

House Committee on FIN

March 4, 2009 - 10:030 AM, CR 308

HB 1693 - Ewa Development Plan

Testimony in Support with Proposed Amendments

Ilalo Parayno – Resident of Leeward

Chair Marcus Oshiro and Vice Chair Marilyn Lee and members of the FIN committee.

I am Ilalo Parayno, a Leeward resident And a retired vice Principal of Camphell High School. . I am in support of HB 1693. We the people of Ewa are very concerned about the Ewa Develop Plan that it is currently supposedly being reviewed for he first time since 1997. I feel that it needs State oversight.

The bill before you reflects the sentiments of our residents. The Ewa Development Plan as it stands today lacks adequate safeguards for the Aina and lacks infrastructure planning to ensure and to maintain an adequate quality of life.

The original plan in the early 70's which clearly stated that if the Leeward coast is to become a Secondary Urban Center, there has to be an underwater tunnel that will connect the mobility of residents between the two urban centers.

This vision was abandoned and here we are today with traffic congestion. A congestion that will continually get worst. The Oahu Planning Organization prediction with the State's no-build plan between the leeward coast and downtown Honolulu, travel time will be around 2.5 hours. In spite of these facts, building permit continue to be issued to developers. I suggest building another freeway to and from town before anymore development.

The Vision for Ewa's future

Even with the creation of local employment within the region, data will show that only 30% of new residents will get employment within the region. The major employers with better paying jobs will remain to be Pearl Harbor, Fort Shafter, the financial center of Honolulu, the Airport and Waikiki, necessitating commute to town.

PROTECTION OF OPEN SPACES

To have Ewa as we know it today, we must preserve open spaces. We must preserve agricultural lands, by that, we will also preserve the fauna and flora that is endemic in the area, for example the Hawaiian Poeus.

Beach Access for Locals

Beach access is becoming harder and harder to locals. Parking access to these marinas is very limited and the parking area is far from the ocean. Minimizing parking is one way to control access.

TRANSPORTATION INFRASTRUCTURE.

Traffic impact analysis requested or provided for new developments must include all past, present, and future developments in its entirety in the region as oppose to just considering one project at a time. A more global, overall strategic planning is needed to ensure sound planning.

Current traffic congestion in the HI corridor from Ewa to Honolulu is at grade level F. Careful consideration to this horrendous condition must be applied since adding more homes to this region will adversely worsen the current condition. Developers ask for traffic studies of their own projects independent to other developers or development in the region. These types of impact studies considering one project at a time will not reflect the true severity of current conditions in the region.

The only traffic congestion mitigation measure in sight is the Ewa bound zipper lane with predicted completion date of 2009. The rail is scheduled to come on line on year 1216 but with the current economic downturn, it is expected that completion date of both project will be much delayed. These piecemeal studies favor only the particular development filling the application but it is of great inaccuracy. Furtherance of this grave situation impacts the quality of life in the region deeper.

A BILL FOR AN ACT

RELATING TO WEST OAHU.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§46- Development plan; Ewa planning area. Any law to
5 the contrary notwithstanding, the city and county of Honolulu's
6 development plan for the Ewa planning area shall:

7 (1) Address the capacity of the Ewa region to support
8 projected increases in resident populations, including
9 the infrastructural capacity of:

10 (A) Freeways, highways, and roads to service level B
11 at a minimum;

12 (B) Connectivity to urban Honolulu; and

13 (C) Water and sewer;

14 (2) Provide for protection of the pueo (Hawaiian owl) and
15 ensure the preservation of the existing population;

16 (3) Provide for the protection of open space and important
17 agricultural lands;

- 1 (4) Account for the collective cumulative impact of
- 2 traffic for all development along the leeward coast,
- 3 including existing and future development, as opposed
- 4 to a piecemeal traffic analysis for each development
- 5 project;
- 6 (5) Ensure the preservation and restoration of historical
- 7 entities and sites, such as significant historical
- 8 buildings within Ewa Villages, the chemical mixing
- 9 plant, the Japanese internment camp, World War II
- 10 bunkers, the Ewa railway, and other significant
- 11 landmarks in the region; and
- 12 (6) Protect and enhance the recharge capability of the
- 13 Honouliuli watershed."

