BILL034(26)
Testimony

MISC. COMM. 175

COUNCIL

COUNCIL Meeting

Meeting Date: May 13, 2026 @ 10:00 AM

Support: 4

Oppose: 0

I wish to comment: 0

Name:	Email:	Zip:
Alfred Grace	ALFALEKI@GMAIL.COM	96762
Representing:	Position:	Submitted:
Self	Support	May 7, 2026 @ 07:39 PM

Testimony:

I have lived in Laie for more than 40 years and have witnessed the massive damage to homes and property primarily caused by the Wailele Stream overflowing into the community via BYU-Hawaii and the Polynesian Cultural Center.

Over the past 30 years, the City and County of Honolulu, State of Hawaii, Army Core of Engineers, Laie Community Association and major private entities (BYU-Hawaii, PCC, HRI) have all agreed to a plan that would abate flooding from Wailele Stream.

I support this bill as the first step in getting this plan on track once again.

Mahalo Nui Loa

Name:	Email:	Zip:
Pikachu Shelby Billionaire	presidentbillionaire@gmail.com	96792
Representing:	Position:	Submitted:
Ohana Unity Party	Support	May 9, 2026 @ 06:10 PM

Testimony:

This is a great bill and PIkachu supports it !0000%

Aloha,

Pikachu

Name:	Email:	Zip:
Leelynn Brady	systemsadvocacy@alohailhawaii.org	96782
Representing:	Position:	Submitted:
Aloha Independent Living Hawaii	Support	May 11, 2026 @ 10:59 AM

Name:	Email:	Zip:
Johnnie-Mae Perry	waianaenb569@gmail.com	96792
Representing:	Position:	Submitted:
Self	Support	May 11, 2026 @ 04:48 PM

Testimony:

I, Johnnie-Mae L. Perry, Support BILL034(26) RELATING TO FLOOD HAZARD AREAS.

TO INCLUDE MITIGATION BY THE CITY AND COUNTY OF HONOLULU, SUCH AS DRAINAGE INFRASTRUCTURES! HAWAII FARMERS WILL NOT BE ABLE TO MEET THE DEPT OF EDUCATION FOOD SUSTAINABLE INITIATIVE IF FLOODING CONTINUE WITHOUT CORRECTIVE ACTION BY THE CITY/STATE/FEDERAL/PRIVATE LANDOWNERS VS FEMA ILLEGIBILITY FOR FUNDING. DOE FOOD INITIATIVE LOCAL FOOD TO TABLE TO FEED THE THOUSANDS OF STUDENTS IN THE DOE SYSTEM.

www.AlohaILHawaii.org

MISSION

Aloha Independent Living Hawaii (AILH) dedicated to providing independent living programs and services for persons with disabilities in Hawaii.

We work together with the community and consumers to improve the quality of life through individual choices and access to services.

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May 13, 2026

TO: The Honorable Tommy Waters, Chair
Vice Chair Andria Tupola, Floor Leader Esther Kiaʻāina,
and Members of the Honolulu City Council

HEARING: Wednesday, May 13, 2026, 10:00 a.m.
City Council Chamber, Honolulu Hale

RE: Bill 34 (2026), CD1 — Relating to Flood Hazard Areas

POSITION: **Support with Implementation Requests**

Aloha Chair Waters, Vice Chair Tupola, Floor Leader Kiaʻāina, and Members of the Council,

Aloha Independent Living Hawaiʻi (AILH) is a federally recognized Center for Independent Living serving people with disabilities statewide, including rural Oʻahu, Hawaiʻi County, Maui County, and Kauaʻi County. Our work is grounded in the independent living philosophy of consumer control, self-determination, cross-disability inclusion, and the right to live in the community rather than in institutions — the right the United States Supreme Court affirmed in *Olmstead v. L.C.*, 527 U.S. 581 (1999).

We submit this testimony **in support of Bill 34 (2026), CD1,** with implementation requests we believe will protect both the bill's flood resilience goals and the rights of disabled residents in flood hazard areas.

