtaining an Environmental Impact Statement for affordable housing developments.

Providing the exemptions outlined in the bill will help to:

- a. Expedite the processing of affordable housing.
- b. Expedite in particular the processing of affordable rental housing which serves those most in need of housing.
- c. Reduce the cost to produce affordable rental housing at all levels for both for-sale and rental housing.

I have been in the affordable rental housing industry in Hawaii for over 27 years as both a developer and a property manager and the need has never been greater for both family and kupuna housing. Please give Bill 3047 your full and unequivocal support.

Mahalo!

Sincerely yours,



Kevin R. Carney, (PB) NAHP-E  
President, Affordable Housing Connections LLC  
808-221-0205  
Kevin.Carney23@outlook.com



February 6, 2024

Senator Stanley Chang, Chair  
Senator Troy Hashimoto, Vice Chair  
Committee on Housing

Senator Mike Gabbard, Chair  
Senator Tim Richards, Vice Chair  
Committee on Agriculture and Environment

RE: **SB 3047– RELATING TO ENVIRONMENTAL IMPACT STATEMENTS**  
**Hearing date – February 8, 2024 at 1:05 PM**

Aloha Chair Chang, Chair Gabbard, and members of the committees,

Thank you for allowing NAIOP Hawaii to submit testimony in **SUPPORT OF SB 3047– RELATING TO ENVIRONMENTAL IMPACT STATEMENTS (EIS)**. NAIOP Hawaii is the Hawaii chapter of the nation’s leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders, and other professionals. NAIOP Hawaii is generally supportive of efforts to incentivize sustainability and promote the development of more affordable housing.

SB 3047 expressly codifies the exemption from environmental impact statements for affordable housing projects that meet certain criteria. Specifically, the exemption is narrowly tailored to affordable housing projects that:

1. Trigger review due to use of state or county lands or use within the Waikiki special district;
2. Is located within a state urban district or agricultural district that is no larger than 15 acres; and
3. Does not require a variance for a shoreline setback or is not located in an environmentally sensitive area.

NAIOP Hawaii is supportive of creative housing solutions to address Hawaii’s housing shortage. Hawaii is currently facing housing crisis with the need for more affordable homes for residents reaching an all-time high. We support this measure which attempts to strike a reasonable balance between environmental concerns and the pressing need for more affordable housing. We completely understand the importance of EISs, however, we support

Senator Stanley Chang, Chair  
Senator Troy Hashimoto, Vice Chair

Senator Mike Gabbard, Chair  
Senator Tim Richards, Vice Chair  
February 6, 2024  
Page 2

the need for expedited regulatory reviews that enable the development of much needed affordable housing.

Ultimately, Hawaii residents need housing units to be produced to allow our local families to continue to thrive here. NAIOP Hawaii supports SB 3047 which will advance the production of homes for our residents. Thank you for the opportunity to testify on this measure.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read "Reyn Tanaka", with a long horizontal flourish extending to the right.

Reyn Tanaka, President  
NAIOP Hawaii





# SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON HOUSING

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

February 8, 2024 1:05 PM CR225

In **OPPOSITION** to **SB3047**: Relating to Environmental Impact Statements

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Aloha Chairs Chang and Gabbard, Vice Chairs Hashimoto and Richards, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES SB3047**, which could result in significant and unnecessary environmental, socioeconomic, and cultural impacts to the public interest, from housing development on public lands or using public funds.

**The Sierra Club emphasizes that an exemption from our environmental review law as proposed by this measure may result in significant, unnecessary, and irreversible impacts to a range of public interests in the use and development of our limited public lands.** Our environmental review law has, for 40 years, played a critical role in ensuring that certain decisions potentially impacting our islands' environmental, cultural, and socioeconomic integrity are carefully and transparently assessed by government decisionmakers. The environmental review law also helps to ensure that decisionmakers explicitly consider ways to avoid such impacts, to the extent feasible. Notably, the environmental review process includes opportunities for decisionmakers and project planners to be informed by those with a wide range of expertise, insight, and experiences, who can identify and offer mitigation recommendations for the broad spectrum of specific impacts that may arise from particular projects. Exempting development projects from environmental review may therefore result in less-than-fully-informed project planning and decisionmaking, which could lead to significant, unanticipated, and potentially avoidable impacts to the public's interests.