14 SECTION 2. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

March 4, 2009

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Representative Marcus Oshiro, Chairman
Finance Committee, Room 306
Hawai'i State Capitol
Honolulu, Hawai'i 86813

Reference: House Bill 1693: Relating to West O'ahu: Public Testimony

Aloha Ano'ai, Chairman Oshiro and Member of the Committee,

Thank you for allowing me the opportunity to present testimony. I am totally in favor of HB 1693 and encourage the committee to pass it along. Passage of this Bill will allocate and direct monies and resources to the State Planning Department, who will work in partnership with all the players on the 'Ewa region in furthering the much needed planning process that will, hopefully, mitigate and lessen the mounting problems and issues brought about by over development and traffic impacts.

My name is Glenn Oamilda, born and raised in Waipahu on the O'ahu sugar plantation, now residing in nearby 'Ewa Beach, where for the last twenty-five (25) years I have remained active and continue to be involved in community organizations and activities - political, social and cultural - with greater concerns over development issues and problems that have directly impacted my community and the greater 'Ewa region.

After the closing of both 'Ewa and Waipahu sugar plantations, we watched and witnessed as sugar lands were slowly being transformed and developed into a city. Although, along with the many positive changes, came all the negative changes as well. Today, many of us who reside in the region are angry and frustrated with the everyday hassles of meandering through the myriad of traffic and development problems, issues and impacts, just to get to work and back. Some remain very cynical that positive changes will come soon; while others feel that more on-going and continuous planning is really needed to insure a well maintained, sustainable and balanced growth throughout the region.

When Kapolei was designated the second city by the state of Hawai'i, there were no concerted efforts or suggestions made by past city administrations, or even this

one, to all the players in the region to come together in partnership and engage in the planning process with serious and continuous ongoing dialogues, discussions and discourses.

The city have shown no interests or hints of wanting to come together in partnership to seriously discuss present and future plans for the second city. I think the city purposely and intentionally side-stepped the public's EDP review process on all the new proposals and on-going projects. This passive inaction and insensitive display only heightens and further increases public tensions with deepening negative feelings. With on-going daily psychological pressures, financial and physical stresses, residents living in the region cannot continue to remain positive and hopeful their vision and goal will ever come to fruition in the planning and the building of the second city.

Historically as far back as the early '80s, every community on the 'Ewa plains and along the Wai'anae coast foresaw a massive influx and an island shift in population with huge developments. Indicators and predictors proved to be correct, now we all share the same common development impacts, issues and problems.

The political and social strategies was to relocate business employers to the second city bringing workers along by offering them businesses tax incentives and tax credits; and at the same time, attracting housing developers who would design and build well-planned communities. Newly relocated workers would move in these planned communities, commuting workers would return to the region to work and together they all can live, work and play in the area, thereby spending more time strengthening family relationships, community ties and enhancing the *life-style* values from Hawai'i's unique cultures and traditions.

When the housing developers arrived, in the mid-to late '90s, they were noticeable by the staggering numbers of permit requests for land zoning, rezoning, waivers, amendments and agreements. The high numbers of permit approvals for housing developments, easily out paced government's ability, not only to provide guidance and leadership toward a *balanced* and *sustainable* growth, but also the power to control and mitigate the predictable mounting impacts caused by the uncontrollable and rampant developments on the 'Ewa plains.

Moreover, with development came more housing construction, but businesses never kept pace with development and the growing working population, and as a result, many area workers had to travel back and forth to town. With the lack of over-sight and aggressive control over housing construction and traffic congestion, some people have grown more leery, angry, apathetic and the lost of trust and confidence in government and elected politicians; while others have deeper

resentment that the city had simply yielded its authority and acceded its power to the developers.

The 'Ewa Beach community, for example, which relies primarily on the Fort Weaver Road corridor, the only main arterial roadway in and out of the area, requested and pressed the city and county for an alternate road, one that was parallel and within the federal limited guidelines, in and out of 'Ewa Beach. But after years and years of political "foot dragging," and with mauka housing developments moving rapidly makai into 'Ewa Beach, the community unfortunately lost out and is now tucked away on the leeward side of O'ahu, ocean- and land-locked.

