

Bruce Pleas

1. The top priority is the County Budget that by County Charter is required to be balanced each year. This year we are facing a possible decrease in revenue which would mean a decrease in the County Budget (spending). Over the last 10 years the County Budget has grown with the increase in revenue due to the influx of outside monies into Kauai's real estate market, which has enriched the County coffers but with little shown in real infrastructure improvements by the County for the local resident. For the next 2 years the Council will probably have to deal with less revenue and many infrastructure expenditures, not really a good place for new Council members to be in if they want to be re-elected for the next term.

What do I propose for the next 2 years of less revenue and more expenditures? Since I have been tracking the County Budget for the last 5 years I do have an understanding of the Budget process and understand that it is flawed. A whole lot of monies are allocated for positions that have or probably will never be filled (possible Charter amendment from the County Council to address this issue may be on the ballot this year, that came from the concerns of certain Council member during the 2008-09 Budget session, which was not available to the public thru Hoike and is one of the side issues that I would address, that the entire Budget session for the 2008-09 Budget be taped and made public on Hoike) and with the money set aside in the Budget for these positions being transferred (without Council knowledge or approval) into other uses. I will monitor the Budget and propose remedies to issues that will continue the glut of taxpayers monies being spent on frivolous programs and programs that do not work. An example of this in the Police Department, why do we need to expend high amounts of monies for police cars that are designed for freeway pursuit? I would propose to the Police Department (remember by County Charter that the Council can not dictate to any County Department how to operate the department) that less expensive police cars be budgeted and that the savings in the cost of the police cars be transferred directly into the pay that our police officers receive. It seems ludicrous that on an island that an offender can only go to their house or place they hang out or try to leave the island, that a high speed pursuit vehicle is needed in the police force that can just drive slowly to that area (home, hangout or airport) and apprehend the suspect. This is just one example of what I can contribute to the Legislative process of reviewing the Administrative Budget proposals.

2. Tourism is an integral part of our economy, it has been since the first ship (well really not Capt. Cook since all he left was disease that decreased the local population by a significant amount) arrived in Hawaii with tourists. The tourist industry needs to be supported by its own monetary contribution to Kauai's economy with a percentage of that contribution going to the maintenance of our County Tourist destinations (events, parks and beaches) that will support these areas so that they are at optimum condition for both the local residents and visitors use.

For the diversification of our economy it is imperative that Kauai move into the realm of a self sustaining economy in the way of food and energy production. The first part of agriculture production will cover producing local foods (90%+ of our food at this point is shipped in) for local use and any excess can be sold to Honolulu or other destination with the second part of agriculture production growing plants that can be used for energy

production. This will entail providing a solid base for agriculture that on the County level would mean low property taxes for real farm operations, tax credits for operations that are producing crops that are being used on Kauai, the management of Agriculture lands with level A, B and C lands being set aside for crop production and level C thru F lands being used for alternate energy production. It is also imperative that all Agriculture land be protected from development of all forms. Presently large permanent buildings are built, in the process of building or in the planning process to be built on both Agriculture and Open zoned lands. I would propose legislation in the form of amending the County Zoning Ordinances (CZO) that would allow only non-permanent buildings on Agriculture land (basically the old style Kauai house--Hicks homes--these are the types of home in our older established communities that sit on concrete blocks, are tied down but not permanently anchored to the land and can be moved by current technology if they need to be) that would be used for all types of farm operations such as family and workforce housing. To allow only these types of non-permanent buildings would assure that the land will be available for agriculture use for the future, instead of permanent buildings which are assuring that the land underneath them will not be used for agriculture in the future.

3. (i) I support a solid 1-year (minimum and should be extendable if no legislation is passed within the year) on agriculture subdivisions. The current bill needs to be reworded to remove the loopholes that would give some exemptions to certain operations on agriculture lands.

(ii) The density in Open zoned lands should be 0 (that means none). The Open zone classification in the County CZO is equivalent to the State Conservation zoning and even the density in the State Conservation zone needs to be addressed by a Resolution to the State Legislature.