**This measure also goes far, far beyond its described intent to "codify" existing regulatory exemptions from our environmental review law.** Unlike existing rules, which provide for a categorical exemption of certain affordable housing projects in the urban land use district, this measure would allow for the development of agricultural lands – lands that have a much higher likelihood of containing cultural sites, native species habitat, food production potential, and other environmental and cultural features, and that may also contain residual and highly toxic pesticides, heavy metals, and other contaminants from agricultural and adjacent urban uses. Current law would ensure that such features and threats, as well as possible mitigation measures, are appropriately assessed during the project planning process.





# SIERRA CLUB OF HAWAI'I

Moreover, this measure would allow for projects to be excused from any environmental review, regardless of the potential for significant impacts, including impacts that may be significant due to the particularly sensitive nature of the project site in question. Current rules recognize the need to conduct an environmental review – with the attendant public notice and consideration of alternatives - when projects that may otherwise be categorically exempt nonetheless run the risk of having a significant environmental impact, such as to sensitive cultural features or sites, critical habitat for endangered species, or public health.

Finally, this measure would deprive the public of the current opportunity to inform government and project decisionmakers whether there may be impacts or environmental features that project developers are not aware of. The current categorical exemption rules, including those concerning the development of affordable housing, generally provide for some form of public notice, whether through a decisionmaking body's public approval of a categorical exemption as pursuant to the Sunshine Law, or via publication in the Environmental Notice. Projects under this measure could proceed with no public notice or input until plans are completed and in the process of being implemented, running the risk of unanticipated significant impacts as well as substantial and costly community conflict or controversy, due to the lack of knowledge on the part of project developers and decisionmakers.

The Sierra Club appreciates that certain privately-funded affordable housing projects on private lands may in some instances not be subject to the requirements of our environmental review law. However, the heightened public interest in the use of our limited public land base, and the fiduciary public trust obligations of government entities in the use and disposition of our public lands and resources,<sup>1</sup> strongly counsel retaining the careful analysis, transparency, and input opportunities that environmental review provides.

**Our public lands are held in trust for the benefit of present and future generations, and potentially irrevocable environmental, cultural, and socioeconomic impacts should be carefully considered when making major decisions regarding their development.** Accordingly, the Sierra Club respectfully urges the Committees to **HOLD** SB3047. Thank you very much for this opportunity to testify.

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<sup>1</sup> See HAW. CONST. ART. XI SEC. 1.

**SB-3047**

Submitted on: 2/6/2024 4:07:19 AM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

**OPPOSITION TO SB 3047**

The people of Hawai'i need and deserve critical environmental review laws kept in place.

We cannot allow undeveloped agricultural lands to be developed without any environmental review, regardless of the severity of potential environmental, cultural, and socioeconomic impacts and threats to the public's interest.

**Do not pass SB 3047.**

**SB-3047**

Submitted on: 2/6/2024 4:07:19 AM

Testimony for HOU on 2/8/2024 1:05:00 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 Mo'opuna	Oppose	Written Testimony Only

Comments:

**OPPOSITION TO SB 3047**

The people of Hawai'i need and deserve critical environmental review laws kept in place.

We cannot allow undeveloped agricultural lands to be developed without any environmental review, regardless of the severity of potential environmental, cultural, and socioeconomic impacts and threats to the public's interest.

**Do not pass SB 3047.**

*Expanding the range of opportunities for all by  
developing, managing and promoting quality  
affordable housing and diverse communities.*



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**Testimony of EAH Housing | Hawai`i Region  
RELATING TO SB3047**

**February 08, 2024 at 1:05 PM  
Written Testimony Only**

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**House Committee on Housing**

Chair Luke Evslin, Vice Chair Micah Aiu, Members Darius Kila, Lisa Kitagawa,  
Tyson Miyake, Richard Onishi, Chris Todd, and Lauren Matsumoto

**House Committee on Agriculture and Environment**

Chair Mike Gabbard, Vice Chair Tim Richards, Members Lynn DeCoite, Karl Rhoads, and Brenton Awa

**SUPPORT**

The critical need for affordable housing in our State is undeniable. However, the process of preparing an Environmental Assessment (EA) or Environmental Impact Statement (EIS) often imposes a significant burden on projects, particularly those dedicated to affordable housing. This burden, both in terms of time and cost, can prove to be markedly challenging.

