From:	Jade Julie Chen
To:	Planning LPC Testimony
Subject:	ALOHA! TESTIMONY REGARDING BILL 147, MAHALO ~
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ALOHA KĀKOU,

Mahalo for the opportunity to share my mana'o. I am writing as a longtime resident (17 years), host, and small business owner in Lower Puna to respectfully urge the County Council to recognize that our community is not the same as the rest of this island — and that blanket short-term rental restrictions would cause disproportionate harm here while cutting off a vital and largely untapped economic engine for this region.

LOWER PUNA IS NOT KONA.

We do not have a corridor of major hotels and resorts. We do not have that infrastructure, and for many of us, that is precisely what makes this place so extraordinary. The only way a visitor can truly experience the raw, unspoiled beauty of Puna — the lava fields, the rainforest, the sense of being somewhere genuinely wild and alive — is by staying in someone's home. Vacation rentals are not a luxury amenity here. They are the hospitality industry for this region. Without them, Puna is simply inaccessible to the outside world.

THESE PROPERTIES ARE NOT TAKING HOUSING AWAY FROM LOCAL RESIDENTS.

One of the most common justifications for restricting short-term rentals is that they reduce the availability of long-term housing for local families. In many markets, that concern may be valid. In Lower Puna, it frequently is not. Many of the vacation rentals in this district are genuinely unique, off-grid, and purpose-built for the visitor experience — properties with solar power systems, rainwater catchment, open-air structures, and designs that celebrate the wild character of this land. They are extraordinary places to visit. They are not practical places to live full-time, and local residents, by and large, are not seeking them as long-term homes. These are bespoke, one-of-a-kind spaces created to share the magic of Puna with the world — not conventional housing units that have been diverted away from the rental market. Restricting them does not free up housing for local families. It simply closes the door on visitors and eliminates the income stream that supports local workers.

THESE ARE LOCAL FAMILIES — NOT MAINLAND INVESTORS.

Before the Council votes to further restrict short-term rentals, we ask that you consider who actually owns these properties in Lower Puna. This is not Wailea. This is not Kona. The hosts in this district are not wealthy investors living on the mainland, collecting passive income from afar. They are your neighbors. They are kama'aina families who have lived on this land for generations, single parents supplementing modest incomes, retirees trying to hold onto property that has been in their families for decades, and working people who found that opening their home to visitors was one of the only reliable ways to make ends meet in a district with limited employment options.

Lower Puna does not have a thriving job market. We do not have major employers, corporate campuses, or industrial zones. We have land, community, and the extraordinary beauty of this place. Short-term rentals are not a side hustle for the privileged here — they are often the primary or only significant income source for families who have no other way to stay on land they love. Restricting that income does not protect the community. It pushes local families out of it.

OUR GUESTS ARE NOT A BURDEN. THEY ARE A GIFT TO THIS COMMUNITY.

The visitors who choose to stay in Lower Puna are not the typical resort tourist. They are nature lovers, adventure seekers, people who have sought out this place specifically because it is real and unfiltered. They come with reverence for the land and genuine curiosity about island life. They are respectful. They are appreciative. And they spend their money here — not at a chain restaurant or a corporate resort, but at local farmers markets, roadside fruit stands, small restaurants, art galleries, local tour guides, and family-run businesses throughout the district. Every booking brings outside dollars directly into this community in a way that few other economic activities can match.

THE ECONOMIC RIPPLE EFFECT IS IMMEDIATE AND LOCAL.

When a guest books a stay, the benefits flow outward fast. My cleaners get paid — the same day — and for many of them, that payment is what puts food on the table that night. My handymen, gardeners, the small vendors I work with: these are local people living hand-to-mouth, and the income from short-term rentals is not supplemental for them — it is dinner that night for their families. When bookings stop, they feel it immediately. This is not abstract economic theory. It is the lived reality of working families in Lower Puna.

Beyond the immediate community, short-term rental hosts are among the most consistent and willing tax contributors in this county. We collect and remit General Excise Tax, Transient Accommodations Tax, and the Hawaii County Transient Accommodations Tax on every single booking. Every guest who sleeps in a Puna vacation rental is sending revenue directly to the State of Hawaii and Hawaii County — revenue that funds roads, schools, parks, and public services. We are not trying to avoid this system. We embrace it. We are happy to pay our fair share because we understand that our guests' dollars, properly channeled, strengthen the very community we love.

BILL 147 CONTAINS PROVISIONS THAT ARE ESPECIALLY HARMFUL TO LOWER PUNA.

Beyond our general concerns about over-regulation, we ask the Council to examine several specific provisions in Bill 147 that are disproportionately punishing to hosts in areas like Lower Puna.

First, and most critically: Bill 147 only permits STVRs in specific commercial and resort zoning districts — RM, V, CG, CN, CV, CDH, and resort node areas. Lower Puna is predominantly agricultural zoning. Under this bill, virtually every STVR in our district would need to operate under a Nonconforming Use Certificate (NUC). But the County is no longer issuing new NUCs. This means Bill 147, as written, provides no legal pathway whatsoever for a TVR to operate on agricultural land in Lower Puna. It does not regulate our community — it eliminates it entirely, by design or by oversight. Either way, the result is the same: hosts who have operated lawfully for years will have no path to compliance, through no fault of their own.

Second, Bill 147 permanently revokes an existing NUC the moment a TVR registration is cancelled — for any reason. Hosts who already hold NUCs, representing years of lawful operation, could lose those rights forever over a paperwork issue or minor technical violation. There is no proportionality. There is no path to restoration. This is not regulation — it is a trap.

Third, the bill reverses the burden of proof, requiring owners to prove they are not in violation rather than requiring the County to prove they are. This flips the most basic standard of fairness in our legal system and treats law-abiding hosts as presumptively guilty.

Fourth, the bill creates an enforcement fund fed entirely by fines and penalties collected from TVR owners. This structure gives the County a direct financial interest in finding violations rather than supporting compliance — a troubling incentive that should concern anyone who believes enforcement should serve the community, not fund itself.

Fifth, the fine structure under Bill 147 is severe enough to destroy a family's finances in a matter of weeks. A first violation starts at $5,500, plus a daily fine of up to twice the nightly rental rate on top of that — every single day the violation continues. For a local family in Puna running a modest rental at $150 a night, that daily penalty alone could reach $300 per day, compounding on top of thousands in base fines. This is not a deterrent for wealthy mainland investors. It is a weapon that will be used, intentionally or not, against the exact local families this Council should be protecting.

WE ARE ASKING TO BE SEEN CLEARLY.

I support accountability. I support registration, responsible operation, and being good neighbors. What I am asking is that the Council not write policy for all of Hawaii Island as though every district faces the same conditions — and not pass a bill that, in practice, makes it impossible for hosts in Lower Puna to operate legally at all.

Lower Puna has no resort region. We have no hotel corridor to absorb visitors. We have no major employers to replace the income that hosting provides. What we have is land, community, hospitality, and a natural way of life worth sharing. Our short-term rentals are not displacing local residents — they are one-of-a-kind spaces that exist to share something beautiful and irreplaceable with people who will love it, honor it, and leave their dollars here.

Please do not pass legislation that, in the name of regulation, simply eliminates an entire community's ability to participate in the visitor economy. We deserve a seat at the table. We deserve policy that sees us for who we actually are - considerate local hosts with a deep love for our 'aina, who would have a hard time surviving otherwise.

Mahalo nui loa for your time and consideration.

Jade Chen
Lower Puna, Hawaii Island