



Dear Governor Josh Green,

August 6th, 2023

As fierce advocates for the systemic changes needed to address the social and environmental crises of our times, and equally impassioned proponents of the political leaders taking bold action to achieve them, HULI PAC commends Governor Josh Green for declaring Hawaii's housing crisis a statewide emergency. Our analysis of his strategy for addressing one aspect of the crisis, specifically, insufficient inventory, is grounded in good faith. We have no reason to doubt the governor's sincerity and are keen to acknowledge him for what is clearly an effort to deliver on a campaign promise. Holding elected officials accountable for the promises they make during their campaigns is a core HULI PAC objective.

The calculus Governor Green uses to justify the strategy outlined in his recent emergency proclamation is direct: More houses mean more choices, more choices mean less competition among buyers, and less competition means lower prices.

If only things were that simple.

One needn't look far to find what's missing in this calculation. The proclamation itself is chock full of impressive "whereas" clauses that detail the complexity of the problem and recent public statements in opposition provide a useful critique regarding how the strategy it recommends is doomed to fall short of its impressively stated purpose.

As an example, although ten of the "whereas" clauses focus on the dire situation Native Hawaiians face, not one of the "therefore," nor any of the rules that accompany the proclamation, mandate prioritization of housing for Native Hawaiians.

In issuing this proclamation, the governor asks us all to go along with a one-year suspension of 21 provisions in our state laws collectively aimed at fulfilling the state's constitutional obligations to preserve Native Hawaiian rights, protect the 'āina, and facilitate civic engagement. Use of the term "aimed at" is intentional here, because it's not as if these protections occur just because they are written down someplace.

The number of instances where such provisions are effectively in place due to legal actions taken by the very groups opposing the dangerous precedents in Governor Green's proclamation is far too great. These hard-fought battles against the forces of greed and corruption—with little more than a legal toehold to go on—have left Hawaii's environmental and social justice champions leery. It's no wonder the governor's attempt to remove that toehold, even for just a year, is being met with such strong opposition by those who actually bear the burden of protecting Hawaii's environment, culture, and democratic principles. It's no wonder those inclined to give Governor Green the benefit of the doubt find themselves, after a close examination of the proclamation, succumbing to it.



Despite the lofty goals stated in the proclamation, there is nothing in it that expressly prohibits developers from gaming the proposed process to build over-priced units that will put even more of Hawai'i's limited real estate assets into the hands of new arrivals or off-shore speculators. Those concerned about this outcome are being asked to put their faith in an as-yet-undetermined set of procedures that will get hammered out down the road behind closed doors by the 22-member Build Beyond Barriers Working Group; never mind that Nani Medeiros, as the newly appointed lead housing officer, has the power to dismiss the working groups' findings, input and recommendations and unilaterally decide which projects will and will not get certified for fast-tracking.

Given the outsized impact real estate speculation has had on the affordability of Hawaii's housing, the expectation that those concerned over it will simply look the other way is indefensible. Governor Green's proclamation asks too much of those who work tirelessly to protect what's left of Hawaii's environment, culture, and democratic principles. We say "what's left" because anyone who has lived in Hawaii, for any length of time, has witnessed the irreversible damage done to all three by bad actors seeking to exploit Hawaii's limited and precious natural resources for personal gain.

We, therefore, call on Governor Green to rescind his proclamation and substitute it with one that unambiguously commits the state to the following provisions:

- A clear and meaningful definition of "Hawaii resident,"
- A 100% focus on affordable housing,
- Prioritization of projects that address the backlog of waitlisted DHHL homesteaders, Prioritization of long-term rental units priced at under \$2000 per month,
- Purchase qualification protocols that give preference to Hawaii residents,
- More environmental and social justice advocates on the Build Beyond Barriers Working Group, and,
- A commitment that the working group's meetings be open to the public.

If the intention behind the proclamation is as meritorious as Governor Green would have us believe, then he should be more than willing to include in it the language needed to protect that intention against corruption, to, as the saying goes, "put it in writing."

Anything less represents a bad faith effort on the part of the governor and leaves HULI PAC joining those in full opposition to this proclamation.

Mahalo for taking the time to read and digest our great concerns,

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