

**LINDA LINGLE**  
Governor



State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
1428 South King Street  
Honolulu, Hawaii 96814-2512

**SANDRA LEE KUNIMOTO**  
Chairperson, Board of Agriculture

**DUANE K. OKAMOTO**  
Deputy to the Chairperson

**TESTIMONY OF SANDRA LEE KUNIMOTO  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES  
MONDAY, MARCH 16, 2009  
9:00 a.m.  
Room 325**

**SENATE BILL NO. 1318, SENATE DRAFT 1  
RELATING TO PLANNING AND ECONOMIC DEVELOPMENT**

Chairperson Ito and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 1318, Senate Draft 1 which repeals Chapters 205A (Coastal Zone Management) and 225M (State Planning) and transfers the rights, powers, functions, and duties of the Office of Planning to the Department of Business, Economic Development, and Tourism. The Department of Agriculture strongly opposes this measure as it will affect our ability to protect agricultural lands and related resources. We do not see any benefit or savings, either to the public, the agricultural community or state government, resulting from this bill.

The Department of Agriculture has a long history of close collaboration with the Office of Planning and, more recently, the Coastal Zone Management Program in our efforts to protect agricultural resources and promote their use in agricultural production as mandated in the State Constitution and Chapter 205, the State Land Use Law. These two programs have provided the Department of Agriculture with valuable and timely policy and technical planning assistance on major statewide initiatives like the landmark Important Agricultural Lands (IAL) Act, the IAL Incentives Act, and the Office of Planning has provided major funding to develop a farmer-friendly computer program to expedite the conservation plan development and approval process. The Office of Planning's Geographic Information System Program is providing assistance with the identification of public lands that may be suited for IAL designation. For these reasons we believe this bill impacts the Office of Planning and the services it provides to the public, most notably the agricultural community. We ask that the Committee hold this bill.



LATE TESTIMONY

**STRUCTURAL ENGINEERS ASSOCIATION OF HAWAII**  
P.O. Box 3348, Honolulu, Hawaii 96801

March 15, 2009

TO: State of Hawaii – House  
COMMITTEE ON WATER, LAND, & OCEAN RESOURCES  
State Capitol, Conference Room 325

SUBJECT: **SB 1318 SD1 RELATING TO PLANNING AND ECONOMIC DEVELOPMENT**  
Hearing Monday, March 16, 2009  
TIME: 9 a.m.

Honorable Rep. Ken Ito, Chair  
Rep. Sharon E. Har, Vice Chair

The Structural Engineers Association of Hawaii (SEAOH) is the local chapter of the National Council of Structural Engineering Associations (NCSEA), and we have over 200 active members in Hawaii.

**We would like to express our strong opposition to SB1318 SD1, RELATING TO PLANNING AND ECONOMIC DEVELOPMENT**

By repealing HRS 205A and 225M, a chaotic situation will ensue with respect to review and policies of development impacts on coastal zone management, special management areas, and shoreline setbacks, information on natural hazards affecting the coastal zones, and geographic information system data that is essential to many institutions and companies in Hawaii's Information Technology, Scientific, and Engineering sectors. There is an impact not only to the office of planning of DBEDT but also the Department of Land and Natural Resources.

SSCR764 does not appear to have fully considered the detrimental impacts of repealing these two statutes, and the only rationale given is the possibility that some efficiency will somehow result from transferring and dispersing the existing personnel with expertise. The responsibilities and knowledge base for the Office of Planning involve unique skills, and we believe that gaps in knowledge, loss of efficiency, disruption of functionality, and lawsuits against the state caused by differing interpretations of the repealing of HRS 205A and 225 M will be caused by SB1318. It is at the very least an inadequately researched and incomplete bill.

For the Structural Engineers Association of Hawaii

Gary Chock, P.E. Structural Engineer  


  
March 15, 2009

Senators and Representatives  
Hawaii State Legislature  
Honolulu, HI 96813

LATE TESTIMONY

Honorable Senators and Representatives:

RE: Testimony opposing SB1318 eliminating the State Office of Planning, Coastal Zone Management (CZM) and Geographic Information Systems (GIS)

Although I am writing this in an unofficial capacity with respect to my current work as a Fisheries Management Specialist with the NOAA, Pacific Islands Fisheries Science Center, my experience as a marine biologist and fishery scientist working in Hawaii for over 20 years does have relevance. For more than 18 of those years (1991-2008), I worked as a contractor for the Division of Aquatic Resources, Department of Land and Natural Resources via the Research Corporation of the University of Hawaii (RCUH). My role there was to upgrade data processing, integrate and make ecological information more accessible, to help manage inshore fisheries and aquatic resources affected by impacts, including but not limited to overfishing, urbanization and industrialization of watersheds (associated erosion, runoff, sedimentation, pollution, shoreline hardening, etc.). An essential tool of my work was the State Geographic Information System (GIS), maintained and managed by the Office of Planning.

Working for DLNR, I experienced the growth of GIS in Hawaii and benefitted from the foresight and expertise of the Office of Planning's GIS Program. OP staff introduced GIS and facilitated its use by state agencies. This extremely capable group lead Hawaii into the 21<sup>st</sup> Century, developing one of the premier GIS networks in the United States (indeed the world). They foresaw the value of this tool for resource management and laid the groundwork for Hawaii to have the necessary infrastructure, software, training, networking and data access. Among other things, their work made it possible for DLNR aquatic, forestry, water resources and wildlife biologists, engineers, planners and enforcement officers to anticipate and monitor shoreline change, fisheries and watershed impacts, and compliance. Over the years, this tool has been invaluable in completing rezoning (conservation, urban and other land designations), elections redistricting, risk assessment and homeland security planning and other vital functions of government.