Today without an alternate route out of the area, 'Ewa Beach commuters must deal unbearably with twelve (13) traffic lights, daily road work and home construction; for residents who waste time sitting in traffic and drivers who must drive daily the five (5) miles distance just to get to H-1, doing the math calculation is a no brainer its *total insanity!*

Public protest and anguish over too much cars! too much traffic lights! too much housing construction! no alternate roads out! no infrastructure!, of over building, of over development, of traffic impacts, of the lost of a life-style and the quality-of-life continues until this very day. It has intensified to a point that for many residents living in 'Ewa has become so unbearable *mentally, physically and financially!*

In addition, public dissent and dissatisfaction has manifested itself in other area of the island as well. Community leaders and residents living in the Central O'ahu area from Waipio Gentry, Mililani, Wahiawa, and others communities mauka, are skeptical that short term traffic solutions can be found. They have made it also clear at many community gatherings and meetings, that increased traffic congestion from the west side, has made it tougher for them to get to town every morning and back home every evening.

Residents strongly believe that construction of only houses creates bedroom communities, minimizes the *qualities-of-life* and diminishes *life-styles*; hearing talks by the developers of making profits, meeting deadlines, rushing to build-out and building more homes because of buyers' markets, have been seen by the general public as greed! These sorts of thinking and behavior has only lessened the chances and prospects of ever obtaining a well *balanced* and *sustainable* growth in the region.

Lot of us in the region who were there at the very first meeting nearly fifteen (15) years ago, came together to-talk-story, and with planning goals in mind brought

forth a vision for a second city. Throughout the years, many have lost sight of that vision, but I still continue to speak out that Kapolei, and all of the 'Ewa plains is the Second City, and we should continue to plan as such.

The Honolulu city council, in late 1997, adopted the 'Ewa Development Plan. Through a *visioning team* consisting of community members and leaders from local boards, activities, organizations and in partnership with the city's planning department came together to address all future developments on the 'Ewa plains. After months and years of public discourses, dialogues and discussions, the team set in place a regional plan, a public/government document, consistent with a vision, concepts and policies, principles and goals with realistic guidelines for a *balanced and sustainable growth*.

Clearly, the EDP underscores two (2) important points: 1) In provision 5.1.2 that says "the city must take an active role in the planning and coordinating construction of needed infrastructure And the development of the regional transportation system", and, 2) In provision 2.2.10 "as a condition for zoning approval to insure that development does not outpace infrastructure development "

The 'Ewa Development Plan, however, is ten (10) years late and over due for public review. It missed the first and second five (5) year review cycles. Nevertheless, as of November, 2008, after ten years of added proposed and on-going projects in the region, the public will finally get to review and assess the draft EDP proposal.

After many years, we have learned, understood, faced and dealt with all the complexities that development brings, and yet they can all agree, more importantly, the 'Ewa Development Plan (EDP) as outlined should be reviewed and assessed. The EDP is a guide on development that offers a more realistic approach instead of groping effortlessly in the dark to find solutions and remedies. So why then is government dragging its feet on initiating a meeting, a task force or a conference that would address and deal with all the issues to related development and traffic? But the city has shown no willingness or desire to engage in a partnership with members of the community in a concerted effort to find answers.

This is 2009, between now and the next twenty-one years when the city estimates by 2030 the second city of Kapolei will be built-out, what hopeful suggestions can the city make to the commuting public? If there are no suggestions, then commuters can continue crossing their fingers, hoping for the best, chug-a-long in daily traffic as they normally did, and just pretend nothing is going on.

All of us living in the 'Ewa are reminder that the 'Ewa Development Plan came to life as the result of government partnering with the public. To repeat again, the EDP is a government / public document that outlines the principles, policies and goals and serves as a planning guide to on-going and future developments in the region that would help mitigate most of the present and future impacts and issues.

There is no doubt in 2005, when the incoming mayor made a serious pitch for mass transit, it became a top priority on his political agenda; and he aggressively challenged anyone who dare to oppose or even question his motive on how to solve the leeward traffic congestion problems. After his first term in office, the mayor, had shown no interest, gave no indication of redirecting, or further advancing the Plan in the 'Ewa region.