(iii) I have been going before the Planning Commission yearly (usually when new Commission members are added and the Subdivision Committee members are changed) trying to get the following actions taken; 1) Have the agriculture subdivision process that goes thru the Planning Commission Subdivision Committee on Hoike so the public is aware of that part of the Planning process. 2) Require that any agriculture subdivision go thru the applicable process that includes a Class IV permitting process. 3) Look at the requirements for an agriculture subdivision and decide whether it is for farming or just for residential lots on agriculture land, then revise the agriculture subdivision requirements so that only legitimate farming operations are allowed on agriculture land.

(iv) CPR's are really subdivisions with no conscious or governmental control. All CPR's on any land zoned Residential, Commercial, Resort, Agriculture or Open (should not be on Open zoned land period) should be treated as subdivisions with the proper permitting for their use and density.

Rewrite the CZO and provide legislation that does the following; 1) Open zoned areas have 0 density and that means no buildings of any kind. 2) Agriculture zoned lands have only non-permanent buildings, have only the density needed for that particular farming operation and have a requirement for only verifiable agriculture operations in the way of a 1-2 year farming plan that can be modified easily so that the farmer has the ability to switch crops as needed to survive. Remember farming is a back breaking and low pay type of operation and does need some latitude in the governmental process to survive.

4. I would support a minimum Real Property Tax rate on local farmers that verifiably provide local food products to local residents and businesses. I would like to fund in the Budget a program that would provide a daily Farmers Market in many local communities for local farmers to drop off their produce as they have it ready, have a consignment system set up so that the operator of the Farmers Market sells the farmers product and the monies are either returned directly to the farmer or deposited in their account. I believe a system such as this would improve that ability of the farmer to distribute their product by not having to transport the product a long distance then having to sit and sell the product, provide a daily market for both local residents and visitors to buy fresh local produce without having to travel long distances.

5. I would like to see a phase out of GMO crops and replace those industrial seed production, pharmaceuticals and genetic research operation with the growing of Heirloom Seeds that are of organic and hybrid types. Kauai is unique in that we are rather isolated from other sources of contamination (the reason GMO is here presently, beside having minimal governmental oversight of their operations) and would be a good place for Heirloom seeds to be produced for the world, especially with our varied climates from the different elevations and topography on Kauai.

There is no way to protect crops from GMO contamination if the GMO crops are grown outdoors. The only way to contain GMO contamination is to have the GMO crops grown in low pressure two walled buildings that if breached all of the air will move into the building then the building will hermetically seal so that no material will be released into the environment.

Complete disclosure of the GMO crops and types of crops along with the chemical compounds brought into Kauai are imperative to the public's health and well being. I will propose legislation as a Council member for full disclosure of all Federally identified dangerous compounds that are brought into Kauai by all operations, stores and businesses. This information would be catalogued on a public website, available for the public to view and be used in case of any type of health issue to identify the source of the health issue.

6. I would propose legislation to ban the use of pesticides by the County unless there is a public health issue such as West Nile Virus, Malaria or any other disease/virus that would threaten the well being of the public. As mentioned in question 5 I would propose legislation on complete disclosure which would also cover pesticides, herbicides and fungicides.

7. The Solid Waste Management Plan update (SWMP) is about to be completed and from the draft form it looks like a very good plan, that is at that point, who knows what the final draft will look like. I fully support an aggressive curbside recycling program that is free to the public and would include all forms of trash including large items such as furniture and vehicles. The trick is to find a use for all of the recycled material from Kauai within the State and then make enough monies off of the recycled materials to pay for the curbside collection program. I support a centrally located MRF, CHARM and multi-organic material composting facility (MOMCF) that is also close to a port (Nawiliwili or Port Allen) for ease of shipping the materials to other destinations as

needed. The optimum scenario would be to be able to reuse the material on Kauai such as recycling cardboard/paper products back into paper bags or other paper products for local use instead of shipping in paper bags or other paper products. I feel the last gasp solution to our trash production would be a Waste to Energy Facility (WEF) as the technology is still developing on an efficient and clean WEF at this point. Also the inclusion of a mono-landfill for the toxic waste from a WEF is still troubling to me and I think it may take a few more years (decades) to be able to recycle this toxic waste into a viable product (heavy metals are becoming rarer in the world and sooner or later these heavy metal compounds will be worth enough money to pay for the recycling of the toxic waste into separate heavy metals).