State Planning, GIS and Coastal Zone Management (CZM) merit a high level approach that can integrate departmental roles. GIS maintenance requires a dedicated staff with unique expertise and infrastructure. It is not something that can be thrown into another agency as an afterthought. The integrated functions of state planning, with GIS as a tool, rise above the level of any single department and should not be driven or restricted by the goals or budget of any one agency. Even the Department of Business, Economic Development and Tourism benefits from its independence from GIS and state planning, in the same way a healthy economy relies on a healthy environment, adequate social services, clean water, air, land etc. As an island state, according to federal definition, Hawaii's coastal zone runs mauka to makai. CZM's function includes looking out for the interests of all our people, not just business. Among other things, CZM must ensure we have views and access to the shorelines; utilize and conserve natural resources to the benefit of all; plan for and address flooding (exacerbated by sea level rise and global warming); etc. In so doing, part of CZM's function is to address conservation and commerce, historic and cultural resource impacts. To be effective, this should happen at a higher level than any single state agency.

SB1318 proposes to eliminate the State Office of Planning and CZM. The OP GIS would be an additional casualty of this process, regardless of where it is shuffled. Although you may think this bill will resolve some of our current economic problems, its short and long term consequences would be far-reaching in their detriment to many state functions. So many aspects of state government would be affected, it is difficult to list them succinctly. Suffice it to say SB1318 would cripple and stunt all manner of resources and economic management. It would even hurt business, economic development and tourism. In the long run, it would be a huge step backward for state government, where previously Hawaii has been a leader. Therefore, I urge you not to support this bill.

Sincerely yours,

M. Kimberly Lowe

March 14, 2009



Water, Land and Ocean Resources (WLO) Committee  
Re., **Opposition to SB 1318 SD1** (Regarding Planning & Econ. Dev.)  
Hearing: March 16, 2009, 9:00am, Conference Room 325

Dear Chair Ito, Vice-Chair Har and Honorable Members of the WLO Committee,

The Surfrider Foundation is a grassroots environmental organization dedicated to the preservation and enjoyment of the world's oceans, waves and beaches through Conservation, Activism, Research and Education (C.A.R.E.).

My name is Stuart Coleman, and I am the new Hawaiian Islands Field Coordinator of the Surfrider Foundation. We have more than 1500 dues-paying members in Hawaii and almost 60,000 across the country. On behalf of our members, I respectfully ask that you oppose SB1318 SD1, because it seeks to eliminate the Coastal Zone Management (CZM) Program. The CZM program is essential for protecting our coastlines, and transferring its functions from the Office of Planning (OP) to the Department of Business, Economic Development and Tourism (DBEDT) would encourage irresponsible development of one of Hawaii's greatest natural, cultural and economic resources.

We oppose SB1318 and the elimination of the Coastal Zone Management (CZM) Program (Chapter 205A), because it would allow for: unrestricted construction along the shoreline; destruction or removal of coral; and elimination of beach access and use. This loosening of standards would make Hawaii one of the few coastal states not to have a proper CZM plan and would demonstrate a reckless lack of long-range coordination and planning. One of Surfrider's core missions is to protect access to our beaches and coastlines, and we strongly believe that our coastal areas need more protection, not less.

The Surfrider Foundation is part of a larger coalition of different environmental groups and members who strongly oppose this bill because of its lack of proper planning and protections for our coastlines. If you would like to meet to discuss this bill or any suggested amendments, please feel free to contact me. Mahalo for your consideration.

Aloha,

Stuart H. Coleman  
Hawaiian Islands Field Coordinator  
The Surfrider Foundation





**National States Geographic Information Council**

2105 Laurel Bush Rd, Suite 200  
Bel Air, MD 21015

PH: 443-640-1075  
FAX: 443-640-1031  
<http://www.nsgic.org>

**LATE TESTIMONY**

March 16, 2009

Honorable Ken Ito, Chair  
House Water, Land & Ocean Resources Committee  
Hawaii State Capitol, Room 420  
415 South Beretania Street  
Honolulu, HI 96813

Sent via E-mail: [repito@Capitol.hawaii.gov](mailto:repito@Capitol.hawaii.gov)

RE: SB 1318 SD1

Dear Representative Ito:

I respectfully request that the House Water, Land & Ocean Resources Committee carefully consider SB 1318 SD1 to ensure that no unintended consequences will affect critical functions of the Office of Planning. While this measure may appear harmless given the time frame for its implementation and the total transfer of agency functions, it may create significant challenges for the future leader of this Department who will have conflicting missions requiring both protection and promotion/exploitation of the land and water resources of Hawaii. This will affect the future vision and goals of the units now contained in the Office of Planning.

Of particular interest to the National States Geographic Information Council (NSGIC) is the GIS Coordination function now housed in the Office of Planning. Their role in coordinating development of a statewide spatial data infrastructure is critical to the future vitality of your state, and an essential component of the National Spatial Data Infrastructure (NSDI). Given the 2050 implementation date for this Bill, it would seem prudent to delay approval of this Bill to allow for a thorough study of the unexpected consequences.

NSGIC represents state governments and its mission is to enable effective and efficient government through the use of geospatial technologies. Our membership is comprised of state and federal geographic information system (GIS) coordinators, and industry experts from around the nation. Our advocacy agenda is established at the sole discretion of our state government members.