Throughout the years, I have come to understand the 'Ewa Development Plan as being a two (2) tiered planning process. One is regional; and the other is community. On the regional level, communities on the 'Ewa plains should come together to participate in reviewing and reassessing the EDP; and then, discuss and dialogue the solutions to the present and possible future development issues, impacts and problems. On the other level, each community should locally discuss solutions and answers to the present and future issues, problems and impacts caused by development. However, with the assurance and the understanding that each separate tiered planning processes don't conflict with each another.

In the 'Ewa Beach community, members of the community, met on two (2) occasions. Discussions were centered and concentrated specifically on just the 'Ewa region and the City of Kapolei. The results were these resolutions: 1) That the Urban Growth Boundary "be redrawn so as to place outside of the Urban Growth Boundary all of the land area intended for the Ho'opili project TMK (1) 9-1-17: 04, 59, and 72; TMK (1) 9-1-18: 01 and 04, with the exception of the land specifically designated by the University of Hawai'i, West O'ahu as both necessary for its mission and for purposes other than housing, and; 2) That all references to Ho'opili as a development be stricken from the 'Ewa Delopment Plan." In other words, the UGB which is presently makai of the H-1 freeway, move to the mauka of the H-1. The rationale is to keep the agricultural land in agriculture free of development.

The practical legal precedence of the "up stream, down stream" concept, of building a river dam up stream that restricts water flow, simply denies the public living down stream access to water usage. The same metaphor can be applied to the Ho'opili construction projects that have been proposed mauka, or north of the Forth Weaver Road (FWR) corridor. Community leaders now believe that approving Schuler's development mauka of the 'Ewa Beach community will restrict the free flow access to H-1 to drivers and commuters is considered counter-

productive and irresponsible.

The second resolution adopted by the community is, a) "Under the General Policy, Transportation System Functions" found on page 4-12, paragraph 1, line 3: change "should" to "shall." (This section has three sub-headings. Connecting line 3 to the third sub-heading, the sentence will then read " its transportation system shall provide adequate capacity for major peak-hour commuting to work in the primary Urban Center." b) Under "Adequate Facilities Requirement" found on page 5-16: paragraph 1, line 4 strike "will be established during the Capital Improvement Program" and add "are established by this Plan as Level of Service B. This sentence will then read, "Level of Service Guidelines Adequate public facilities and infrastructure requirements are established by this Plan as Level of Service B," and; c) In paragraph two, strike "should" and replace it with "shall." The sentence will now read, " zoning and other development approvals for new developments shall be approved only if the responsible City and State agencies indicate that adequate public facilities and utilities will be available at the time of occupancy"

The last resolution adopted by the community relevant to the 'Ewa region was : Support insertion of wording into the EDP that will: a) Require the City and County of Honolulu to be in compliance with the federal rules and regulations and specifications for sewage that are set by the Environmental Protection Agency (EPA), and; b) Require that all planned development projects within the area that is covered by the 'Ewa Development Plan (EDP) and which will be users of the sewage line grid pay a "user fee" for sewage processed in 'Ewa.

Finally, let me leave with these suggestions: 1) That the city in partnership with all the players in 'Ewa region engage in a parallel planning process - continue to plan the rail project; and in tandem, continue to address and find solutions to the traffic congestion and infrastructure problems; 2) That we enforce the provisions of the 'Ewa Development Plan by maintaining a presence in the 'Ewa region exerting strong leadership and guidance and control coordination over development activities; 3) That we utilize the EDP as the guide to a sustainable and balanced growth; 4) Entertain plans for Kapolei to become a "real" city with a government structure in place; 5) That we recreate financial strategies to attract and draw more business employers to the region, i.e., offers of tax incentives, tax credits, etc.; and, 6) Take more social and sensitive approaches to Hawai'i's '*life-style*' - the inherent cultural and traditional values - with a clear-cut mandate to insure and preserve the *quality-of-life* for every citizen. Mahalo, 'ia 'oi.