The Landfill issue will be here and continue for as long as we and our children and their children are here. Presently there are many unlined Landfills spread around Kauai (Lihue, Ahukini, Phase #1 Kekaha, etc.) and these old Landfills need to be mined and recycled (is being done thru out the Mainland and can be done here) so that the contaminants from these unlined Landfills cease to pollute our groundwater. On the existing Landfill we have no choice, it needs to be expanded until a new Landfill comes on line, and with an aggressive recycling program the existing Landfill may last until a new Landfill is sited. This year the Administration and Council have set aside funds for a Host Community Benefit Program (HCBP) for communities that are affected by activities such as Landfills. Presently the program guidelines are vague and as a Council member I would propose legislation that would define the HCBP, specify where the funds come from, the duration of the funds to the community with special attention given to a fair and open public determination of how these HCBP funds are spent in the community.

8. To reduce greenhouse gas emissions on a County level I would propose (I have been proposing this on all new County buildings and facilities along with any reroofing projects for the last decade) in the Budget that more monies be allocated for the installation on County buildings and facilities of alternate energy production systems such a solar hot water, photovoltaic (PV) and small wind turbines. I would support the reduction of gas consuming County vehicles with the County changing to electric vehicles that would charge at County facilities and support the covering of County parking lots with PV systems (like the new PV parking lot cover structure going in at the Lihue Airport) so that both County and publicly owned electric vehicles while doing business with the County could recharge in the County parking areas.

On the waste management area our Landfill is getting to the point that it has enough Landfill gas to power a small electric generating facility and this is possibly in the process of happening with PMRF and Federal monies. My outlook on this is that the County needs to be aware of this possible operation and make sure that the County receives fair compensation for the Landfill gas. In future waste management facilities there needs to be greater emphasis on reducing the greenhouse gas emissions and reusing these emissions to produce energy.

On energy use the County needs to require only energy saving appliances and fixtures be used in County facilities, timers need to be installed in parks and community facilities that ensure that when areas are not in use that only the minimum lighting is being used to provide for public safety. A few years ago the Mayor sent out a memo for all air conditioners be set at 70 degrees or above with many air conditioners in County buildings

presently set at 65-68 degrees (Council chambers). Also designing new County buildings to use less air conditioning thru using the natural Tradewinds to cool down the area between the roof and ceiling (hard to work in a room with Tradewinds as papers tend to leave your desk and go for a fly) along with any other architectural innovations that would reduce the amount of energy required to make working areas comfortable to work in.

9. The "green building" concept has been addressed in many areas of the Mainland and by observing their legislation that has passed along with a performance audit of the results in other areas the County could begin consideration of some legislation for County buildings and facilities to require that all new County buildings and facilities meet the highest of "green building" standards, especially using locally produced and recycled products.

10. At a Planning Commission meeting on the new Kapilimo (Kekaha) 500,000 gallon water tank I requested that the Water Department consider installing a PV system on the roof of the water tank to provide a portion or possibly the entire amount of electricity to power the pump station associated with the well and tank system at this location. The Planning Commission considered my request but the Planning Department staff and the Water Department did not agree with the request on the grounds that it had not been done before, would cost considerably more money and would delay the project. At this point the Water Department is an autonomous part of the County government and is not budgeted thru the Council's Budget process.

As a Council member I would consider removing the Water Departments autonomy if they did not begin immediately to reduce their electricity consumption thru alternate energy systems. If the Water Department was brought into the realm of Administration and Council approval of their budget I would readily support additional monies in the Budget to switch the Water Department (the #1 user of electricity in the County) to all modes of alternate energy systems at all of their locations.

