



# LAND USE COMMISSION

*Komikina Ho'ohana 'Āina*

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
*Ka 'Oihana Ho'omōhala Pā'oihana, 'Imi Wai wai a Ho'omāka'ika'i*

**JOSH GREEN, MD**  
GOVERNOR

**DANIEL E. ORODENKER**  
EXECUTIVE OFFICER

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Statement of  
**Daniel E. Orodener**  
**Executive Officer**  
State Land Use Commission

Before the  
**Senate Committees on Water and Land**  
**and**  
**Housing**

Tuesday March 18, 2025  
1:05 PM  
State Capitol, Room 225 and Video Conference

In consideration of  
**HB826 HD2**

## **RELATING TO HOUSING**

Chairs Inouye and Chang; Vice Chairs Elefante and Hashimoto; and members of the Senate Committees on Water and Land; and Housing:

The proposed measure amends Hawai'i Revised Statutes ("HRS") 201-H and authorizes a county planning commission to permit residential housing development in the State Agricultural District under certain conditions. Those conditions include: a project is 100 acres or less; a project is immediately adjacent to the State Urban District and does not include State Conservation District lands; the lands are classified C, D, E, or U by Land Study Bureau if in the State Agricultural District; and, the area needs to have been identified for only residential in a county General Plan ("GP") adopted no earlier than 2005. In addition, written concurrence from the Executive Director of the Hawai'i Housing Finance and Development Corporation ("HHFDC") is required attesting that the project is solely inclusive of residential housing for long-term rental or workforce fee simple ownership.

The Land Use Commission ("LUC") supports the legislature's attempts to expedite the development of workforce housing. However, the measure is unclear on its face and raises some concerns with regard to due process.

First, the measure appears to limit the extent of HHFDC review to only attesting that a proposed project is intended for long-term rental or fee-simple residential housing. It is unclear whether this measure authorizes a county planning commission to review applications using the State Special Permit (HRS section 205-6) process or whether the county is bound by the requirement to hold a contested case hearing. There is no requirement that the county develop rules to ensure due process is adhered to. There are due process issues if HRS 205-4 is not adhered to. LUC staff believes that constitutional due process requires that applications be reviewed by the counties pursuant to the process set forth in HRS section 205-4(h) in order to address these issues.

It also is unclear whether compliance with State Plan objectives and policies pursuant to HRS 226 or impacts to areas of State concern and the Public Trust pursuant to HRS section 205-17(3) are to be taken into account. It also does not set forth how the State's interests are to be protected and if the Office of Planning and Sustainable Development is named as a party to the county proceedings as they are in State proceedings. This could result in significant expenditures on the part of the Departments of Education, Transportation, Health and others.

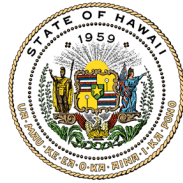
The measure provides for approval of projects up to 100 acres in size. This would allow large-scale projects to move forward without a full review. This is a large area for workforce housing development, likely more than necessary. In order to prevent abuse, LUC staff suggests reducing the acreage to a maximum of 40 acres. That acreage was also previously identified as being more acceptable to a broad spectrum of stakeholders.

The measure proposes to allow urban residential development within the State Agricultural District through bypassing a district boundary reclassification. This could result in spot zoning of non-conforming developments in the State Agricultural District and create physical and financial strain on State and county infrastructure systems. In addition, this can create permissible agricultural uses that counties would be limited in restricting that are not compatible with urban residential development, i.e. raising of livestock (see HRS section 205-4.5(a)(3)).

Thank you for the opportunity to testify on this matter.

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
KA 'ŌIHANA MAHI'AI  
1428 South King Street  
Honolulu, Hawai'i 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

**SHARON HURD**  
Chairperson, Board of Agriculture

**DEAN M. MATSUKAWA**  
Deputy to the Chairperson

**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON WATER AND LAND AND HOUSING**

**TUESDAY, MARCH 18, 2025**  
**1:05 PM**  
**CONFERENCE ROOM 225**

**HOUSE BILL NO. 826, HOUSE DRAFT 2**  
**RELATING TO HOUSING.**

Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto and Members of the Committees:

Thank you for the opportunity to provide testimony on House Bill No. 826, House Draft 2 that authorizes the county planning commissions, by Special Permit, to permit residential housing for agricultural workforce housing, long-term rental, or workforce fee simple ownership in the Agricultural District, under certain conditions. The Department of Agriculture offers comments.