Local families urgently require affordable housing units to be made available within shorter timeframes, and in increased quantities. Therefore, it is imperative that we address the obstacles that impede expeditious and efficient development.

The proposed refinements outlined in SB3047 to HAR Chapter 11-200.1-15 (10) offer a promising moderation to this challenge. By simplifying the development timeline, these refinements have the potential to mitigate the burdensome process associated with preparing EAs and EISs. Ultimately, they contribute to the overarching goal of expediting the production of much-needed affordable housing units for our community.

It is our collective responsibility to support initiatives that facilitate the timely and efficient creation of affordable housing, and SB3047 represents a meaningful step in the right direction.

Thank you for the opportunity to provide written testimony in support of SB3047.

A handwritten signature in black ink that reads "Karen Seddon".

Karen Seddon  
Regional Vice President  
EAH Housing

EAH Housing is a non-profit corporation founded with the belief that attractive affordable rental housing is the cornerstone to sustainable, healthy, and livable communities.

733 Bishop Street, Suite 1717  
Honolulu, Hawaii 96813  
(808) 466-7774



Hawai'i State Legislature  
415 S. Beretania St  
Honolulu, HI 96813  
Attn: Senate Committees on Housing and  
Agriculture and Environment

RE: OPPOSING SB3047

Dear Chair Chang, Chair Gabbard, Vice Chair Hashimoto, Vice Chair Richards, 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 SB3047.

This measure does not simply "codify" existing environmental review rules, but would completely exempt certain projects and actions, including the development of certain agricultural lands, from any environmental review whatsoever, regardless of the magnitude of impacts to our environment, cultural practices, public health, food security, and more.

Current rules allow for a categorical exemption to environmental review for certain "affordable" housing projects on urban lands, provided that they are unlikely to result in significant impacts to public trust resources, cultural practices, and other environmental considerations. This exemption was carefully developed after close consideration of the myriad public interests that may be at stake in the development of such projects.

**This measure would instead allow undeveloped agricultural lands - which are much more likely to host native species habitat, cultural practices and sites, sensitive environments, etc. as well as residual pesticides and other public health threats - to be developed without any environmental review, regardless of the severity of potential environmental, cultural, and socioeconomic impacts and threats to the public's interest.**

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations. Please do not roll back this critical law under the mistaken guise that we would simply be "codifying" existing rules - this measure goes far beyond that description.

Accordingly, I respectfully urge the Committees to **HOLD SB3047**. Mahalo nui for the opportunity to testify.

Aloha nui,

Jonnetta Peters  
Executive Director

Telephone/Fax: 224.338-6511 | email: [info@conservehi.org](mailto:info@conservehi.org)

web: [www.conservehawaii.org](http://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*

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Helping to keep Hawai'i  
clean, green, beautiful,  
livable and sustainable  
since 1912



RE: The Outdoor Circle opposition to SB3047 on exemptions of environmental reviews

February 7, 2024

Dear Senators,

The Outdoor Circle has, for 112 years, stood for a green and beautiful landscape, including comprehensive, well-planned zoning and communities. SB3047, under the guise of “affordable housing,” seeks to exempt developers or the state from important reviews and laws regarding the need for an EA or EIS. These laws have governed us for decades to protect our island home from developments which may affect natural or cultural resources and are here for a reason.

There is often a false narrative advanced of “build anywhere, running over the need for any established reviews or important guardrails so we can house everyone.” This is not true—we can, and indeed must, have quality housing for all in Hawaii *and* comport with hard-won planning, zoning and environmental reviews and laws designed to protect our islands.