11. I would support legislation that would ban new gated communities and would also consider new legislation that would require prior gated or closed communities to open their communities or face increased fees for services rendered by the County such as Fire, Police, water, and refuse services.

I have always been supporting lateral access along all areas of Kauai, no matter what the zoning or use is. I have taken it into my own hands over the last 10 years to require thru conditions of zoning (Council actions) and permitting (Planning Commission actions) that public access along the shoreline is required before any zoning or permit is approved. Lately I have been able to get lateral access conditions revised so that they are for perpetuity and float with the erosion of the shore line, in other words no matter how much the shoreline erodes the public will still have the lateral access corridor (from 6' to 200') to walk in. At the last Resort zoning request for an extension of time (one of the two Resorts on the Westside that we managed to put a 5 year use it or lose it clause in the Zoning Amendment) the shoreline setback went from 50' to 200' for perpetuity and was deemed a floating shoreline. As a Council member these Bills that are in the dust bin

would be brought back out into the open, revised to get rid of the loopholes in them and put before the public as an agenda item.

I would propose legislation that along all property lines for large parcels (over 5 acres or having a frontage of over 1000') that front a public access road and have a public recourse area behind them that a 10' public access lane on each side of the property line be dedicated to the County for public access in perpetuity. This would mean a 20' access corridor would be available for emergency vehicles to access the public resource areas in case of an emergency along with unrestricted public access to public areas along the beach and in the mountains.

12. I would support an annual limit on the amount of new tourist units as long as it was a reasonable amount of units. At this point our infrastructure is not adequate for the amount of current units and I would be hard pressed to allow any more tourist units until the County infrastructure meets the current tourist unit levels. With the amount of previously Zoned Resort areas and the current possibility that some areas may see a large amount of building (Poipu/Koloa, Waipoli) in the near future there should be no more tourist units approved to be built for a long time. This is out of the Council's realm of legislation to limit the amount of building, but the Council does have the ability to decide who is approved to be a Planning Commissioner so as a Council member I would really be aware of any proposed Planning Commissioners stance of new tourist unit building before I would approve the Commissioner to be on the Planning Commission.

The issue of long-term, sustainable tourist development also hinges on the availability of funds from these developments to support the County infrastructure. Initial Impact Fees for construction of the County infrastructure and yearly Impact Fees for maintenance of the County infrastructure required to support the proposed developments should be considered with the initial framework for Impact Fees already explored by Hawaii County and a comparable study approved in the 2008-09 Budget for Kauai.

13. The proposed Real Property Tax Bill (RPTB) has some good points but my main concerns are the omitting of the present "2% and 6% caps", the setting of the Tax Rate Ratio between land and building that is rather vague on whether it will be a yearly public Resolution as the Tax Rate is presently or as the new RPTB suggests that the Tax Rate Ratio is just set without public input/comment by the Council and the amount of Property Tax that retired residents that have lived here for over 20 years have to pay.

I would only support the new RPTB if the "caps" are continued uninterrupted (the argument is that with the caps in place the County's Bond rating would decrease with time as the Budget increases at 5% per year while the County can only increase it's revenue by under 5% due to the "caps"). The simple solution to that is to only increase the Budget by the amount of revenues available and not plan on increasing the Budget, instead cut out the fat in the Budget and provide the important services at reasonable costs to the public. I would require that the Tax Rate Ratio be set along with the Tax rate in the same yearly Resolution that has public comments and input. I would propose an amendment that sets retired residents taxes at the minimum tax rate (presently \$25 and \$50 in the new RPTP) for retired residents that have paid Real Property Taxes for a set time (20+ years) with the stipulation that the retired resident provide verifiable information on their income levels that show that they will only be receiving a set income

for the next year. Another change I would propose to the new RPTB would be in the method of assessing property values, presently the method is based on what the comparable properties in your neighborhood have sold for in the last year and that is what your assessment is for your property for the next Tax Period. This is the main reason your assessments have risen over the last 5+ years and the reason that the Budget has grown over the same time period. This is going to bite the County this next Fiscal year as property values are on a down slide so by law the County will have to assess your property at a lower assessment and if the Council does not increase the Tax rate your property tax will decrease along with the County Budget. My amendment would set your assessment at the cost of land and building if you built your own house or the cost that you bought the land/building for. These assessments would stay steady for as long as you own your home and the Tax Rate would be adjusted thru public Resolution to balance the budget.