The Department does not dispute the need for housing in Hawaii, however we have strong concerns about the potential adverse impact on the State's agricultural land resources should this measure be adopted. The Department concurs with the testimony of the Office of Planning and Sustainable Development that the Special Permit is inappropriate for permitting permanent uses that are not consistent with the purpose and objectives of the Agricultural District. Passage of this bill will cause uncertainty for farmers with respect to their current land tenure situations and increase costs and reduce access to agricultural land for new farm start-ups or existing farm expansion. These outcomes are inconsistent with the State's efforts to increase local food self-sufficiency.

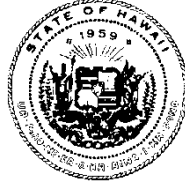
Finally, this measure does not address the potential displacement of active agricultural production and does not exclude designated Important Agricultural Lands.

Thank you for the opportunity to present our testimony.



JOSH GREEN, M.D.  
GOVERNOR

SYLVIA LUKE  
LT. GOVERNOR



DEAN MINAKAMI  
EXECUTIVE DIRECTOR

## STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM  
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION  
677 QUEEN STREET, SUITE 300  
HONOLULU, HAWAII 96813  
FAX: (808) 587-0600

### Statement of DEAN MINAKAMI

Hawaii Housing Finance and Development Corporation  
Before the

### SENATE COMMITTEE ON WATER AND LAND AND SENATE COMMITTEE ON HOUSING

March 18, 2025 at 1:05 p.m.  
State Capitol, Room 225

In consideration of  
**H.B. 826 HD2**  
**RELATING TO HOUSING.**

Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the Committees.

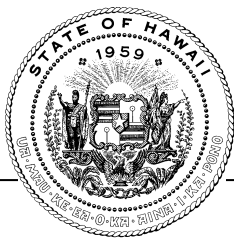
HHFDC **supports with amendments** HB 826 HD2, which authorizes a county planning commission, by special permit, to permit land uses exclusively providing residential housing for agricultural workforce housing, long-term rental, or workforce fee simple ownership in an agricultural district, under certain conditions. Repeals 6/30/2035.

This bill allows residential projects on lands already designated for residential use, up to 100 acres in the agricultural district, without having to go through the redistricting process. Since the bill applies only to land study bureau C, D, E, or U rated lands which often have marginal agricultural productivity, this would make the best use of those lands and expedite the delivery of more affordable housing.

Due to serious concerns raised by sister agencies, the Land Use Commission and the Office of Planning and Sustainable Development, that the special permit process is an inappropriate mechanism for this, HHFDC therefore **recommends** the establishment of a county plan-based district boundary amendment process that enables the redistricting of lands in conformance with adopted county general, development, and community plans. This would provide a clear and permanent solution to the need to accommodate development in a planned manner that could consider the infrastructure needs for

planned growth and avoid the potential complications associated with the use of special permit for de facto boundary amendments in undeveloped areas.

Thank you for the opportunity to testify on this bill.



**STATE OF HAWAII  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SYLVIA LUKE**  
LT. GOVERNOR

**MARY ALICE EVANS**  
DIRECTOR

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Statement of  
**MARY ALICE EVANS, Director**

before the  
**SENATE COMMITTEE ON WATER AND LAND  
AND  
SENATE COMMITTEE ON HOUSING**

Tuesday, March 18, 2025  
1:05 PM  
State Capitol, Conference Room 225

in consideration of  
**HB 826, HD2  
RELATING TO HOUSING.**

Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and Members of the Committees.

The Office of Planning and Sustainable Development (OPSD) supports the intent of the bill and offers **comments** on HB 826, HD2, which authorizes the county planning commissions, by special permit pursuant to Hawai'i Revised Statutes (HRS) § 201H, to allow residential housing for agricultural workforce housing, long-term rental or workforce fee simple ownership in the State Agricultural and Rural Districts, under certain conditions.

OPSD supports additional processes to permit affordable housing in Ch. 201H.

However, OPSD believes that the proposed Ch. 201H special permit process needs additional safeguards to serve as an appropriate mechanism for the establishment of permanent residential subdivisions in the State Agricultural and Rural Districts.

OPSD recommends the following issues should be addressed.

