

ECO-ROUNDTABLE 2008 CANDIDATES FORUM QUESTIONNAIRE

RESPONSE FROM TIM BYNUM

Written Response Questions:

1. What is one of your top priority county issues, and *what will you do* to address this issue? Please be specific.

Good planning for the future and implementation of those plans! Traffic, inadequate infrastructure, lack of housing, loss of rural character & open space are the results of poor planning, no planning or plans not implemented. I first ran for Council because of frustration regarding the slow implementation of the 2000 General Plan update. The GP has a vision to preserve the uniqueness of our island that I feel most residents agree with. Yet as we approach 2009 only a few of the actions required to realize our vision have happened. For example the GP calls for specific measures to regulate agricultural subdivisions to control proliferation of "Gentlemen Estates" on ag land, yet the bills to accomplish this-- finally circulated by Mayor Baptiste-- are stalled. I supported a moratorium on ag subdivisions and support the three bills proposed to implement this provision. The GP envisions pacing growth at sustainable levels, yet the studies to establish the reasonable nexus required for growth limits to be implemented have not been completed. I will support the completion of the studies required to establish reasonable growth regulations consistent with the intent of the General Plan. New development, particularly in highly desirable areas like Kauai, typically requires developers to pay impact fees to mitigate the impacts to police, fire, transportation, workforce housing, solid waste, water, wastewater and parks. The impact fee studies required to fairly assess these fees have yet to be completed. I voted to fund the needed impact fee studies in the last budget and will support implementation of impact fee ordinances. The Kauai Planning and Action Alliance (KPAA) compiled a document outlining the steps required to implement the GP, some are administrative and some are legislative. I will support the efforts to implement these steps.

2. What will you do to diversify our economy to move away from our overdependence on tourism? Please be specific.

While the visitor industry is and most likely will remain a large contributor to our economic health there is much we must do to keep the industry compatible with and even more complementary to the local environment and lifestyle. What will keep the visitor industry on Kauai successful are our unique environment and our sense of place. I believe the visitor experience on Kauai is far different than that on Oahu or Maui and we need to be diligent to protect and enhance the difference. Support for a unique visitor experience on Kauai can actually assist the diversification of our economy. In the future most of the food residents eat and serve to visitors should be primarily grown and raised on Kauai. People on Kauai should be evolved increasingly in a green economy in which the bulk of our energy is generated locally through renewable resources. Kauai can also tap into

the growth in high tech industries as creative and technical jobs are far less dependent on proximity to urban centers.

3. Mayor Baptiste proposed a package of four land use bills to address the loss of agricultural land to non-agricultural uses, including (i) imposing a one-year moratorium on agricultural subdivisions; (ii) reducing density in lands zoned open (iii) requiring agricultural subdivision go through a Class IV permitting process; (iv) treating the permitting of CPRs like the permitting of subdivision. Do you support all, or any, of these bills, and *what are your top priority solutions to address the issue of loss of agricultural lands?*

I support all of these measures. When the ag moratorium was proposed I supported it in Council and wrote an opinion piece published in The Garden Island outlining the reasons for my support, I was one of two votes to keep the measure alive when it was “received” by the Council effectively ending the moratoriums consideration. The bill requiring agricultural subdivision to go through a Class IV permitting process also needs to include agricultural criteria designed to see that subdivision of agricultural land is in reality for the purpose of enhancing agricultural activities.

4. What will you do to promote local farming of food?

Promote a solid waste program that supports composting green waste, with food waste and sludge creating high quality soil amendments. Support a County program for community gardens. Support the proposed Kilauea ag park. Support preservation of existing ag water systems. Support bills protecting agricultural and restrict rezoning of lands ag. Lobby the State of Hawaii to change or exempt Kauai from laws that threaten agriculture viability (i.e.HB 233). Support the farm worker housing bill currently under development. Seek and promote alternatives to petro based ag. Expand opportunities for farmers to market their products. Resist restrictions to doing ag on ag land (i.e. restrictive covenants). Listen to and learn from farmers.

5. Would you support an ordinance to limit or even ban the growing of genetically modified crops on Kaua`i, and, if not, what do you propose to do to protect crops from GMO contamination and support the public's right to know where GMOs are being grown?

While I am not prepared to support a ban on GMO crops; I do support public awareness and notification. I am interested in the new California law (AB 541 now awaiting the governor’s signature) aimed at protecting farmers from lawsuits filed by the GM industry. I supported a moratorium on GM testing of Taro. I am alarmed at the power the GM lobby demonstrated at the legislature in Oahu when they turned the community effort to protect Taro into a GM protection bill.

6. What will you do to protect the public and the environment from pesticide exposure?

I support efforts to monitor pesticide use (and/or abuse).