Please contact me if you have any questions regarding this letter or other matters pertaining to the coordination of geospatial technologies. I may be reached by phone at 501.920.2446, or by E-Mail at: [learon.dalby@arkansas.gov](mailto:learon.dalby@arkansas.gov).

Sincerely,

J. Learon Dalby, President  
National States Geographic Information Council

cc: Representative Sharon E. Har, Vice Chair, Water, Land & Ocean Resources Committee  
NSGIC Board of Directors

**From:** [REDACTED]  
**Sent:** Sunday, March 15, 2009 4:24 PM  
**To:** testimony@capitol.hawaii.gov; Rep. Ken Ito; Rep. Sharon Har; Rep. Rida Cabanilla; Rep. Jerry Chang; Rep. Pono Chong; Rep. Denny Coffman; Rep. Sylvia Luke; Rep. Hermina Morita; Rep. Roland Sagum; Rep. Corinne Ching; Rep. Cynthia Thielen; Rep. Robert Herkes; Sen. Suzanne Chun Oakland  
**Cc:** Michelle S. Matson; Reg White; Wayne Takamine; Michael M. Kliks, PHD; Bob Crone AIA; Kewalo Keiki Fishing Conservancy; Fumiko Wellington; Mike DeRego; Lynn Sorensen; Ron Iwami; David Lizama; Al Balderama Gmail; Al Balderama; 'Brian Shimokawa'; Donna Wong HTF  
**Subject:** COMMITTEE ON WATER, LAND, & OCEAN RESOURCES - Monday, 3/16, 9 AM, Conf Rm 325

### **TESTIMONY AGAINST SB1318 SD1:**

Aloha Chair Ito, Vice Chair Har, and Committee Members:

I offer testimony as a resident of the Ala Moana area and a member of the Ala Moana/Kaka'ako Neighborhood Board. I am a committed citizen and very seriously disturbed that this bill has made it this far in the legislative process.

I am opposed to this legislation. Amidst the progression of adverse consequences associated with global warming, how could this legislation be proposed by conscientious people?

I am also opposed to the way responsible citizens are prevented from meaningful engagement in Hawai'i's legislative process. I object to the last-minute notices of hearings on such important matters, I object to daytime hearings so working people cannot appear in person, and I object to the cursory way these testimonies are read at hearings – by just stating a name and whether it is support or opposition. That's it.

Be that as it may, I offer testimony to convey my concerns about this consideration of such a destructive bill that will so severely undermine the protections and well-being of Hawaii's shorelines. This is a bad bill in many important ways.

It is wrong to eliminate the State Office of Planning by repealing HRS 225M and repealing outright HRS 205A, the State Coastal Zone Management (CZM) statutes. The idea that this office could be subsumed under DBEDT is beyond my imagination. I have seen first-hand for the past four years how the HCDA has failed to bring vision, principle, or meaningful progress to the management of planning in Kaka'ako mauka and makai. All we have seen are the plans and realities of one high-rise after another, soon to wall off the coastal area by a line of buildings justified by the very un-visionary model called "smart growth."

205A is foundational to our coastal zone management and our compliance with the Federal Coastal Zone Management Program. Repeal of 205 A would repeal the State's statutory basis for Special Management Area permits and Shoreline Setback Variances. Elimination of the Office of Planning does not solve problems, it creates problems. It will eliminate the statewide coordination of the GIS (geographical information systems). And it will eliminate the coordination and effectiveness of the respective ways in place to protect and manage the coastal zone.

The extreme reliance of our State land and population on effective and appropriate coastal management means that this legislation will cost Hawai'i far more than it saves, when a big-picture

frame of reference is applied.

Respectfully Submitted – Nancy Hedlund  
Honolulu, Hawai'i

**Testimony for SB1318 on 3/16/2009 9:00:00 AM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Monday, March 16, 2009 12:07 AM

**To:** WLOtestimony

**Cc:** [REDACTED]

LATE TESTIMONY

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Testimony for WLO 3/16/2009 9:00:00 AM SB1318

Conference room: 325

Testifier position: oppose

Testifier will be present: No

Submitted by: Janice Marsters

Organization: Engineering Solutions

Address: [REDACTED]

Phone: [REDACTED]

E-mail: [REDACTED]

Submitted on: 3/16/2009

**Comments:**

Dear Chair Ito, Vice Chair Har and Members of the House Committee on Water, Land & Ocean Resources:

I am writing in strong opposition to HB 1318, particularly Section 1, repealing Chapter 205A, Hawaii Revised Statutes, Hawaii's Coastal Zone Management Law. I believe Chapter 205A provides essential provisions to protect Hawaii's coastal resources and should not be repealed. As an engineer, I am deeply concerned about the impact of rising sea level on our near-shore resources and infrastructure. Given the implications of rising sea level, we must not reduce the planning and oversight provided by our coastal zone management program.

If your committee is in agreement with the intent of the bill, as stated in the senate committee reports, to save money by abolishing the Office of Planning and placing its functions under DBEDT, I strongly urge you to amend the bill by deleting Section 1, so that Chapter 205A is retained.

I appreciate the opportunity to express my views on this bill.

Respectfully submitted,  
Janice C. Marsters, Ph.D.