- Applications for Ch. 201H special permits should not include Important Agricultural Lands.
- Applications for Ch. 201H special permits shall be decided after a contested case hearing has been conducted with the Applicant, the county planning department and the Office of Planning and Sustainable Development (OPSD) as mandatory parties and allowing all state and county agencies and persons with a direct

property interest, and others who would be directly affected to apply to be admitted as Intervenors in the proceedings.

- Participation by the county planning department, OPSD, and other state and county agencies should ensure that a proposed 201H special permit use would provide for roads and streets, sewers, water drainage and school improvements, and police and fire protection.
- Ch. 201H special permits should be subject to review by the State Land Use Commission (LUC) and decisions should be subject to judicial review.
- Ch. 201H special permits should not include a termination date, since homeowners and renters need the certainty of continued occupancy.

Finally, this bill points to the need to consider legislation that would provide an option in Ch.205, HRS, for a county plan-based district boundary amendment process that would streamline the redistricting of lands in conformance with adopted county general, development, and community plans. OPSD stands ready to assist in the development of legislative measures to establish a Ch. 205 county plan-based district boundary amendment process that aligns and balances county and State land use policies and development interests.

Either approach would provide a solution for accommodating development in a planned manner, ensuring that infrastructure needs for growth are considered.

Thank you for the opportunity to testify on this measure.



# MAUI TOMORROW

Protecting Maui's Future

Testimony before the  
Senate Committee on Water & Land  
Senate Committee on Housing

March 17, 2025

H.B.826 HD2 – Relating to Housing  
**STRONG OPPOSITION**

By Albert Perez  
Executive Director  
Maui Tomorrow Foundation

[COMMITTEE ON WATER AND LAND](#)

Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair

[COMMITTEE ON HOUSING](#)

Senator Stanley Chang, Chair  
Senator Troy N. Hashimoto, Vice Chair

Aloha Chair Inouye, Chair Chang, Vice Chair Elefante, Vice Chair Hashimoto, and members of the committee:

The Maui Tomorrow Foundation **STRONGLY OPPOSES** HB826, HD2.

This bill would allow counties to issue special permits for residential development on up to 100 acres of non-urban lands at a time, bypassing the well-established and necessary oversight of the state Land Use Commission (LUC).

Special permits are intended for temporary or exceptional land uses, not large-scale urbanization of agricultural lands. HB826 would inappropriately expand their use to facilitate major residential development without sufficient oversight and long-term planning.

Additionally, allowing residential development on agricultural lands would significantly increase their market value for non-agricultural uses, making it more difficult for farmers to afford land



and remain financially viable. This would accelerate the loss of active agricultural operations, threatening local food production and furthering our dependence on imported goods. Without strong land use protections, we risk transforming vital agricultural lands into high-priced real estate, pushing true farming operations out of reach and undermining Hawai'i's long-term food security.

The LUC has played a crucial role in ensuring responsible land use for decades. It carefully considers the impact of land use changes on Native Hawaiian rights, cultural resources, environmental sustainability, and food security through its designation of land use districts, district boundary amendment, and rigorous contested case hearing processes. Counties, by contrast, lack the institutional knowledge, experience, and broad state-level perspective necessary to balance large-scale development with these critical concerns.

By shifting decision-making to county planning commissions, HB826 risks undermining protections for agricultural lands and public trust resources. Counties may be more susceptible to political and financial pressures from large landowners and developers, potentially leading to approvals that prioritize short-term development interests over long-term community needs. Furthermore, the bill does not define "workforce housing" or require affordability provisions, opening the door to speculative development that does not genuinely serve local residents.

Hawai'i's land use framework is designed to prevent speculative housing projects that erode agricultural lands and fail to address the true causes of the housing crisis. We cannot build our way out of this crisis without a thoughtful, ecologically sound strategy for development that prioritizes affordable housing while protecting our finite land and natural resources.

