

To: Maui County Policy and Intergovernmental Affairs Committee

From: Albert Perez, Executive Director
Maui Tomorrow Foundation

Re: HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) (2017 HSAC
LEGISLATIVE PACKAGE)
(PIA-3(2)); and

MAUI COUNTY LEGISLATIVE PACKAGE (2017 MAUI COUNTY LEGISLATIVE
PACKAGE)
(PIA-4(2))

Aloha Chair Victorino and Committee Members:

The Maui Tomorrow Foundation SUPPORTS inclusion of the following in the
2017 Hawaii State Association of Counties Legislative Package:

1. The proposed State bill allocating \$250,000 to the counties for fiscal years 2016-2017 and 2017-2018, provided each county appropriates matching funds for the same purpose, to assist in identifying and mapping duties under Act 183 (2005).

We have seen on Oahu the loss of some of the state's prime agricultural lands for the Ho'opili and Koa Ridge developments. The proposed funding will help the County of Maui to identify and map Important Agricultural Lands and avoid a similar error.

2. APPROVING FOR INCLUSION IN THE 2017 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A BILL TO INCREASE REVENUE FOR EACH COUNTY'S AFFORDABLE HOUSING FUND THROUGH A ONE PERCENT CONVEYANCE TAX

On the other hand, the Maui Tomorrow Foundation OPPOSES inclusion of the first part, and supports inclusion of the second part, of the following in the 2017 Hawaii State Association of Counties Legislative Package:

APPROVING FOR INCLUSION IN THE 2017 HAWAII STATE ASSOCIATION
OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO:

[1] ALLOW COUNTIES TO PETITION THE STATE LAND USE COMMISSION
FOR REGIONAL DISTRICT BOUNDARY AMENDMENTS AFTER ADOPTION
OF GENERAL PLAN UPDATES.

The LUC does not have sufficient resources to conduct the degree of inquiry
necessary to timely and adequately fulfill its constitutional and statutory duties

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with respect to such general plan driven boundary amendment petitions. The interests of the State of Hawaii would be given short shrift in the rush to evaluate a potentially huge number of land use changes. In addition, there are elements of the General Plans of the counties that consist of policy statements that are not map based. It would be inappropriate for the LUC to be put in the position of debating County policy statements in its deliberations.

**[2] TO GRANT TO THE STATE LAND USE COMMISSION ADDITIONAL
ENFORCEMENT AUTHORITY OVER ITS DECISIONS AND ORDERS**

This portion of the proposed amendment would provide the LUC with greater flexibility, beyond reversion, to enforce conditions of district boundary amendment. Reversion may not always be the most appropriate mechanism for addressing violations, and prevents the LUC and the parties from developing a more practical solution.