



Hawaii's Thousand Friends

ANNUAL REPORT 2021



***Protecting Hawaii's natural
& cultural resources through reasonable
and responsible land use planning and management
in conformity with the law since 1981***

<http://www.hawaiis1000friends.org>

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President's Report

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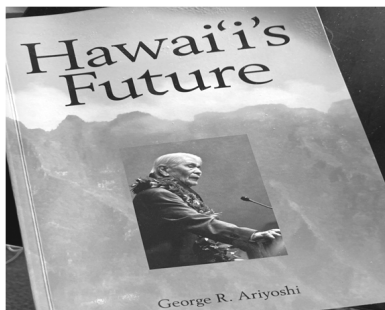


The past few years have been disappointing times given the cancellation of so many Environmental Protection Agency programs, as well as having to cancel our annual dinners because of COVID-19.

It was always enjoyable to see so many come together with the common interest of protecting the future of our community and our environment from damaging development. But the cloud of gloom and doom that has blown by, and many cancelled Federal environmental programs and rules have already been reinstated. We have rejoined the Paris Agreement and maintain respect from our important allies.

So the future looks bright, there is light in the tunnel. We can envision better protection for our clean air, clean water, and the quality of life even for our flora and fauna friends. We have some hard work ahead, but I am confident that working together we will quickly make a difference.

HTF stands committed to promote Hawaii's environmental and land use protection programs, and to support National efforts as well. I am looking forward to your continued support and help to accomplish our important mission.



"...to have a just society, we must have a healthy environment; to have fairness for all, we must have decisive public stewardship of life-sustaining resources. These two are inseparable, because the natural world is subject to limits and all of us depend on it. In our advocacy, we must not only uphold civil liberties and civil rights, for example, but we must protect and manage the land on which we live, the water we drink, the air we breathe and the ocean that surrounds us. A fair and just society is inextricably connected to the democratic use, distribution and maintenance of our resources...."

— George R. Ariyoshi
former governor of Hawaii
from *Hawaii's Future*
(Watermark Press)

Brainstorming the Future

HTF is in a brainstorming mode: Faced with overwhelming demand for environmental advocacy, action, and litigation, how do we proceed? How do we work effectively?

Just before the pandemic descended, HTF held an all-day small-group discussion on this question at Ho'omaluhia Park overlooking Windward O'ahu.

We concluded: #1. Given population and tourism pressures, global warming, the rising sea, and economic dependence on land development, the existing environmental framework is being overrun.

#2. Litigation to enforce good laws is an important tool but can't litigate our way out of this box.

#3. The environmental cause needs strong mass support. The way to build it is to encourage tens of thousands of people to become engaged in grass-roots work to renew and protect the environment.

This is happening more or less spontaneously, but understanding the pattern is crucial. Where traditionally a small number of people can volunteer to work in the mountain forests, tens of thousands are showing up for cleaning the ocean and the beaches, managing the near-shore fisheries, restoring fish ponds, restoring springs and streams, and reopening lo'i or other agricultural lands. This process often starts in the near-shore and travels upland, as pioneering projects such as the Heeia restoration on the north end of Kaneohe Bay has demonstrated.

What can we do? We worked with others for a Green Job Corps, passed and funded by 2020 legislature (see accompanying story).

There is a much broader challenge. How do we connect grass-roots dedication and enthusiasm to a demand for sound land-use planning, such as is embedded in the Land Use Law and the Hawai'i State Planning Act (HRS 226)

Participants included Donna Wong, HTF executive director; Denise Antolini, University of Hawai'i law professor; William Tam, Esq., former deputy director of the Department of Land and Natural Resources; Tom Coffman, HTF board member; Jonathan Kamakawiwo'ole Osorio, a director of KAHEA (the Hawaiian-Environmental Alliance) and also director of UH Hawaiian Studies; and Kevin Chang, co-director of Kua'aina 'Au'amo, which supports fishponds, limu production, and community-based near-shore fisheries.

The importance of long-range land use planning

In order to understand the importance of community land use planning, it may help to first revisit some of the basics, and review the current status of some examples of the process and plan provisions.

Most basic was the location of land uses so that they are compatible with their surroundings. The emphasis was to assure that the buildings and the activities allowed in residential and apartment areas were compatible with safe, quiet and peaceful residential living. Also basic was the intent to provide for meaningful participation of community residents in determining the long-range future of their community.

For more than 50 years, Hawaii has been known as a leader in land use planning programs and regulations, and has received awards ostensibly as a result of its State Land Use Districting system. A key factor in its success was granting jurisdiction to the counties for certain lands designated as "Urban", and adopting enabling legislation permitting the counties to guide development in those areas. That is a somewhat simplified summary of the process, but the counties followed through with the more detailed planning, and zoning needed for those "Urban" designated areas.