For these reasons, we urge the Committee to HOLD HB826. Mahalo,

Albert Perez  
Executive Director  
Maui Tomorrow Foundation

# DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR  
REIKO MATSUYAMA, MANAGING DIRECTOR

## Testimony of Ka'āina Hull

Planning Director, Planning Department, County of Kaua'i

Before the

**Senate Committee on Housing and Senate Committee on Water and Land**

March 18, 2025 at 1:05 PM

Conference Room 225 & Videoconference

In consideration of

**House Bill 826 HD 2**

**Relating to Housing**

Dear Honorable Chair Chang, Honorable Chair Inouye, and Members of the Committees:

The County of Kaua'i Planning Department **SUPPORTS** HB 826 HD 2, recognizing that zoning reform is one of several solutions needed to help mitigate the State's housing crisis. We acknowledge the Legislature's findings on the imbalance between housing costs and median household income, resulting in heightened vulnerability for local families and detrimental impacts to our broader community. The proposed amendments to Chapter 201H, Hawaii Revised Statutes, align with the need to promote efficient urbanization, reduce housing costs, and provide for further advancements to County home rule.

Under the administration of Mayor Derek K. Kawakami, the County of Kaua'i has proactively implemented zoning reform to stimulate multi-family and infill housing development, consistent with the County's General Plan. This includes increased density allowances; incentivizing additional dwelling units; allowing additional rental units; and providing site design flexibility through reduced setback and lot coverage requirements. These efforts are in harmony with the goals of HB 826 HD2 and seek to enhance the housing inventory through affordable housing options.

The bill allows for residential projects on lands the County has already designated through its General Plan processes to be used for residential development. By relying on these existing residentially designated areas and requiring that these lands be immediately adjacent to existing urban districts, the bill ensures spot zoning will not occur.

The County of Kaua'i Planning Department respectfully urges the committees to **support** the advancement of HB 826 HD 2 and move forward the solutions required to effectively address Hawaii's housing crisis.

**COUNTY COUNCIL**

Mel Rapozo, Chair  
KipuKai Kualii, Vice Chair  
Addison Bulosan  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Fern Holland  
Arryl Kaneshiro



**OFFICE OF THE COUNTY CLERK**

Jade K. Fountain-Tanigawa, County Clerk  
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188  
Facsimile: (808) 241-6349  
Email: cokcouncil@kauai.gov

**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawaii 96766

March 17, 2025

**TESTIMONY OF ARRYL KANESHIRO**  
**COUNCILMEMBER, KAUAI COUNTY COUNCIL**  
**ON**  
**HB 826, HD 2, RELATING TO HOUSING**  
Senate Committee on Water and Land  
Senate Committee on Housing  
Tuesday, March 18, 2025  
1:05 p.m.  
Conference Room 225  
Via Videoconference

Dear Chair Inouye, Chair Chang, and Members of the Committees:

Thank you for this opportunity to provide testimony in SUPPORT of HB 826, HD 2, Relating to Housing. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

HB 826, HD 2 seeks to authorize county planning commissions to permit land uses exclusively for long-term rental or workforce fee simple housing in agricultural districts under specific conditions.

Hawai'i continues to face a housing crisis, with a shortage of affordable housing options for local families and workers. By allowing the development of long-term rental and workforce housing on appropriately designated lands, this bill provides an opportunity to increase housing availability while ensuring responsible land use planning. The safeguards outlined in HB 826, HD 2, such as size limitations, adjacency to urban districts, and soil classifications, help strike a balance between development and agricultural preservation.

This measure is a step in the right direction toward addressing Hawai'i's housing challenges and providing much-needed homes for residents. I respectfully urge the Committee to pass HB 826, HD 2.

Thank you again for this opportunity to provide testimony in support of HB 826, HD 2. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

**ARRYL KANESHIRO**  
Councilmember, Kaua'i County Council

JY:ss



# SIERRA CLUB OF HAWAI'I

## SENATE COMMITTEE ON WATER AND LAND SENATE COMMITTEE ON HOUSING

March 18, 2025

1:05 PM

Conference Room 225

### In **OPPOSITION** to HB826 HD2: Relating to Housing

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Aloha Chair Inouye, Chair Chang, Vice Chair Elefante, Vice Chair Hashimoto, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i offers the following comments in **OPPOSITION to HB826 HD2**, which would authorize counties to develop and issue special permits for residential development on up to 100 acres of non-urban lands at a time.