We support this bill. We understand the consequences of inaction. If the City does not update Chapter 21A by June 10, 2026, the loss of National Flood Insurance Program eligibility would harm everyone in flood zones — and disabled residents disproportionately. Federal flood insurance, FHA and VA mortgage protection, HUD grants and loans, and federal disaster assistance are not abstract programs to the people we serve. They are how

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disabled residents stay housed, recover from disasters, and remain in their communities.

Our community has lived experience of what disaster recovery requires. The 2023 Maui wildfires displaced thousands. The November 2025 UHERO report found that fewer than half of disabled survivors had secured permanent housing more than two years later. The 2024 Kona Low storms reminded us again that flood events fall hardest on residents who depend on durable medical equipment, accessible transportation, and home and community-based services. The flood standards Bill 34 maintains and strengthens directly affect whether those residents can stay safe, stay housed, and stay home.

Our concerns are not with the bill's substantive standards. They are with the gap between flood hazard rules and the accessibility obligations the City already carries under federal and state disability law. We respectfully request that the Council direct the Department of Planning and Permitting (DPP) to address the following implementation issues before the ordinance takes effect on June 10, 2026.

1. **Coordinate with the Disability and Communication Access Board on the intersection of flood elevation and accessibility.** Section 21A-1.6(8)(A)(iii) requires manufactured home chassis to be supported by piers no less than 36 inches above grade. The design flood elevation requirement raises elevated residential entries higher still. A 36-inch entry requires approximately 36 feet of ramp at the standard 1:12 ADA slope. Without intentional design coordination, structures that meet flood standards may not meet accessible-route obligations under federal and state law. We ask DPP to publish technical guidance, developed in coordination with the Disability and Communication Access Board (DCAB), addressing how flood elevation requirements and accessibility requirements work together.

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2. **Clarify whether disability-related equipment storage qualifies as "limited storage" under Section 21A-1.8(f).** The bill permits accessory detached structures under 600 square feet to be located below design flood elevation if used solely for parking or "limited storage." Many of the people we serve depend on equipment that requires protected storage: mobility devices, backup batteries, oxygen concentrators, generators, and medical supplies. We ask DPP to clarify in implementation guidance that disability-related equipment storage qualifies as "limited storage," and to confirm that residents may elevate such equipment within these structures regardless of the structure's own elevation.

3. **Require plain-language disclosure for floodway covenants and coastal high hazard non-conversion agreements.** Section 21A-1.7(b) requires property owners building in a floodway to record a restrictive covenant indemnifying the City and waiving the right to file claims for flood damage. Section 21A-1.9(b)(2) requires property owners with breakaway-wall enclosures in coastal high hazard areas to record non-conversion agreements that permanently restrict use of below-floor space. Both recordations run with the land and have lasting consequences. Disabled residents and family caregivers — who may purchase, build, or modify property in these zones for accessibility reasons — deserve clear, accessible-format disclosure of what these covenants mean before signing. We ask DPP, in coordination with DCAB, to develop plain-language disclosure materials available in formats accessible to all readers, including large print and screen-reader-compatible digital.

4. **Issue guidance on accessibility-driven substantial improvements.** The bill changes the date in the definition of "New Construction" from May 22, 2014 to September 3, 1980. Combined with the federal substantial-improvement rule — which triggers full compliance when improvements equal or exceed 50 percent of pre-improvement market

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value — this expansion means more accessibility retrofits may pull existing homes into the elevation requirements of Section 21A-1.6(4) and related provisions. Disabled homeowners aging in place, and family caregivers undertaking accessibility-driven work, deserve clear guidance on what triggers floodplain compliance, what process applies, and what review pathways exist. We ask DPP to publish that guidance.

We recognize that DPP indicated to the Zoning and Planning Committee on April 30, 2026, that the Department is evaluating stricter flood elevation requirements consistent with Hawai‘i County and statewide direction. AILH would welcome the opportunity to participate in any future amendments to Chapter 21A that may raise freeboard or modify these provisions. Disability-inclusive flood policy is achievable when it is designed in from the beginning, not retrofitted later.

We thank the Council for the opportunity to submit this testimony. AILH is available as a resource on disability-inclusive disaster planning. Please contact us at 808-339-7297 or through alohailhawaii.org.

Mahalo,

Roxanne U Bolden

Roxanne Bolden
Executive Director