In the case of the City and County of Honolulu, a "General Plan" (GP) was adopted for the entire island of Oahu. The City also prepared a set of more detailed Development Plans or Sustainable Community Plans (DP's) for eight distinct areas of the island. There was significant public participation in the process with an expectation that the plans would be closely followed. However, over time, the strength of these plans has been eroded. Required updates and time schedules for the GP and DP's have not been met. Though the DP's are adopted by city ordinance, the guidance they provide is very often dismissed as "only" a guide. How can the basic premise of citizens determining the future character of their community be implemented if their adopted guide is allowed to become out dated or summarily replaced with contrary development approvals?

In addition to giving greater attention to the provisions of the plans, implementation is a crucial step in the planning process. The primary method to implement a long-range community plan is through a zoning ordinance (known in Honolulu as the Land Use Ordinance, LUO). By established law, the LUO must be consistent with the community's long-range plans. Therefore, the Honolulu City Charter specifies that the LUO be used to provide specifics to implement the DP's. Unfortunately, with the exception of some height limits, most LUO provisions apply to all DP's even though the character of the DP's differ significantly. For example, parking, noise, building set backs and sign regulations are

the same for all the DP areas even though one may be a "Primary Urban Center" and another "Rural." Should the character of the development really be the same?

Another example of the guide being diminished is the way the GP and DP goals and objectives to preserve agricultural lands are implemented, especially in light of the need to preserve these lands as highlighted by recent discussions of "sustainable agriculture." The LUO has an agricultural zoning district (AG-2), which purports to regulate development in the "Urban District" designated for agricultural use in the DP's. But in fact, the minimum lot size for a house in the agricultural zone is two acres, allowing the agricultural land to be subdivided for two-acre residential house lots. As a result, no meaningful protection is provided for the long-term preservation of agricultural lands. Even the recent program mandated by the State for the counties to identify "Important Agricultural Lands" (IAL) will be a wasted exercise if the minimum lot size remains at two acres.

As Honolulu embarks on a journey with an entirely new City and County administration, it may be a good time for it to set an example to ensure that the important development guidance provided in the long-range plans be given the attention it deserves.

For information on the Oahu General Plan go to <http://www.hawaii1000friends.org>

A Green Job Corps is Developing

When the pandemic struck and thousands of young people were made jobless, HTF became an early proponent of a State of Hawai'i Green Job Corps, which is now off to a solid start (thus far little-publicized but nonetheless important).

Eventually an estimated 110 individuals and organizations testified for the concept. As it emerged from the 2021 Legislature and was signed into law as Act 181, it provides a framework for public-sector work in the following areas:

- Conservation
- Natural resource management
- Renewable energy
- Sustainable agriculture
- Other sustainability careers and professions

(cont'd. on pg. 7)

201H County and State affordable housing laws undermine Oahu's planning and zoning processes

Oahu's long established land use planning processes recognize that we live on an island with limited land that is shared by businesses, residents, and tourists.

To provide orderly development on our island the Honolulu City Charter mandated a General Plan and eight Development and Sustainable Communities' Plans to guide our islands growth by recognizing and anticipating the major problems and opportunities concerning the social, economic, and environmental needs and future development of the city and set forth a desired direction and patterns of future growth and development and include statements of standards and principles with respect to land use.

The Hawaii Finance and Development Corporation (HFDC) HRS 201H was created by the legislature to fast-track affordable housing projects to encourage developers to build more affordable housing projects.

HRS 201H-38 does not require public notification and exempts affordable housing projects from general excise taxes and all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units.

Oahu adopted the 201H process in 2017 (Administrative Rules Chapter 25). This process allows the Department of Planning and Permitting (DPP) to develop or assist in the development of housing projects which are exempt from public notification, development and sustainable community plans, all statutes, ordinances, Honolulu City Charter provisions and rules of any governmental agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land and the construction of units provided that: 1) the project primarily or exclusively includes affordable housing units, 2) the project meets minimum requirements of health and safety, and 3) project does not contravene any safety standards, tariffs or rates and fees approved by the public utilities commission for public utilities or Board of Water Supply.

In addition, the Land Use Ordinance (LUO) grants significant flexibility in development standards such as minimum building height and density, required yards, transitional height setbacks, street height setbacks, lot coverage, off-street parking and loading requirements, bicycle parking requirements and landscaping requirements.

Also, 201H projects are exempt from fees including fees required to secure building permits, plan reviews, private storm drainage connection permits, grading and grubbing permits, wastewater system facilities, Board of Water Supply water system facilities charges, and Disability and Communication Access Board approvals.