First, this measure is unclear as to whether it will require sufficient due process under the HRS Chapter 91 contested case hearing statute for farmers, cultural practitioners, affordable housing advocates, and other stakeholders, who may be significantly impacted by the substantial contemplated land use changes to agricultural and rural lands. The current "quasi-judicial" process employed by the Land Use Commission in special permit applications ensures that expert and other testimony can be duly received and explicitly recognized by decisionmakers in writing; provides stakeholders with the opportunity to vet any evidence presented, including through cross-examination of witnesses and other evidence; and guarantees a level of transparency and accountability through express findings of fact, conclusions of law, and conditions of approval intended to ensure the public interest is protected and competing interests appropriately balanced. **To allow 100-acre land use changes to take place without such a process will undermine the public interest in land use decisionmaking, including by risking violations of the public trust and Native Hawaiian traditional and customary rights, and by compromising the food security, water security, climate resilience, and even housing and job opportunities of ourselves and our future generations.**

Second, the Sierra Club is deeply concerned regarding the county planning commissions' lack of capacity and experience to apply this process in balancing housing development with other critical public rights, needs, and interests. **County planning commissions primarily focused on issues relating to the built environment may not have an adequate understanding of the scope and range of potentially impacted Native Hawaiian rights; of traditional and sustainable agricultural practices that often use lands not classed as "A" or "B" lands (classifications based on sugar and pineapple production potential); of the importance and nuances of watershed protection; of job creation mechanisms including job credits; of state goals and planning objectives established under state law; and of other primarily state-level concerns.** This lack of county familiarity and understanding, when applied to

massive, 100-acre residential development proposals, will almost certainly lead to oversights, conflicts, and irreparable impacts to our food security, water security, cultural integrity, economic and housing opportunities for those most in need, and the overall quality of life of multiple future generations.

Finally, the Sierra Club notes that the LUC has already approved tens of thousands of housing units that still have not been built.<sup>1</sup> Further investment in the LUC's ongoing work to investigate and determine how these already-approved units may finally be developed may be one of the many other alternative approaches to directly addressing our housing challenges, rather than dismantling our tried-and-true systems of careful land use management.

As we continue to navigate an era of unprecedented uncertainty and instability, we need much greater, not less, mindfulness and prudence in protecting our environmental and cultural integrity, food and water security, and social fabric - the very foundation of our future generations' existence. This bill threatens the exact opposite. Please **HOLD** this measure.

Mahalo nui for the opportunity to testify.

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<sup>1</sup> Since 1980, more than 25% of all the housing authorized by the LUC has not yet been built, much of which was proposed to be affordable and workforce housing. For example, recent data indicates that on O'ahu alone, 23,000 units approved by the LUC have not been constructed; this includes Ho'opili (DR Horton), Koa Ridge (Castle & Cooke), Gentry Waiawa (now owned by Kamehameha Schools), and Royal Kunia Phase II. Authorizing the LUC to enforce the full implementation of approved development proposals in a timely manner; examining other downstream causes of delays and their causes; and addressing the global market dynamics and speculative industries that have resulted in a proliferation of unoccupied investment properties and short-term vacation rentals; may all provide much greater benefits to our housing needs than the current proposal.



Testimony of **Lahaina Strong**  
Before the Senate Committees on  
**Water and Land & Housing**

In Consideration of House Bill No. 826 HD 2  
RELATING TO HOUSING

To Chair Inouye, Chair Chang, Vice Chair Elefante, Vice Chair Hashimoto and the honorable members of the committees,

We are writing on behalf of Lāhainā Strong, an organization deeply rooted in our community's resilience and advocacy. Originally formed in 2018 following the Hurricane Lane fire in Lahaina and revitalized after the devastating fires of August 8, 2023, Lahaina Strong has become the largest grassroots, Lahaina-based community organization, with over 35,000 supporters. Our mission is to amplify local voices and champion community-driven solutions, which are more critical than ever as we continue rebuilding and recovering.

Lāhainā Strong stands in **strong opposition to House Bill 826 HD2**, which would allow large-scale housing developments—up to 100 acres—on agricultural land under the guise of agricultural workforce housing, long-term rental, or workforce fee simple ownership. While West Maui faces an unprecedented housing crisis, this bill does not guarantee housing for local families. Instead, it creates yet another loophole that can be exploited by developers seeking to convert agricultural land into high-end subdivisions—something we have already seen happen in places like Launiupoko.

West Maui knows firsthand how agricultural lands have been misused under existing laws. Developers have repeatedly taken advantage of loopholes to rezone and subdivide agricultural lands, turning them into luxury estates rather than affordable homes. Peter Martin's Launiupoko developments are a clear example of how land intended for agriculture was turned into multi-million-dollar properties while doing little to nothing to address the housing crisis. The promise of workforce housing was used to justify development, but the reality was sprawling estates with token agricultural activity. This

bill would allow more of the same, giving developers a fast-track process to rezone agricultural lands with little accountability.