## **Opposition to SD 1318, SD 1 on Monday, 3/16 in room 325 1**

Gary W. Brookins [REDACTED]

**Sent:** Monday, March 16, 2009 3:18 AM

**To:** WLOtestimony

LATE TESTIMONY

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Chair persons & members of the committees

From a perspective of "if it isn't broken ...don't try to fix it" about our coastal zones management plan, there is little to be gained by a "Change of Command" that allows revisiting what has worked so well for decades. To do so would be more complex, time consuming and costly than that required initially ...and could negatively impact our waterfront tourism for decades to come. Please do not allow this change to take place.

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Gary Brookins

**COMMITTEE ON WATER, LAND, & OCEAN RESOURCES - TESTIMONY  
OPPOSING SB1318 SD1:**

Wayne S. Takamine [REDACTED]

**Sent:** Monday, March 16, 2009 2:30 AM

**To:** WLOtestimony

LATE TESTIMONY

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**COMMITTEE ON WATER, LAND, & OCEAN RESOURCES**

Rep. Ken Ito, Chair

Rep. Sharon E. Har, Vice Chair

Rep. Rida Cabanilla Rep. Sylvia Luke

Rep. Jerry L. Chang Rep. Hermina M. Morita

Rep. Pono Chong Rep. Roland D. Sagum, III

Rep. Denny Coffman Rep. Corinne W.L. Ching

Rep. Robert N. Herkes Rep. Cynthia Thielen

Rep. Chris Lee

**NOTICE OF HEARING**

DATE: Monday, March 16, 2009

TIME: 9:00 a.m.

PLACE: Conference Room 325

State Capitol

415 South Beretania Street

**TESTIMONY OPPOSING SB1318 SD1:**

**Aloha Chair Ito, Vice Chair Har, and Committee Members:**

I would like to voice my opposition of SB1318 SD1. As a steering committee member of the Kaka'ako Makai Community Planning Advisory Committee (CPAC) and supporter of responsible costal waterfront management and preservation, I represent many in the bodysurfing community that are concerned about the future of the Honolulu waterfront and the many other costal areas that are the under jurisdiction of HRS 205A. There has been no attempt from DEBDT or HCDA to discuss or inform the many Kaka'ako Makai stakeholders in CPAC or supporters of costal waterfront preservation throughout the state about SB1318 and the proposed ramifications to the future protection and management of waterfront areas.

We should not repeal HRS 225M and eliminate the State Office of Planning and should not repeal HRS 205A and thereby eliminate the protection of State Coastal Zone Management.

205A is foundational to our coastal zone management and our compliance with the Federal Coastal Zone Management Program. Repeal of 205 A would repeal the State's statutory basis for Special Management Area permits and Shoreline Setback Variances. Elimination of the Office of Planning does not solve problems, it creates problems. It will eliminate the statewide coordination of the GIS (geographical information systems). And it will eliminate the coordination and effectiveness of the respective ways in place to protect and manage the coastal zone.

The extreme reliance of our State land and population on effective and appropriate coastal management means that this legislation will cost Hawai'i far more than it saves, when a big-picture frame of reference is applied.

Respectfully,

Wayne Takamine  
Honolulu, Hawai'i

**Alyssa Miller, Ph.D.**



House Committee on Water, Land & Ocean Resources  
Rep. Ken Ito, Chair  
Rep. Sharon E. Har, Vice-Chair

**R.E. Opposition to SB1318 SD1 --Relating to Coastal Zone Management Act, State Planning Repeal**

Aloha Chair Ito, Vice-Chair Har, and Committee Members,

As a resident, and a former policy and planning consultant in Coastal Zone Management for the State of Hawaii, I would like to call your attention to the fact that this bill, **SB1318 SD1 is fundamentally flawed.**

Three major problems it poses are:

This bill will cripple the state's planning and regulatory functions, result in the loss of millions of Federal dollars, and endanger the environment.

Chapter 205A, HRS - Hawaii Coastal Zone Management, is the State enactment of the Federal Coastal Zone Management Act, which is funded and administered by NOAA and EPA. Repeal of Chapter 205A not only would result in the loss of millions of federal dollars for ocean, shoreline, and water quality management, but also would open the State and Counties to myriad federal and local lawsuits regarding violations of existing Federal CZM requirements pertaining to water quality, coral reef ecosystem damage, and shoreline development and management.

Another flaw is that the bill would move the Office of Planning (OP) into DBEDT: OP is presently the designated state coordinator for the *Federal CZM program that is required to be implemented by all coastal states*. Please revisit the CZM Program's past: you'll find that history amply demonstrates that DBEDT is not the appropriate agency home for this program; a fact that DBEDT itself explicitly recognizes in its testimony opposing this bill.

Please reject this bill.

Mahalo a nui,

A handwritten signature in cursive script that reads "Alyssa Miller".

Alyssa Miller

## har3-Alana

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, March 15, 2009 6:51 PM  
**To:** WLOtestimony  
**Cc:** [REDACTED]  
**Subject:** Testimony for SB1318 on 3/16/2009 9:00:00 AM

Testimony for WLO 3/16/2009 9:00:00 AM SB1318

Conference room: 325  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Nancy Hedlund  
Organization: Individual  
Address:  
Phone:  
E-mail: [REDACTED]  
Submitted on: 3/15/2009

Comments:  
TESTIMONY AGAINST SB1318 SD1:

Aloha Chair Ito, Vice Chair Har, and Committee Members:

I offer testimony as a resident of the Ala Moana area, a member of the Ala Moana/Kaka'ako Neighborhood Board, and a member of the Steering Committee of the HCDA Kaka'ako Makai Community Planning and Advisory Council (CPAC). I am a committed citizen and very seriously disturbed that this bill has made it this far in the legislative process.