Please do not advance bills like this which exempt developers or the state from our critical environmental, cultural and natural protections and reviews which make Hawaii the beautiful place it is.

Mahalo,

Winston Welch  
Executive Director  
The Outdoor Circle

**SB3047, Relating to exemptions for private-public development projects with HHFDC**

---

07 February 2024  
Kihei, Maui, Hawaii

Dear AEN Committee,

I am presenting this testimony on behalf of the Maui Nui Marine Resource Council to state our **strong opposition to SB3047** which would exempt affordable housing projects on undeveloped agricultural land from the environmental review process. We appreciate this bill's intent to tackle our islands' housing challenges. However, the proposed exemptions risk too many significant and potentially irreversible impacts on our environmental and cultural resources for this measure to be feasible.

**SB 3047** exempts affordable housing projects on undeveloped agricultural land from the environmental review process if the agricultural land is no larger than 15 acres and is contiguous with a parcel that is designated urban. Furthermore, if the land is not located in an environmentally sensitive area, which includes a flood plain, a tsunami zone, a sea level rise exposure area, a beach, an erosion-prone area, geologically hazardous land, an estuary, fresh waters, or coastal water. Note that this list of exemptions does not include culturally sensitive areas or land that provides habitats or that could contain pesticide residues.

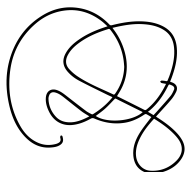
**HRS 343** has 9 actions that require the need for an EA or an EIS. One of the actions is the use of state or county lands or funds. Unfortunately, **SB 3047** exempts the use of state or county lands or funds from environmental review. Without this trigger, the public has no opportunity to review or comment on impacts of a project on natural and cultural resources.

**HRS 343** was enacted because the legislature found that:

- the quality of the environment is critical to people's well-being.
- activities have broad and profound effects on all components of the environment.
- an environmental review integrates environmental concerns with existing State and county planning process and alerts decision makers to significant environmental effects.

Cultural resources are not renewable and also need adequate protections. Ignoring environmental concerns can both harm our aina and quite possibly the residents that the housing being built would call their home. Hawaii's dwindling agricultural lands need more protection, not less, to ensure that there is sufficient land for farming and to prevent scattered and premature development.

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



Sara Sugidono,  
Communications and Development Director, Maui Nui Marine Resource Council





**HAWAII STATE SENATE  
COMMITTEE ON HOUSING  
Conference Room 225 & Videoconference  
State Capitol  
1:15 PM**

**LATE**

February 8, 2024

Subject: HB 3047 - RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Chair Chang, Vice-Chair Hashimoto, and members of the Committee:

My name is Max Lindsey, Government Relations Committee Chair of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

SB 3047 proposes to codify the exemption from environmental impact statements for affordable housing projects that meet certain criteria.

BIA-Hawaii is in **support** of SB 3047, as it exempts affordable housing projects within the state urban land use district or up to fifteen acres of land in the state agricultural land use district from current environmental assessment (EA) requirements.

Exempting affordable housing projects from the EA/EIS process would save these much-needed projects both time and money. These exemptions appear to be limited to areas already disturbed and not likely to impact sensitive areas.

We appreciate the opportunity to provide our comments on this matter.

**SB-3047**

Submitted on: 2/5/2024 1:50:05 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

Regardless how important affordable housing is, laws that protect "the public" should not be waived for any reason.

Greg Misakian

**SB-3047**

Submitted on: 2/5/2024 4:54:51 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vernelle Oku	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

The EA process is important to prevent historic and iconic views from being obliterated and to protect the rights of the Hawaiians to preserve their ancestors remains and historic areas. This also protects the environment and communities from rampant development taking over the islands. Please vote no on this bill.

**SB-3047**

Submitted on: 2/5/2024 9:04:13 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

I am testifying on behalf of myself, a Hawaii resident, in **opposition** to SB3047 as it overly-broadens the exemptions allowed for affordable housing at the cost of public insight into the potential environmental impacts as would be provided by our Environmental Assessment (EA) laws.