Glenn Oamilda

March 4, 2009

HB1693 HD1 PROPOSED

TO: FINANCE CHAIR M. OSHIRO AND VICE CHAIR M. LEE AND COMMITTEE MEMBERS

FROM: TOM BERG, A EWA NEIGHBORHOOD BOARD MEMBER

PLEASE SUPPORT HB1693 HD1 FOR THE FOLLOWING REASONS:

1. THERE IS NO DIALOGUE BETWEEN THE DLNR AND RAMIFICATIONS FOR PLANNED DEVELOPMENT REGARDING THE PLIGHT OF THE PUEO OWL- LISTED AS A PROTECTED SPECIES ON THE ISLAND OF OAHU
2. THE EWA DEVELOPMENT PLAN GIVES THE GREEN LIGHT TO DEVELOPERS TO BUILD WITHOUT ANY IMPETUS OR GUARANTEE THAT THE VERY ROADS THAT ARE TO SERVE THESE DEVELOPMENTS WILL ACTUALLY BE IN PLACE IN TIME OF THE DEVELOPMENT TRANSPIRING
3. THE CURRENT PLAN IS ARCHAIC AND ITS FIVE YEAR REVIEWS ARE INADEQUATE TO ADOPT A SYSTEM WHEREBY POPULATION GROWTH AND THE CONSTRUCTION OF ROADS AND SCHOOLS CAN KEEP PACE OR BE SUSTAINED BY THE SCOPE OF RESIDENTIAL DEVELOPMENT BEING ADVANCED

THEREFORE, BY PASSING HB1693 HD1 PROPOSED WILL ENSURE THAT FURTHER DISCUSSION AND COMMUNITY PARTICIPATION HAS BEEN THOROUGHLY EXHAUSTED.

MAHALO FOR PERMITTING ME THIS OPPORTUNITY TO TESTIFY IN SUPPORT OF HB1693 HD1 PROPOSED.

TOM BERG

EWA BEACH RESIDENT

March 4, 2009

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productive and irresponsible.

The second resolution adopted by the community is, a) "Under the General Policy, Transportation System Functions" found on page 4-12, paragraph 1, line 3: change "should" to "shall." (This section has three sub-heading. Connecting line 3 to the third sub-heading, the sentence will then read " its transportation system shall provide adequate capacity for major peak-hour commuting to work in the primary Urban Center." b) Under "Adequate Facilities Requirement" found on page 5-16: paragraph 1, line 4 strike "will be established during the Capital Improvement Program" and add "are established by this Plan as Level of Service B. This sentence will then read, "Level of Service Guidelines Adequate public facilities and infrastructure requirements are established by this Plan as Level of Service B," and; c) In paragraph two, strike "should" and replace it with "shall." The sentence will now read, " zoning and other development approvals for new developments shall be approved only if the responsible City and State agencies indicate that adequate public facilities and utilities will be available at the time of occupancy"

The last resolution adopted by the community relevant to the 'Ewa region was : Support insertion of wording into the EDP that will: a) Require the City and County of Honolulu to be in compliance with the federal rules and regulations and specifications for sewage that are set by the Environmental Protection Agency (EPA), and; b) Require that all planned development projects within the area that is covered by the 'Ewa Development Plan (EDP) and which will be users of the sewage line grid pay a "user fee" for sewage processed in 'Ewa.

Finally, let me leave with these suggestions: 1) That the city in partnership with all the players in 'Ewa region engage in a parallel planning process - continue to plan the rail project; and in tandem, continue to address and find solutions to the traffic congestion and infrastructure problems; 2) That we enforce the provisions of the 'Ewa Development Plan by maintaining a presence in the 'Ewa region exerting strong leadership and guidance and control coordination over development activities; 3) That we utilize the EDP as the guide to a sustainable and balanced growth; 4) Entertain plans for Kapolei to become a "real" city with a government structure in place; 5) That we recreate financial strategies to attract and draw more business employers to the region, i.e., offers of tax incentives, tax credits, etc.; and, 6) Take more social and sensitive approaches to Hawai'i's *'life-style'* - the inherent cultural and traditional values - with a clear-cut mandate to insure and preserve the *quality-of-life* for every citizen. Mahalo, 'ia 'oi.