I am opposed to this legislation. Amidst the progression of adverse consequences associated with global warming, how could this legislation be proposed by conscientious people?

I am also opposed to the way responsible citizens are prevented from meaningful engagement in Hawai'i's legislative process. I object to the last-minute notices of hearings on such important matters, I object to daytime hearings so working people cannot appear in person, and I object to the cursory way these testimonies are read at hearings - by just stating a name and whether it is support or opposition. That's it.

Be that as it may, I offer testimony to convey my concerns about this consideration of such a destructive bill that will so severely undermine the protections and well-being of Hawaii's shorelines. This is a bad bill in many important ways.

It is wrong to eliminate the State Office of Planning by repealing HRS 225M and repealing outright HRS 205A, the State Coastal Zone Management (CZM) statutes. The idea that this office could be subsumed under DBEDT is beyond my imagination. I have seen first-hand for the past four years how the HCDA has failed to bring vision, principle, or meaningful progress to the management of planning in Kaka'ako mauka and makai. All we have seen are the plans and realities of one high-rise after another, soon to wall off the coastal area by a line of buildings justified by the very un-visionary model called "smart growth."

205A is foundational to our coastal zone management and our compliance with the Federal Coastal Zone Management Program. Repeal of 205 A would repeal the State's statutory basis for Special Management Area permits and Shoreline Setback Variances. Elimination of the Office of Planning does not solve problems, it creates problems. It will eliminate the statewide coordination of the GIS (geographical information systems). And it will eliminate the

coordination and effectiveness of the respective ways in place to protect and manage the coastal zone.

The extreme reliance of our State land and population on effective and appropriate coastal management means that this legislation will cost Hawai'i far more than it saves, when a big-picture frame of reference is applied.

Respectfully Submitted - Nancy Hedlund  
Honolulu, Hawai'i

**Testimony for SB1318 on 3/16/2009 9:00:00 AM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Monday, March 16, 2009 7:13 AM

**To:** WLOtestimony

**Cc:** [REDACTED]

**LATE TESTIMONY**

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Testimony for WLO 3/16/2009 9:00:00 AM SB1318

Conference room: 325

Testifier position: oppose

Testifier will be present: No

Submitted by: Jonathan Levy

Organization: Individual

Address: [REDACTED]

Phone: [REDACTED]

E-mail: [REDACTED]

Submitted on: 3/16/2009

Comments:

To Whom It May Concern:

I have been accessing the Office of Planning's website for a number of years to obtain GIS data for my work. It would be a shame if this one point of contact resource was done away with.

Aloha,  
Jonathan Levy

**Testimony for SB1318 on 3/16/2009 9:00:00 AM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Monday, March 16, 2009 7:12 AM

**To:** WLOtestimony

**Cc:** [REDACTED]

**LATE TESTIMONY**

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Testimony for WLO 3/16/2009 9:00:00 AM SB1318

Conference room: 325

Testifier position: oppose

Testifier will be present: No

Submitted by: Jonathan Levy

Organization: Individual

Address: [REDACTED]

Phone: [REDACTED]

E-mail: [REDACTED]

Submitted on: 3/16/2009

Comments:

To Whom It May Concern:

I have been accessing the Office of Planning's website for a number of years to obtain GIS data for my work. It would be a shame if this one point of contact resource was done away with.

Aloha,  
Jonathan Levy

har3-Alana

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**From:** Laura Thompson [REDACTED]  
**Sent:** Sunday, March 15, 2009 5:09 PM  
**To:** WLOtestimony  
**Subject:** SB 1318SD1

## LATE TESTIMONY

Dear Chair Hee and Members:

Please oppose the passage of Senate Bill 1318, SD1.

For those of us who care about Hawaii's Marine Resources having a bill like this gain attention in the legislature is very discouraging. It is the POLICY of our state to protect our natural resources, and nothing is less protected nor more threatened than our coastal resources.

To move to repeal Chapter 205A, CZMA, the very framework of our coastal management protection, along with the Office of State Planning, is irresponsible and frightening.

In addition, the loss of the federal funding that supports 205A is contrary to sound fiscal policy.

Nowhere in the committee reports do I read of the justification for this rearrangement of government. What is it?

Keep in mind our motto: "... Pono -- ... preserve... righteousness."

Aloha,

Laura Thompson  
[REDACTED]  
[REDACTED]  
[REDACTED]

For those of us who care about the Hawaii's Marine Resources, seeing a bill like this gain attention in the legislature is very discouraging. It is the policy of this state to protect our natural resources, and nothing is less protected and more threatened than our coastal resources. To move to repeal Chapter 205A, CZMA, the very framework of our coastal management protection, along with the Office of State Planning, is beyond irresponsible and frivolous. In addition, the loss of the federal funding that supports 205A is contrary to sound fiscal policy. I would appreciate an explanation from the Introducer, Senator Hanabusa, and supporting WTL Senators, Hee, Bunda, Fukunaga, Kokubun and WAM Senators Kim, Tsutsui, Chun Oakland, English, Fukunaga, Galuteria, Hee, Kidani, Hemmings, on what the justification for this draconian rearrangement of government could possibly be. It certainly is not discussed in the committee reports. Are you doing the people's business? If not, whose business are you doing?

har3-Alana

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**From:** rawcohi@cs.com  
**Sent:** Sunday, March 15, 2009 5:04 PM  
**To:** WLOtestimony  
**Subject:** SD 1316, SD 1 on Monday, 3/16 in room 325 by WLO

**LATE TESTIMONY**

**TESTIMONY IN VIGOROUS OPPOSITION TO SB 1318, SD 1**

HOUSE COMMITTEE ON WATER, LAND AND OCEAN RESOURCES

Monday, 3/16 at 0900 in room 325

Chairs and members of the committee,

I cannot come to grips with any good reason to give away the rights to planning and protection for our coastal zones that it has taken so very many years of careful support and diligent pursuit to put into place. I work in the waterfront tourism industry of our state and I *know what a value our well managed coastal zones are to Hawaii's economy. Please do not allow this to be changed.* Please shred this poorly thought out bill.