There is no clear mechanism in this bill to ensure that these developments actually house local residents in need of long-term rentals or workforce housing. Without strong affordability requirements, resale restrictions, and enforcement mechanisms, there is nothing stopping these lands from being flipped into market-rate housing that remains out of reach for the people who need it most. West Maui has already lost too much to bad planning and speculative development. Our focus should be on rebuilding truly affordable housing for those who have been displaced, not opening the door for more misuse of agricultural lands.

Furthermore, infrastructure in West Maui is already at a breaking point, and this bill does not require developers to secure water or other resources before approval. The community has fought hard for responsible water management, yet this legislation allows major developments to move forward without first ensuring that there is enough water to support them.

Launiupoko uses approximately 1.5 million gallons of water daily, with more than half going toward cosmetic landscaping rather than agriculture. Community frustration over its privately owned water system, particularly Launiupoko Irrigation Company, highlights concerns about equity and sustainability. Allowing similar developments without addressing these issues will only deepen infrastructure challenges and community distrust.

Additionally, this bill would override existing county planning processes, taking away critical oversight and allowing projects to move forward with minimal community input. West Maui has fought for years to protect its remaining agricultural lands and ensure that development aligns with the needs of local residents. The fact that this bill allows projects of up to 100 acres to be approved without the same level of scrutiny is alarming. We cannot afford to let speculative development dictate the future of our lands while our people remain displaced.

Lāhainā Strong urges you to **oppose HB826 HD2** and instead focus on real, community-led housing solutions that put local families first.

Mahalo for your time and consideration.

Sincerely,

Lāhainā Strong

**HB-826-HD-2**

Submitted on: 3/14/2025 5:16:51 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Oppose	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition OPPOSES HB826. We don't oppose development but do oppose the kind of development that circumvents safeguard channels.

Please table HB826 to keep our aina development fair and legal.

Mahalo for your time.



**HB-826-HD-2**

Submitted on: 3/15/2025 10:38:54 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Henry Curtis	Testifying for Life of the Land	Oppose	Written Testimony Only

Comments:

Aloha Senators,

Sound land planning is important. It is *not sound planning to bypass the Land Use Commission to allow county planning commissions to side-step the state Land Use Commission (LUC), and fast track residential development on up to 100 acres of agricultural and rural lands at a time.*

Please ***HOLD HB826 HD2.***

**HB-826-HD-2**

Submitted on: 3/15/2025 1:26:23 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Testifying for Green Party of Hawai'i	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Susan RobertsEmery, as Co-Chair of the Green Party Hawai'i we **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

Green Party of Hawai'i urges you to **HOLD HB826 HD2**.

Mahalo,

Susan RobertsEmery  
Green Party of Hawai'i  
Paauilo



**HB-826-HD-2**

Submitted on: 3/16/2025 10:03:09 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Makaala Kaaumoana	Testifying for Hanalei Watershed Hui	Oppose	Written Testimony Only

## Comments:

We strongly oppose this legislation as it avoids a vital step in our resource protections in Hawaii, our Land Use Commission. This body is specifically tasked with the rights and interests of our people and places for generations to come. They must take the long view, think ahead and consider consequences of those impacts that may take generations to effect our food and waters. Planning Directors come and go and serve other interests on the shorter term.

We DO NOT SUPPORT SKIPPING THIS CRITICAL STEP IN PROTECTING OUR PUBLIC TRUST.

**PLEASE KILL hb826 HD2.**

MAHALO

March 18, 2025, 1:05 p.m.

Hawaii State Capitol

Conference Room 225 and Videoconference

**To: Senate Committee on Housing**

**Sen. Stanley Chang, Chair**

**Sen. Troy Hashimoto, Vice Chair**

**To: Senate Committee on Water and Land**

**Sen. Lorraine Inouye, Chair**

**Sen. Brandon Elefante, Vice Chair**

**From: Grassroot Institute of Hawaii**

**Ted Kefalas, Director of Strategic Campaigns**

RE: HB826 HD2 — RELATING TO HOUSING

Aloha chairs, vice-chairs and other members of the committees,

The Grassroot Institute of Hawaii **supports** [HB826 HD1](#), which would allow Hawaii's county planning commissions to approve certain agricultural workforce housing, long-term rental or for-sale workforce housing on lands in the rural or agricultural land-use districts. The bill would sunset on June 30, 2035.