7. The most recent draft of the Integrated Solid Waste Management Plan Update recommends adopting an aggressive Max 3-R program, including phasing in curbside recycling, before building a waste to energy facility. Would you favor the fast tract development of a Materials Recovery Facility (MRF), Center for Hard to Recycle Materials (CHARM) and the establishment of a centralized multi-organic material composting facility *prior to taking actionable steps towards construction of an incinerator?* Please give us an overview of your solid waste management plan and proposed solution to the landfill issue.

Since I have been on Council the Integrated Solid Waste Management Plan (ISWMP) has been on the table. I have actively advocated for it to include a Max 3-R approach. Initially it was lacking and I advocated the specific inclusion of a MRF, curbside recycling using an automated 3 can system, and a comprehensive composting facility that will eventually accept food waste and sludge. I am pleased that the revised plan now includes these elements with an acceleration of the composting capability. I have voted to budget new equipment only with assurance that the equipment purchased is compatible with the plan. Make no mistake the rapid implementation of the plan will be a challenge for any incoming administration (the County does not have a history of implementing plans quickly) and will require increased funding and oversight from the Council. Although I am not philosophically opposed to waste to energy I have yet to be convinced that it is feasible in our community. I need to see the site of a new landfill chosen and the beginning of our max 3-R plan before a decision is made on waste to energy for Kauai. I am not prepared to endorse a waste to energy plant at this time.

8. What specific actions will you take to reduce greenhouse gas emissions in the areas of transportation, waste management, and energy use?

Transportation: Expand the availability of public transportation (bus) including airport and resort shuttles for resort areas (specifically a North Shore Shuttle allowing no rental vehicles past Princeville), promote walkable communities, expansion of bike/pedestrian facilities including shared use paths, sidewalks, bike lanes, rural road standards that include bike/pedestrian easements, etc. Park and Ride facilities and ride share programs. Staggered work hours and telecommuting. Continue policy of equipping County with energy efficient vehicles.

Waste Management: Max 3-R, methane recovery and use,

Energy use: invest in alternative energy systems on and in county facilities.

Remove obstacles and promote alternative energy projects large, medium and small (for example the small wind bill I plan to introduce)

9. How do you propose the concept of "green building" be addressed by our county?

Any new county facilities should be green buildings. Make changes to building code incentivizing and in reasonable instances requiring green building. (i.e. LEED standards)

10. What immediate steps will you take to insure that our potable water system is not reliant on electricity derived from imported fossil fuels?
I am encouraging and working toward incorporation of medium wind and solar systems on and adjacent to our water and wastewater facilities. These systems in many cases are compatible with the existing use and can offset the purchased energy these facilities use. Water and wastewater are the County's largest users of energy.
11. If you are elected, would you support the bills that have been pending before the County Council for two years that would ban new gated communities and would require that developers provide lateral shoreline access to the public as conditions for resort development and subdivisions? Is there other legislation you would introduce or support to insure public shoreline and/or mountain access?
I support banning gated communities and provisions for lateral shoreline access (also interior access). I favor legislation to expand the authority of the Public Access, Open Space, and Natural Resources Preservation Commission to review planning applications and engage in other oversight responsibilities. I have long been involved and continue to support shared-use path initiatives that have multiple benefits to the community including preserving public access and the potential to use federal funds to acquire easements.
12. If you are elected, would you support an annual limit, consistent with the General Plan, on the number of new tourist units that can be approved by the county every year? What, if any, other solutions do you propose to address the issue of long-term, sustainable, tourist development?
As I have stated, for our community to realize the destiny we have envisioned in the General Plan we need to lay the groundwork to implement legally defensible growth limits. Well planned growth management will not only be legally defensible but will promote sustained economic opportunity for Kauai's workforce and attract the type of investment we need to move forward successfully and maintain our complete advantage in the visitor industry.
13. Are there specific amendments you would make to the current "tax reform" bill? Please describe the specific provisions in the bill that you support or oppose.
I support the comprehensive tax plan that is before the Council at this time with only a few revisions. Unfortunately opponents of the bill have used inaccurate information and have, in my opinion, exploited people's fears to maintain the status quo which is not equitable. Despite what some have said, the plan increases fairness in the tax system, fixes some provisions that have given an unfair tax advantage to some (timeshare properties in particular) and reduces the property tax for the majority of the working class families and small businesses on the island. The plan does include a modest tax increase for the visitor industry although they will still enjoy the lowest tax rates in the State of Hawaii. I do not believe the tax increase for the visitor properties will be a significant factor in

their current economic struggles; much larger economic forces on a global scale are at play. On the other hand significant tax relief for working families could not come at a better time.