14. First affordable housing needs to be truly affordable, \$1000 per month is not affordable unless you are making over \$50,000 per year. For our graduates (and non-graduates) from High School the affordable rental charge needs to be under \$350 per month. The Council needs to set the standards for affordable housing at the levels that truly reflect the real income of Kauai's residents that are struggling to survive with increased living cost other than rent. A solution would be for the County to work with the State to open up marginal lands that housing can be built and supported on at a low land lease rate (\$1 per unit with a unit on at least 10,000 square feet of land) with initial buildings being subsidized at a reasonable rate so that new homes can be built by either the occupant or an organization. The affordable housing would be on a long term lease that could be transferred to direct descendants (son or daughter) to ensure that extended family occupation of the lease lands are possible if needed.

15. I have been actively proposing a solution to this issue for the last 10+ years with little success (did get quite a bit of cultural and historical portions of a Westside resort development set aside and protected from development) on the whole. As a Council member I would immediately propose legislation that would address the issue of historic artifacts and buildings (burials are presently out of County jurisdiction and are dealt with in the Burial Councils, but most burials do have artifacts and those do come under County jurisdiction, it is just that they are not readily reported to the County) in the way that all areas that are to be disturbed (trenching or disturbing the surface at any depth) in any proposed or redesigned development that has previously discovered artifacts and buildings within 100' of the development area that a complete investigation of the proposed areas to be disturbed be done by the most modern instruments that require no evasive intrusion into the land, such as Ground Penetrating Radar. If any suspect image is obtained then the developer would be required to provide a complete disclosure of the findings to the County and then provide a plan of identification of the areas to be disturbed that complies with the strictest Archeology Methodology guidelines set by the International community. I would also propose that all artifacts and buildings have a automatic buffer zone set up around them with a minimum of 10' that no building or construction would be allowed in.

16. The lack of enforcement in provisions set in Ordinances is a big problem in the County and I have always tried to get the fines set at levels that would deter any violation of the Ordinance. As a Council member I would set fines for violations at the highest levels allowed by law and require that compliance on previous zoning/permits is mandatory and that any future request for permits or changes in zoning are automatically denied until the violations are addressed and settled.

As for accountability of the Administration it is prohibited by the County Charter to interfere with the Administration but when the Administration comes before the Council with the next Budget the Council can hold the Administration accountable for their actions on enforcing Ordinances in the previous fiscal year. The other method is for the Council to call any part of the Administration before the Council on Budget concerns that can include enforcement issues if they have budgetary concerns. Not the best scenario but it could be effective with a Council that thinks in the same mind set.

17. I breathe out carbon dioxide for the plants in my yard to live on and then they exhale oxygen for me to live on. We have 23 fruit trees in our yard of 3,000 square feet, have not used any chemical compounds on the yard in the last decade. Get a free ride on the surf in the morning.

#### SUPPORT/DO NOT SUPPORT PHRASES

1. (S) More than 1 year
2. (S) 0 density
3. (S) Too many now
4. (S) And any current ones
5. (NS) Only on County buildings
6. (S) Comfortable levels
7. (NS) Full Federal EIS
8. (S) No charge
9. (S) Centrally located
10. (NS) Not yet
11. (S) Use recycled paper bags
12. (S) Need to carry packages
13. (S) We need to live comfortably

14. (S) Complete student testing
15. (S) Every where and herbicides
16. (S) Organic and Heirloom only
17. (S) Elect County Attorney
18. (S) Home and neighborhood center
19. (S) Only if public
20. (NS) Bad idea