Glenn Oamilda

**Testimony of Dr. Kioni Dudley
President of the Friends of Makakilo**

HB 1693
Committee on Water, Land, and Ocean Resources
Friday, February 13, 2009
9:45 a.m. Room 325

*House Finance Committee
March 4 2009*

Let me first address freeway traffic: The EDP contains and "Adequate Facilities Requirements" section, (also known as "concurrency" requirements) and a "General Policies: Transportation Systems Functions" section. Together these assure that "adequate capacity for major peak-hour commuting to work in the Primary Urban Center" will be available at the time of home occupancy. No Levels of Service Guidelines have been established to determine what is adequate capacity, however. So the regulations have not been applied. I am therefore suggesting that HB 1693 include the following three sections:

O.P. should insure that the 'Ewa Development Plan

Provides, as part of its "Adequate Facilities Requirements" a completed set of established Levels of Service Guidelines to define adequate public facilities and infrastructure requirements. That is, OP should insure that the "Levels of Service Guidelines" which were to be established "during the Capital Improvement Program" have indeed been established.

Assures that the "Transportation System Functions" section of the plan which states that "the transportation system shall ...provide adequate capacity for major peak-hour commuting to work in the Primary Urban Center" is adequately tied to the "Adequate Facilities Requirement" section which states that "zoning and other development approvals for new developments should be approved only if the responsible City and State agencies indicate that adequate public facilities and utilities will be available at the time of occupancy...."

Assures that no zoning or "other development approvals for new developments" have been approved since the passage of this law which are not in compliance with the Adequate Facilities Requirements.

Section (b)(1) should be changed to state:

In reviewing the EDP, the OP shall consult with the Ewa NB and the Makakilo-Kapolei-Honokai Hale NB.

Currently, the EIS for a project only requires study of impacts for the property itself and the nearby area. In addition to what is said in section (5), laws need to be changed so that EISs for all developments include regional ramifications. This is especially true of traffic. EIS traffic studies should include impacts on traffic for the complete route from the project into the primary urban center.

Currently, developers are allowed to pay a minimal fee for a waiver to build parks required by the EDP. This is done within the DPP with no public input allowed and no public accountability. These waivers should not be granted without the approval of the Neighborhood Board for the area.

The EDP has always had an "Adequate Facilities Requirement" and it has always had a "General Policies: Transportation System Functions" which required "adequate capacity for major peak-hour commuting to work in the Primary Urban Center." For some reason, possibly the lack of established Levels of Service Guidelines, zoning has moved ahead without regard to these sections. 33,000+ homes have already been zoned for the Leeward area which are out of compliance with these two sections of the Ewa Development Plan. The upcoming Ho'opili project will add another 12,000+ homes. The wording in the Adequate Facilities Requirements is that "*zoning and other development approvals for new developments* should be approved only if the responsible City and State agencies indicate that adequate public facilities and utilities will be available at the time of occupancy." There needs to be some kind of statement that these previously zoned non-compliant homes will receive "other development approvals for new developments" only if and when responsible City and State agencies certify the adequacy of facilities, including freeway peak-hour commuting capacity at approved levels of service. There should also be a pecking order for approval, preferably following the Phasing of Development provisions of the 1997 EDP, which have been abandoned in this revision.

Going back to Section (a) (4), it is worded: "Adequately provides for the protection of opens space and important agricultural lands." None of the lands covered by the EDP have been designated Important Agricultural

Lands. However, all of our farmland below the freeway and between Waipahu and Kapolei—the land currently farmed by Aloun Farms and Sugarland—is prime agricultural lands with the highly rated A and B level soils, and should be preserved in farming for the needs of future generations. Given the problems for importing food caused by the rise in sea levels and the anticipated permanent spike in oil prices, and given the likely need to grow both food and biofuels sufficient for the needs of the inhabitants, these farmlands may be essential for survival on this island. They must be retained in agriculture. They are currently within the Urban Growth Boundary. They need to be moved out of the Urban Growth Boundary. Be aware that the EDP contains two other areas of farmland which are outside the Urban Growth Boundary. One is a segment of prime land above the freeway along Kunia Road. The other is the land over the Ewa Blast Zone, which is not good ag land.

Dr. Kioni Dudley is the president of the Friends of Makakilo, a non profit, 501(c)(4) community organization with a membership of over three hundred and fifty. He resides at 92-1365 Hauone Street in Makakilo and can be reached at 672-8888 or by e-mail at DrKioniDudley@hawaii.rr.com