14. What will you do to increase resident's access to affordable housing, including rentals?

The tax reform bill I just discussed will help, particularly for young families and first time homebuyers who under the current tax plan pay higher taxes for comparable properties than long term owners. The tax plan also incentivizes property owners to use their properties for long term affordable rentals as opposed to other uses. There are many other initiatives that the County can pursue to help with the affordable housing situation. The County needs to be directly investing in low and moderate income projects similar to the Kalepa Village project.

During my first term the Council passed a housing bill that requires new development to include units affordable to working families. During the debate I advocated for greater exactions than the bill ended up with. The law needs, in my opinion, to be revisited and improved. The law also needs further definition in order to be clear in its provisions and intent. For instance, the bill requires new resort development to do a study on the impact of the development on workforce housing but fails to require any specific mitigation measures.

The County also needs to continue and expand our homeowner ready education programs so when affordable units come online local families are “mortgage ready”. We need to partner with the State of Hawaii to pursue the use of public lands for affordable housing. We need to appropriately support Hawaiian Homes in their efforts to provide housing. We need to actively support nonprofit housing efforts (Habitat for Humanity, Self help housing etc.) We need to hire the federal lobbyist the Council funded because the Federal government is a major player and partner with counties on this issue. We need to support our Housing Agency and their mission “to provide greater opportunities for Kauai's citizens to choose and secure affordable, safe, decent and sanitary housing”.

15. What do you propose to do about the loss of access to, and development over, sacred Hawaiian sites, including burial grounds?

To be honest I do not have a good enough answer to this question at this time. I have been trusting the State Historic Preservation Division (SHPD) of the State Department of Land and Natural Resources (DLNR) to fulfill their mission “to preserve and sustain reminders of earlier times which link the past to the present” ; however recently many individuals are questioning the appropriateness and efficacy of their work. How does the County interface with DLNR? What are the appropriate standards that should be applied in these cases? I do not pretend to know the answers but I am attempting to learn more.

16. Recognizing that enforcement is primarily the duty of the administration, what specifically would you do to address the problem of lack of

enforcement of ordinances, and to achieve accountability of department heads to enforce ordinances?

I have supported increased positions targeted at enforcement (for example in the planning, police and parks departments). I have also taken the oversight function of the Council seriously by engaging in assertive (yet respectful) dialog with department heads regarding the expectation that enforcement responsibilities be properly fulfilled. I support periodic performance reviews of department heads. I have supported legislation that puts teeth into enforcement provision when it is appropriate.

17. What do you feel is the most eco-friendly aspect of your lifestyle?

Like many families we try to be environmentally conscious in our lifestyle by driving less, buying local, sharing rides, recycling, avoid using disposable products and being conscious about energy usage. We have installed solar water heating for our home (almost a necessity). Three years ago we invested in a Prius Hybrid, at the time for environmental reasons (super low emissions). Now it turns out there is a positive cost benefit analysis sooner than we thought. Like many of you we feel we should do more.

“Support”/ “Do Not Support” Phrases:

The following short phrases define current proposed measures on Kaua`i or represent issues that the county has some jurisdiction over. For each issue, please indicate with the appropriate symbol whether you “Support” (S), “Do Not Support” (NS) or have, “No Answer” (NA). You are invited to clarify your answer in writing using **no more than 25 characters** or five words, whichever is more. For example:

Curbside recycling. *Support; in high density residential areas*

We are limiting responses so they can be put in an easy-to-compare chart format for publication purposes. You are invited to explain your positions on important issues more thoroughly in the written response questions above.

1. Temporary agricultural subdivision moratorium – **Support – one year**
2. Reduced density on open land – **Support – since GP update in 2000**
3. Ordinance to limit resort permitting – **Support - once legal nexus is established**
4. Ban on new gated communities - **Support**
5. Mandated solar water heating on all new residential construction - **Support**
6. Raising AC temperatures in county buildings - **Support**

7. Superferry return without full EIS – Support - Consistent with Supreme Court decision
8. Curbside recycling – Support
9. Construction of a Material Recovery Facility - Support
10. Construction of Waste to Energy Incinerator – Not at this time
11. Ban on plastic shopping bags - Support - in concept, need specific details
12. 7-day extended hours Kauai Bus services – Support
13. Living wage ordinance – Need to know more?
14. Regular ambient air sampling at Waimea and Kekaha schools – Support, Voted to fund
15. Ban county spraying of pesticides at parks - Support
16. Ban on GMO growing/testing – Support notification, not ban
17. Make County Attorney opinions public - Support, have authored pending measures
18. Live cablecast of council meetings - Support, Voted to fund
19. “Three to one” building-to-land tax - Support
20. Repeal residential 2% land tax cap – Support with increased homeowner exemption instead