Reg White

[REDACTED]

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Email message sent from CompuServe - visit us today at <http://www.cs.com>

har3-Alana

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From: mailinglist@capitol.hawaii.gov  
Sent: Sunday, March 15, 2009 4:19 PM  
To: WLOtestimony  
Cc: [REDACTED]  
Subject: Testimony for SB1318 on 3/16/2009 9:00:00 AM

**LATE TESTIMONY**

Testimony for WLO 3/16/2009 9:00:00 AM SB1318

Conference room: 325  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Jeremy Lam, M.D.  
Organization: Individual  
Address: [REDACTED]  
Phone: [REDACTED]  
E-mail: [REDACTED]  
Submitted on: 3/15/2009

Comments:

COMMITTEE ON WATER, LAND AND OCEAN RESOURCES Representative Ken Ito, Chair Representative Sharon Har, Vice Chair Monday, March 16, 2009 9:00 AM Hearing, Conference Room 325 TESTIMONY IN OPPOSITION TO SENATE BILL 1318, SD1 Relating to Planning and Economic Development Aloha Chair Ito, Vice Chair Har and Committee Members:

I urge you to oppose this poor change to our laws. 205A is the backbone to our coastal zone management, which complies with the Federal Coastal Zone Management Program. Chapter 205A, HRS, is the umbrella statute for managing the coastal zone. Repeal of Chapter 205A would mean repeal of the framework for Coastal Zone Management Programs including the state statutory basis for Special Management Area permits and Shoreline Setback Variances. We have worked hard in our organizations to stop the blatant profit motive planning of Kakaako makai. Passing this bill we endanger all we have worked for. Please vote to defer this legislation.

Jeremy Lam, MD, Helen Lam, Jesse Lam, Joshua Lam, Misha Lam, Erica Lam

[REDACTED]

I totally agree the following testimony of Ms. Michelle Matson!!!!

"This written testimony expresses opposition to Senate Bill 1318, SD1, which proposes to repeal Hawaii's coastal zone management statute, Chapter 205A, HRS; eliminate the statewide coordination of geographic information systems (GIS); and dissolve the State Office of Planning. This measure does not serve well Hawaii's valuable finite resources or the greater public interest.

The Hawaii State Coastal Zone Management statute complies with the federal Coastal Zone Management Program to protect and preserve Hawaii's irreplaceable island perimeters and the public's shoreline access to the surrounding sea. This statute additionally guides and strengthens municipal ordinances intended to do the same with Special Management Area guidelines and essential shoreline setbacks that protect our rapidly eroding shorelines predicted to further succumb to a sea level rising from global warming.

The catastrophic loss and significant absence of Chapter 205A if repealed would ultimately adversely impact the following resources and island quality of life as we know it today:  
Ø Recreational resources

- Ø Historic and cultural resources
- Ø Scenic and open space resources
- Ø Coastal ecosystems
- Ø Marine resources

Beach protection would be impaired and managed development with vital public participation and input would be threatened. Ultimately, federal funding for coastal programs would be withdrawn, and this could lead to the loss of Hawaii's most significant and irreplaceable coastal and ocean resources.

The statewide coordination of geographic information systems (GIS) is vital in assisting present planning and research efforts, preservation of finite resources, and education. This is also a valuable public resource in terms of instant access to needed information at both state and local levels. The State legislature should make every effort to continue the coordination of GIS systems with updated state-of-the-art technology and applications.

The State Office of Planning is vital to upholding the intents and purposes of state planning in the greater public interest. Should this agency disappear into the chasm of the Department of Business, Economic Development and Tourism, the future planning and protection of Hawaii's lands may well fall into the shambles already made of the planning process under the Hawaii Community Development Authority, a subsidiary of the Department of Business, Economic Development and Tourism. Do we really want our beautiful islands to become blanketed from shoreline to shoreline with the wall-to-wall, high-density sky-rise development such as that recently rubber-stamped by the Hawaii Community Development Authority?

If the State Legislature truly intends to improve on the planning safeguards and processes presently in place, all state land use planning practices and policies should be protected within an independent agency formed for this purpose. The Senate was on the right track with the introduction of Senate Bill 1314, intended to create a resources protection and planning umbrella agency independent of Department of Business, Economic Development and Tourism. This agency would have encompassed the functions of the Office of Planning, Hawaii Community Development Authority and the Aloha Tower Development Corporation, thus streamlining and performing similar functions within one entity - which is also an objective of Senate Bill 1318, SD1.

The Department of Business, Economic Development and Tourism should stick to business, and leave coastal zone protection and land use planning to others with the expertise and capabilities of acting in the greater public interest. It is indeed surprising that that this progressive idea was not carried forth in lieu of the serious losses proposed by Senate Bill 1318.