This bill is somewhat misleading. It's phrased as "Codifies the exemption" which makes it sound like the exemptions that currently exist in HAR 11.200.1-15(c)(10) would be "codified" directly in HRS 343 with this law.

However, there are a few major differences:

1. If moved here, the EA process would not trigger at all. Which is different from starting the EA process, and then determining that a project is eligible for exemption. As outlined in HAR 11.200.1-14, before approving an exemption, the "agency shall assess the significance of the potential impacts of the action to determine the level of environmental review necessary". Without an EA trigger, the potential impacts are never even considered.
2. This exemption is lacking the "zoning that allows housing" clause. This opens up all preservation zones (parks, cemeteries, golf courses, vacant green space, etc.), all business/commercial zones, and all industrial zones in the state urban district. The phrasing of this new law also exempts (smaller plots of) state agriculture lands that are next to the urban district.

I truly don't believe that it's in the public's best interest to have their visibility and input into these projects reduced through increasing the scope of these exemptions, even if the target development alleges to provide as critical a current need as affordable housing. Once our environment is forsaken, all is already lost.

On the contrary, I believe that we actually need to **strengthen** our environmental protection laws in light of the extreme exemptions allowed through 201H-38. Many of these recent and upcoming 201H projects are dwarfing their surrounding communities, often more than five (5) times denser and more than ten (10) times bigger and taller than neighboring properties. Any change that drastic should require at least an EA by default.

Thank you for your consideration,  
Seth Kamemoto



**SB-3047**

Submitted on: 2/6/2024 12:33:30 AM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

Aloha Chair Chang, Chair Gabbard, Vice Chair Hashimoto, Vice Chair Richards, and Members of the Committee,

My name is Jun Shin and I respectfully OPPOSE SB3047.

This measure does not simply "codify" existing environmental review rules, but would completely exempt certain projects and actions, including the development of certain agricultural lands, from any environmental review whatsoever, regardless of the magnitude of impacts to our environment, cultural practices, public health, food security, and more.

Current rules allow for a categorical exemption to environmental review for certain "affordable" housing projects on urban lands, provided that they are unlikely to result in significant impacts to public trust resources, cultural practices, and other environmental considerations. This exemption was carefully developed after close consideration of the myriad public interests that may be at stake in the development of such projects.

This measure would instead allow undeveloped agricultural lands - which are much more likely to host native species habitat, cultural practices and sites, sensitive environments, etc. as well as residual pesticides and other public health threats - to be developed without any environmental review, regardless of the severity of potential environmental, cultural, and socioeconomic impacts and threats to the public's interest.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations. Please do not roll back this critical law under the mistaken guise that we would simply be "codifying" existing rules - this measure goes far beyond that description.

Accordingly, I respectfully urge the Committees to **HOLD** SB3047. Mahalo nui for the opportunity to testify.

**SB-3047**

Submitted on: 2/6/2024 8:01:05 AM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

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

I stand in opposition to SB3047.

This measure would completely exempt certain projects and actions, including the development of certain agricultural lands, from any environmental review which is what I stand in opposition of. Environmental review helps to protect not only the future users of the project, but also the community, the environment, and the resources for future generations.

Current rules already allow for a categorical exemption to environmental review for certain "affordable" housing projects on urban lands, and this exemption was carefully developed after close consideration of public interests.

However, this measure would instead allow undeveloped agricultural lands to be developed without any environmental review, regardless of the severity of potential environmental, cultural, and socioeconomic impacts and threats to the public's interest. Exempting projects on this type of land from environmental review could be devastating to our environment and our resources.

For these reasons, and for my love for the environment and protecting our resources for future generations, I stand in opposition to SB3047.

Mahalo for your time and consideration.

Keoni Shizuma



**SB-3047**

Submitted on: 2/6/2024 12:42:32 AM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations. Please do not roll back this critical law under the mistaken guise that we would simply be "codifying" existing rules - this measure goes far beyond that description.

I urge the Committees to **HOLD** SB3047. Mahalo nui for the opportunity to testify.

**SB-3047**

Submitted on: 2/6/2024 12:11:40 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Glenn Otaguro	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to SB3047. The public needs as much information and say on projects that have an affect in their community.

