



Pending Declaratory Ruling DR15-54 Pu'unoa HOA

Jenny Clark

to:

luc@dbedt.hawaii.gov

02/11/2016 10:06 AM

Hide Details

From: Jenny Clark <jenny@worldwidefreight.com>

To: "luc@dbedt.hawaii.gov" <luc@dbedt.hawaii.gov>

1 Attachment



Scanned1.pdf

Please accept this testimony letter for your upcoming hearing on February 24th. Please direct any mail correspondence to:

Patrick Laband
843 Wainee Street PMB 611
Lahaina, HI 96761

Any correspondence via email can be sent to Jenny@worldwidefreight.com and will be forwarded to Patrick Laband.

Respectfully,

Jenny Clark
Assistant to Patrick Laband

February 11, 2016

State Land Use Commission
P.O. Box 2359
Honolulu, Hawai'i 96804
E-mail: luc@dbedt.hawaii.gov

Re: Pending Declaratory Ruling DR15-54 Pu'unoa HOA
(Agricultural lands slated for homeless campground development)

Dear Members of the Commission:

As a neighbor of the West Maui community and resident of Pu'unoa, I respectfully submit this request to the LUC to issue a Declaratory Ruling that the LUC has the authority to issue an opinion recommending denial of Ho'omoana's project.

I believe there is a hidden intention or slippery slope to erode existing boundary district/zoning. Spot zoning will lead to a degradation of the surrounding land uses and will encourage further abuses of spot urbanization within larger agricultural parcels. Also, this is a 22+ acre parcel. No other state or political subdivision would consider a de facto zoning change for a *part of* a parcel.

I feel that commercial camping at this location is a sham. I respectfully encourage the committee to visit this site. I believe that homelessness is being used as an emotional tool to achieve an erosion of the zoning.

Homelessness is a serious matter, and as important as it is, I hope that the long-term and thoughtful constitutional significance of agricultural land is not forgotten or diminished. The agricultural lands are specifically mentioned in article XI of the State's Constitution: "The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands." The Constitution also says at article XI that "For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land ... and shall promote the development and utilization of these resources in a manner consistent and in furtherance of the self-sufficiency of the State." In tying together the underlying significance of the environment, Article XI also provides that "Each person has the right to a clean and healthful environment, as defined by laws relating to environmental quality, including control of pollution and conservation, protection and enhancement of natural resources."

This is a mandate by the people. Agricultural lands provide for a diverse workforce, self-sustainability and aesthetics. The goals of protecting good

agricultural land should not be misspent for the convenience of a developer or a thoughtless reaction to an emotional topic. Promoting agricultural lands does not mean trying to minimize the harm or impact, it means to advance or increase the protections for this limited and valuable resource.

In closing, I support Pu'unoa's efforts before the State Land Use Commission asking the LUC to determine that Ho'omoana's desired transformation of good agricultural land is subject to the formal District Boundary Amendment process put in place for the protection, preservation and promotion of such important island lands.

Respectfully,

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

Patrick Laband

February 11, 2016

RECEIVED
FEB 11 2016

State Land Use Commission
P.O. Box 2359
Honolulu, Hawai'i 96804
E-mail: luc@dbedt.hawaii.gov

STATE OF HAWAII
LAND USE COMMISSION

Re: Pending Declaratory Ruling DR15-54 Pu'unoa HOA
(Agricultural lands slated for homeless campground development)

Dear Members of the Commission:

As a neighbor of the West Maui community and resident of Pu'unoa, I respectfully submit this request to the LUC to issue a Declaratory Ruling that the LUC has the authority to issue an opinion recommending denial of Ho'omoana's project.

I believe there is a hidden intention or slippery slope to erode existing boundary district/zoning. Spot zoning will lead to a degradation of the surrounding land uses and will encourage further abuses of spot urbanization within larger agricultural parcels. Also, this is a 22+ acre parcel. No other state or political subdivision would consider a de facto zoning change for a *part of* a parcel.

I feel that commercial camping at this location is a sham. I respectfully encourage the committee to visit this site. I believe that homelessness is being used as an emotional tool to achieve an erosion of the zoning.

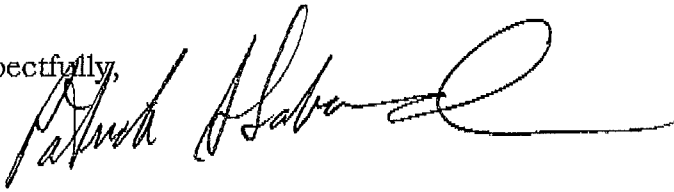
Homelessness is a serious matter, and as important as it is, I hope that the long-term and thoughtful constitutional significance of agricultural land is not forgotten or diminished. The agricultural lands are specifically mentioned in article XI of the State's Constitution: "The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands." The Constitution also says at article XI that "For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land ... and shall promote the development and utilization of these resources in a manner consistent and in furtherance of the self-sufficiency of the State." In tying together the underlying significance of the environment, Article XI also provides that "Each person has the right to a clean and healthful environment, as defined by laws relating to environmental quality, including control of pollution and conservation, protection and enhancement of natural resources."

This is a mandate by the people. Agricultural lands provide for a diverse workforce, self-sustainability and aesthetics. The goals of protecting good

agricultural land should not be misspent for the convenience of a developer or a thoughtless reaction to an emotional topic. Promoting agricultural lands does not mean trying to minimize the harm or impact, it means to advance or increase the protections for this limited and valuable resource.

In closing, I support Pu'unoa's efforts before the State Land Use Commission asking the LUC to determine that Ho'omoana's desired transformation of good agricultural land is subject to the formal District Boundary Amendment process put in place for the protection, preservation and promotion of such important island lands.

Respectfully,

A handwritten signature in black ink, appearing to read "Patrick Laband", with a large, stylized flourish extending to the right.

Patrick Laband