Please hold Senate Bill 1318, SD1 "Mahalo nui loa, Michelle S. Matson

# LATE TESTIMONY

## COMMITTEE ON WATER, LAND AND OCEAN RESOURCES

Representative Ken Ito, Chair  
Representative Sharon Har, Vice Chair

**Monday, March 16, 2009**  
**9:00 AM Hearing, Conference Room 325**

### **TESTIMONY IN OPPOSITION TO SENATE BILL 1318, SD1** **Relating to Planning and Economic Development**

Aloha Chair Ito, Vice Chair Har and Committee Members:

This written testimony expresses opposition to Senate Bill 1318, SD1, which proposes to repeal Hawaii's coastal zone management statute, Chapter 205A, HRS; eliminate the statewide coordination of geographic information systems (GIS); and dissolve the State Office of Planning. This measure does not serve well Hawaii's valuable finite resources or the greater public interest.

**The Hawaii State Coastal Zone Management statute** complies with the federal Coastal Zone Management Program to protect and preserve Hawaii's irreplaceable island perimeters and the public's shoreline access to the surrounding sea. This statute additionally guides and strengthens municipal ordinances intended to do the same with Special Management Area guidelines and essential shoreline setbacks that protect our rapidly eroding shorelines predicted to further succumb to a sea level rising from global warming.

The catastrophic loss and significant absence of Chapter 205A if repealed would ultimately adversely impact the following resources and island quality of life as we know it today:

- Recreational resources
- Historic and cultural resources
- Scenic and open space resources
- Coastal ecosystems
- Marine resources

Beach protection would be impaired and managed development with vital public participation and input would be threatened. Ultimately, federal funding for coastal programs would be withdrawn, and this could lead to the loss of Hawaii's most significant and irreplaceable coastal and ocean resources.

**The statewide coordination of geographic information systems (GIS)** is vital in assisting present planning and research efforts, preservation of finite resources, and education. This is also a valuable public resource in terms of instant access to needed information at both state and local levels. The State legislature should make every effort to continue the coordination of GIS systems with updated state-of-the-art technology and applications.

**The State Office of Planning** is vital to upholding the intents and purposes of state planning in the greater public interest. Should this agency disappear into the chasm of the Department of Business, Economic Development and Tourism, the future planning and protection of Hawaii's

lands may well fall into the shambles already made of the planning process under the Hawaii Community Development Authority, a subsidiary of the Department of Business, Economic Development and Tourism. Do we really want our beautiful islands to become blanketed from shoreline to shoreline with the wall-to-wall, high-density sky-rise development such as that recently rubber-stamped by the Hawaii Community Development Authority?

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**The Department of Business, Economic Development and Tourism** should stick to business, and leave coastal zone protection and land use planning to others with the expertise and capabilities of acting in the greater public interest. It is indeed surprising that that this progressive idea was not carried forth in lieu of the serious losses proposed by Senate Bill 1318.

**Please hold Senate Bill 1318, SD1 !**

Mahalo nui loa,

Michelle S. Matson

har3-Alana

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From: REPWARD@cs.com  
Sent: Sunday, March 15, 2009 1:04 PM  
To: WLOtestimony  
Subject: Rep. Gene Ward Testimony Against SB1813 SD1

1218

**LATE TESTIMONY**

**March 15, 2009**

**COMMITTEE ON WATER, LAND, & OCEAN RESOURCES**  
**Rep. Ken Ito, Chair**  
**Rep. Sharon E. Har, Vice Chair**

**RE: STRONG OPPOSITION TO SB1318 SD1**

***Aloha, and thank you for the opportunity to testify.***

***There is a saying, "If you fail to plan - you plan to fail" and that is what this bill is setting up for the state of Hawaii by its repeal of existing statutes relating to planning and good management of our natural resources.***

***I therefore strongly oppose this bill because it repeals the chapters relating to coastal zone management and state planning, and transfers the authority and functions of the Office of Planning to the Department of Business, Economic Development, and Tourism.***

***There appears no logical reason to move the Office of Planning to DBEDT since it would do nothing to improve the planning process, which is already weakened by its being understaffed. Placing it in DBEDT would be a distraction to the seriousness of the planning process and even DBEDT opposes this measure.***

***DLNR is in charge of almost 2 million acres and has a tremendous planning role to play in the wise use, allocation, maintenance of these resources.***

***To pass this bill would do more harm than whatever good is foreseen by its authors. Please do not pass this bill out of committee.***

***Thank you for this opportunity to testify.***

***Representative Gene Ward***  
***District 17 - Hawaii Kai - Kalama Valley***

har3-Alana

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, March 15, 2009 4:10 PM  
**To:** WLOtestimony  
**Cc:** [REDACTED]  
**Subject:** Testimony for SB1318 on 3/16/2009 9:00:00 AM

Testimony for WLO 3/16/2009 9:00:00 AM SB1318

**LATE TESTIMONY**

Conference room: 325  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Michelle Matson  
Organization: Individual  
Address:  
Phone:  
E-mail: [REDACTED]  
Submitted on: 3/15/2009

Comments:

Faxed to: 586-8504

## LATE TESTIMONY

March 14, 2009

Testimony on **SB1318 SD1 - Hearing of March 16, 2009**  
**from:** Ursula Retherford, 42 N.Kainalu Dr. Kailua, HI 96734  
testifying as a concerned citizen

**to:**  
COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Dear Chairman Ito and Members of the Committee,

It is with astonishment and concern that I learned of SB1318 SD1. **I am asking you to please oppose this bill.**

To do away with the State Office of Planning by repealing HRS 225M and HRS 205A, the State Coastal Management statues, under the guise of "belt-tightening" is shortsighted and damaging to the future of our islands. It ignores the fact that we live on isolated, small and fragile pieces of land surrounded by water. It is oblivious to the fact that our economic and cultural survival depend on very careful planning and protection of our land and coastal resources.