**SB-3047**

Submitted on: 2/6/2024 11:58:57 AM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

Aloha Chair Chang, Chair Gabbard, Vice Chair Hashimoto, Vice Chair Richards, and Members of the Committee,

My name is Kapali Keahi and I respectfully OPPOSE SB3047.

This measure does not simply "codify" existing environmental review rules, but would completely exempt certain projects and actions, including the development of certain agricultural lands, from any environmental review whatsoever, regardless of the magnitude of impacts to our environment, cultural practices, public health, food security, and more.

Current rules allow for a categorical exemption to environmental review for certain "affordable" housing projects on urban lands, provided that they are unlikely to result in significant impacts to public trust resources, cultural practices, and other environmental considerations. This exemption was carefully developed after close consideration of the myriad public interests that may be at stake in the development of such projects.

This measure would instead allow undeveloped agricultural lands - which are much more likely to host native species habitat, cultural practices and sites, sensitive environments, etc. as well as residual pesticides and other public health threats - to be developed without any environmental review, regardless of the severity of potential environmental, cultural, and socioeconomic impacts and threats to the public's interest.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations. Please do not roll back this critical law under the mistaken guise that we would simply be "codifying" existing rules - this measure goes far beyond that description.

Accordingly, I respectfully urge the Committees to **HOLD** SB3047. Mahalo nui for the opportunity to testify.

Mahalo nui,

Kapali Keahi



**SB-3047**

Submitted on: 2/6/2024 12:17:33 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Janyce Mitchell	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

I urge you to oppose this measure. This measure does not merely codify an existing exception to the requirement of Environmental Impact Statements for the purpose of affordable housing. This measure greatly expands the exceptions for which an environmental review would no longer be required. Given the environmental issues that the state has faced recently (such as the Maui wildfires and Red Hill) and ongoing efforts to preserve Hawaii's unique culture, any measure that curtails environmental and cultural protections, regardless of the purpose it serves, should be strongly disfavored.

This measure requires only a subset of "environmentally sensitive" areas, such as tsunami zones, and certain agricultural land to be subject to environmental review for proposed affordable housing projects. This greatly expands the lands for which no environmental review would be required. For example, there is no requirement in this measure that the land to which the measure applies *is already zoned to allow housing*. This is different from existing protections. This narrowing of the lands for which environmental review is required leaves a variety of sensitive areas unprotected. For example, projects on preservation zoned land, conservation zoned land, and land that is otherwise culturally sensitive would no longer be subject to any environmental review.

Instead of such a blanket exception, the use of Environmental Assessments (EA) to determine whether an Environmental Impact Statement (EIS) is required for land not zoned for housing should be continued and, I believe, expanded. An EA is much less burdensome for the developer than an EIS. Based on the EA, it may be determined whether the particular development--what kind of development is proposed and the land desired to be developed--should be subject to the stricter review of an EIS. This middle ground protects both the interests of the developers of affordable housing and the public's desire to preserve land that is preservation zoned, conservation zoned, or culturally or environmentally significant.

While affordable housing is a significant priority for the state, preservation of natural, open spaces is also important. Please, do not sacrifice the protections for Hawaii's land. Instead, vote no on this measure and maintain the current balance between the priorities of affordable housing and the preservation of Hawaii's unique cultural and natural environment.

Thank you very much for your time and consideration.

-Janyce Mitchell

**SB-3047**

Submitted on: 2/6/2024 12:54:06 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jolyn Okimoto	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

My name is Jolyn Okimoto and I am a long-time resident of Honolulu. I am writing to OPPOSE SB3047. While it is important to build more affordable housing, proposed projects should not receive more exemptions of environmental assessment (EA) requirements. Proposed projects should continue to be subject to EA requirements so that if built, new residents are safe living there. **The need for affordable homes must not overwhelm considerations of the environment in which they are placed.**

For comparison, on the federal side, last November, federal data was released by the National Low Income Housing Coalition and the Public and Affordable Housing Research Corporation showing that nearly a quarter of federally assisted homes are in areas with the greatest risk of negative impacts from natural hazards. This data uses the Federal Emergency Management Agency's National Risk Index. The circumstances are different, but the message is the same. The environment must be considered for placement of safe affordable housing.