Projects eligible to receive exemptions from development standards and fees must provide that 51% of all units (sales or rental) meet the standards for affordable to low and moderate-income households as defined as households with incomes at or below 120% of the area's median income.

After receiving a 201H project application the City Council has 45 days to approve, approve with modifications or disapprove the project. If the Council does not act within that time period the project is automatically approved.

Honolulu City Council believes that when considering a 201H project proposal it is important to carefully evaluate and balance the affordable housing provided by the 201H project against the financial costs to the counties and the impact on the surrounding community resulting from nonconformity with development standards and permitted uses.

We understand the dire need for affordable housing for Oahu residents, but such projects should not come at the expense of public involvement and Honolulu's comprehensive land use planning and zoning processes.

Once the genie is out of the bottle it can't be put back in.

"If we continue on our present path (in a given area) without conscious intervention, where will we be in five years? Ten? Twenty? What is our preferred future?"

– George R. Ariyoshi, from Hawai'i's Future

Remembering Henry Richmond and His Land Use Legacy

By Donna Wong and JoAnn Yukimura

To our great sorrow, we learned recently that attorney and growth management advocate Henry Richmond died suddenly on June 21, 2021. Henry was co-founder of the land-use advocacy group, 1000 Friends of Oregon; he also supported the 1000 Friends concept nationally.

Under Henry's leadership, Oregon protected some of the best farm and forest lands in the world, preserved iconic natural areas such as the Oregon coast, and promoted towns and cities with urban growth boundaries to create walkable, more affordable, and climate-friendly locations.

The national nonprofit Partners for Livable Communities awarded Henry a lifetime achievement award noting that the founding of 1000 Friends in 1974 with then Oregon Governor Tom McCall "was key to shifting the dialogue and ensuring the protection of the state's natural beauty, productivity, and overall livability."

Henry was very clear about the purpose of 1000 Friends of Oregon. It was not going to be another "environmental" group but instead the organization would focus on managing growth. Following the passage of Oregon's Senate Bill 100, which Henry helped draft, 1000 Friends of Oregon would ensure it met its purpose protecting and preserving Oregon's important agricultural lands from accelerating and relentless urban sprawl.

In 1980, Kauai Councilwoman JoAnn Yukimura and Oahu Councilwoman Marilyn Bornhorst attended a planning conference for local government officials at Golden Gate University in San Francisco. There, Henry Richmond, as the executive director of 1000 Friends of Oregon, spoke about the efforts of 1000 Friends of Oregon.

Inspired, both Councilmembers Yukimura and Bornhorst returned home from that conference thinking, "We can do that!" So in 1981, with the help of enthusiastic colleagues and friends, 1000 Friends of Kauai and Hawaii's Thousand Friends were born.

In 1990, Henry Richmond, as Executive Director of 1000 Friends of Oregon, came to Hawaii and spent time with 1000 Friends of Kauai and was the keynote speaker at Hawaii 1000 Friends' first Annual Meeting.

After 20 years, Henry left his position as Executive Director of 1000 Friends of Oregon and founded the National Growth Management Leadership Project, a



Hawaii's Thousand Friends 1990 Annual Dinner, Executive Director Donna Wong with Henry Richmond Executive Director of 1000 Friends of Oregon

nonprofit coalition of states looking at growth issues. At a meeting in Ohio Henry told the audience "How development happens matters to communities."

Henry Richmond's decades of leadership in land use planning left us a living legacy. It is our job now to carry that forward.

Job Corps *(cont'd. from p. 3)*

This is moving forward in significant part because of the long-standing efforts of KUPU Hawai'i, a nonprofit dedicated to employing and training young people. In late 2020, KUPU on short notice put together an emergency demonstration project utilizing otherwise unused Federal CARES Act money. It put 340 young people into the field for the last three months of the past year. They were distributed across the islands to 150 host projects that structured work and provided education and training. The project then lapsed for lack of funding but nonetheless had served to provide a demonstration of the doable.

HTF worked with KUPU and others to keep the idea alive in the 2021 Legislature, which broadened an earlier Hawaii Youth Conservation law to create a Green Job Corps. The law provides for a year of employment, with training, to men and women up to age forty.



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As we fight through this pandemic, with our public life often reduced only to zooms, threats to the environment and good land use planning not only keep coming but multiply. This requires us to double down.

Please consider supporting HTF by becoming a member, or renewing your membership, or making a donation.

Your support will help us continue to analyze issues, give testimony, and advocate for appropriate, well-planned growth while protecting the environment, human health, and cultural and natural resources in conformity with the law.



- New Member \$40
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