By trying to eliminate the planning tools and protective powers vested in HRS225M and the CZM statutes at a time when due to climate changes the management of coastal resources become more and more critical is indeed irresponsible. This attempt also deals a discouraging blow to all citizens who have worked tirelessly for the protection of our land and coastal resources, and who in their efforts have relied heavily on the State Office of Planning and the implementation of the State Coastal Zone management laws.

To let the management of our precious and fragile resources loose to the "laissez-faire" doctrine is objectionable, imprudent and represents a false economy.

I beg you to oppose SB1318 SD1.

Thank you very much.

Ursula Retherford

261-4537

# LATE TESTIMONY

COMMITTEE ON WATER, LAND, AGRICULTURE AND HAWAIIAN AFFAIRS

Rep. Ken Ito, Chair

Rep. Sharon E. Har, Vice Chair

SB 1318, SD1

RELATING TO PLANNING AND ECONOMIC DEVELOPMENT.

Committee Chair and members:

I oppose SB 1318 SD 1 that repeals the chapters relating to coastal zone management and state planning, and that transfers the authority and functions of the office of planning to DBEDT.

No purpose for the transfer is given and DBEDT has also opposed this measure. In my opinion, the state Office of Planning and the Coastal Zone Management program must maintain autonomous form the pressures of the State's economic development arm so to best serve the people of Hawaii and its environment.

Mahalo,  
Linda Thiele



# LATE TESTIMONY

Susan Elliott Miller

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1030 Aoloa Place, Apt. 102B  
Kailua, Hawaii 96734-5262

Testimony before the  
House Committee on Water, Land, and Ocean Resources  
Regarding  
S.B. 1318, S.D. 1  
Relating to Planning and Economic Development

Chairman Ito, Vice Chairwoman Har, and other Members of the Committee:

My name is Susan Miller; I am retired from State service, where I was a member of the Coastal Zone Management Program staff in the Office of Planning from 1999 through 2007.

I strongly urge you to hold this Bill in Committee for the following reasons.

1. It would set an extremely bad precedent to support a bill that deletes entire sections of statute and programs that provide balance and public input opportunities to state and county decisions regarding land and water (fresh and marine) use simply because the drafter of the bill has a "beef" with the director of the office that houses those programs.
2. Although the SSCR accompanying the bill infers that the action called for is "belt-tightening," in fact approximately one-half of the \$2 million in federal funds which would be lost if the CZM Program is abolished, goes to the counties to satisfy the statutory requirement that if the state requires the counties to do certain actions, the state must pay the cost of those actions. Thus, an approximate \$1million liability would be added to the state budget if this bill is passed.

Sincerely,



Susan Elliott Miller

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HOLOKAHI NO KA IAINA A ME NA KANAKA

**KAHEA**

**THE HAWAIIAN-ENVIRONMENTAL ALLIANCE**

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# LATE TESTIMONY

**S.B. 1318 Office of Planning  
Room 325, 9 am  
March 16, 2009**

Aloha Chairman Ito and members of the House Committee on Water, Land, and Ocean,

**KAHEA strongly opposes S.B. 1318 to eliminate the Office of Planning.** While we understand the severe budget crisis currently facing the State of Hawai'i, **abolishing this small, but extremely important program would have devastating affects on Hawai'i's natural and cultural resources.**

KAHEA is a network of over 6,000 concerned citizens, including kūpuna, cultural practitioners, and ocean users, working to protect Hawai'i's unique natural and cultural resources. Perpetuation of Hawai'i's unique culture is rooted in the public's ability to safely access our valuable natural resources mauka-to-makai.

To fulfill our mission, we work closely with the staff of the Office of Planning through its federally funded Coastal Zone Management Program. The CZMP fulfills a federal mandate to protect our coastal regions by coordinating resource management decisions for all our of natural and cultural resources across the various jurisdictions of other state and county agencies.

Your Committee has heard quite a bit over the years about the immense problems with management of delicate shoreline and ocean resources. Of all our state and county agencies, it was the Office of Planning that took on the challenge of coordinating and completing the historic Ocean Resources Management Plan after working directly with affected resources user-groups and officials from the county, state, and federal governments. Closing the Office of Planning now would mean the loss of all of this work.

It was also the Office of Planning that protected our marine mammals when the Navy proposed active sonar activities in Hawaiian waters; that developed the Leeward Coast Initiative to help address homelessness; and drafted several tsunami and earthquake hazard assessments crucial to minimizing the harm of these disasters.

It is the Office of Planning that oversees the highly successful Special Management Area permit system; enforces the Shoreline Setback Variances program; and provides the authority for counties to make management decisions affecting our coastal regions.

Elimination of Hawai'i Revised Statutes Chapter 205A means the loss of all of these services and the matching federal funds that support them. The financial benefit to the state from the elimination of this Office pales in comparison to the loss we will all suffer from reduced funding for and effectiveness of our state resource protections. Please do not pass S.B. 1318 SD 1.

Mahalo,



Marti Townsend  
Program Director