I ask you to join me in OPPOSING SB3047. Thank you for your time and consideration.

Aloha, Jolyn Okimoto



**SB-3047**

Submitted on: 2/6/2024 3:37:13 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

**SB-3047**

Submitted on: 2/6/2024 4:09:29 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kit Wynkoop	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

I am very much against this bill/measure. All Hawai'i is negatively impacted when environmental impact statements are foregone.

Ua mau ke ea o ka 'āina i ka pono - the life of the land is perpetuated in doing the right thing. So let's do the right thing for our 'ohana, the land and for all those who live here. No matter what.

Aloha, Kit

**SB-3047**

Submitted on: 2/6/2024 9:15:55 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Linda Legrande	Individual	Oppose	Written Testimony Only

Comments:

Projects on preservation zoned land, conservation zoned land, and land that is otherwise culturally sensitive would no longer be subject to any environmental review. For this reason, I strongly oppose this Bill. Housing is important, but our 'aina is more precious.

Thank you, Linda Legrande

**SB-3047**

Submitted on: 2/7/2024 1:09:24 AM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Erich Kimoto	Individual	Oppose	Written Testimony Only

Comments:

Submitting written opposal to SB3047. As written, this will allow greedy developers to use land designated as preservation (i.e. parks, golf courses, cemeteries) to bypass the EA process when building affordable housing projects. Why is preservation land ommitted? Was this an oversight or is it tailored to specific projects already in the works? Preservation land in the middle of a dense urban area is just as important. We cannot allow SB3047 to pass as written.

**SB-3047**

Submitted on: 2/7/2024 5:37:00 AM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

This is a bad bill. Please do not move this forward. Thank you.

**LATE**

**SB-3047**

Submitted on: 2/7/2024 8:47:37 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mark Bogart	Individual	Oppose	Written Testimony Only

Comments:



**LATE**

**SB-3047**

Submitted on: 2/7/2024 8:53:02 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

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

Comments:

*Aloha Chair Chang, Chair Gabbard, Vice Chair Hashimoto, Vice Chair Richards, and Members of the Committee,*

*I live in Ka'u Moku and my name is Diane Ware. I strongly OPPOSE SB3047.*

*This measure does not simply "codify" existing environmental review rules, but would completely exempt certain projects and actions, including the development of certain agricultural lands, from any environmental review whatsoever, regardless of the magnitude of impacts to our environment, cultural practices, public health, food security, and more.*

*Current rules allow for a categorical exemption to environmental review for certain "affordable" housing projects on urban lands, provided that they are unlikely to result in significant impacts to public trust resources, cultural practices, and other environmental considerations. This exemption was carefully developed after close consideration of the myriad public interests that may be at stake in the development of such projects.*

*This measure would instead allow undeveloped agricultural lands - which are much more likely to host native species habitat, cultural practices and sites, sensitive environments, etc. as well as residual pesticides and other public health threats - to be developed without any environmental review, regardless of the severity of potential environmental, cultural, and socioeconomic impacts and threats to the public's interest.*

*Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations. Please do not roll back this critical law under the mistaken guise that we would simply be "codifying" existing rules - this measure goes far beyond that description.*

*Accordingly, I respectfully urge the Committees to **HOLD** SB3047. Mahalo nui for the opportunity to testify.*

*99-7815 Kapoha Place Volcano*

**LATE**

**SB-3047**

Submitted on: 2/7/2024 11:51:22 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patti K	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this bill that would eliminate the requirement for environmental assessment for any housing development projects. Gov't must not ignore impacts to the environment and communities. Developers should not be given 'blank checks' to build at all costs. This is not the correct solutions.



**LATE**

**SB-3047**

Submitted on: 2/7/2024 7:14:43 PM

Testimony for HOU on 2/8/2024 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Cut this Bull shit Enviromental Crap Out. We the people want this ENDED NOW!!!!!!!!!!!!