County planning commissions would be allowed to use this alternate approval process as long as the land area is no larger than 100 acres; on land immediately adjacent to the urban district; on land with a soil productivity ratings lower of C or lower, if the lands are in the agricultural district' and is identified for residential use by the county general plan adopted no earlier than 2005.

The Hawaii Department of Business, Economic Development and Tourism pointed out in a March 2024 report that Hawaii needs an average of 3,297 new housing units per year to satisfy demand between 2025 and 2035.<sup>1</sup>

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<sup>1</sup> "[Hawai'i Housing Demand: 2025-2035](#)," Research and Economic Analysis Division, Hawaii Department of Business, Economic Development and Tourism, March 2024, p. 2.

And as the Hawaii Housing Finance and Development Corp. pointed out in a report to the 2025 Legislature: “The availability and suitability of land for residential development is a critical factor affecting housing production and affordability in Hawaii.”<sup>2</sup>

HHFDC recommended, “streamlining the State Land Use law such that areas designated as ‘urban’ in county general and development plans are automatically included in the ‘urban’ state land use district, eliminating the need for LUC approval. This would simplify the process of reclassifying land for urban use, reduce regulatory duplication, and increase the supply of land available for housing development.”<sup>3</sup>

This targeted carveout for lands adjacent to already suburban or urban areas would give the counties an important tool in reducing Hawaii’s housing shortage.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii

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<sup>2</sup> “[Analysis of Systemic Barriers to Housing Production in Hawaii](#),” Hawaii Housing Finance and Development Corp., December 2024, p. 1.

<sup>3</sup> Ibid, p. 2.



**LATE**

**Senate Committee on Water and Land &**

**Senate Committee on Housing**

**Hawai'i Alliance for Progressive Action (HAPA) Opposes: HB826 HD2**

March 18th, 2025 at 1:05pm; Conference Room 225

Aloha Chair Inouye, Chair Chang, Vice Chair Elefante, Vice Chair Hashimoto and members of the committees,

HAPA opposes HB 826 HD2 which authorizes a county planning commission, by special permit, to permit land uses exclusively providing residential housing for purposes of agricultural workforce housing, long-term rental, or workforce fee simple ownership in an agricultural district, under certain conditions.

We appreciate the intent to facilitate the development of workforce housing, but have the following concerns about the mechanism being proposed and the potential for unintended negative consequences. HAPA concurs with concerns raised by the Department of Agriculture, the Office of Planning and Sustainable Development and the Land Use Commission.

**Lack of Infrastructure:**

Agricultural lands often lack the infrastructure (roads, water, utilities) to support the kind of development proposed in this measure. It is unclear where the burden of providing the requisite infrastructure would fall and the implications for adjacent residential areas that have undergone more deliberate planning processes to be vetted as suitable for development. Administrative Rules § 15-15-95, special permit rules, a proposed special permit use must not “unreasonably burden public agencies to provide roads and streets, sewers, water drainage, and school improvements, and police and fire protection.”

**Conditions of Special Permit Make Future Land Use Changes Impractical:**

Under a special permit, the developer and/or future property owners would be indefinitely bound by the conditions of the special permit. Future land use changes or development within the permit area would require an amendment of the special permit – a process that could become impractical and difficult to manage, especially for a land area as large as 100 acres with possibly hundreds of individual homeowners.

Permitting of Ag Lands by Special Permit Side Steps the Land Use Commission & Due Process:

Given that the conversion of over 15 acres of land is subject to approval by the Land Use Commission it is not clear how this conflict in authority will be resolved. This measure is unclear as to whether it will require sufficient due process under the HRS Chapter 91 contested case hearing statute for farmers, cultural practitioners, affordable housing advocates, and other stakeholders, who may be significantly impacted by the substantial contemplated land use changes. This process, normally employed by the Land Use Commission in special permit applications, ensures that expert and other testimony can be duly received and recognized, provides opportunities to develop facts including through cross-examination of witnesses and other evidence, and guarantees a level of transparency and accountability through written findings of fact, conclusions of law, and conditions intended to ensure the public interest is protected. To allow 100-acre land use changes to take place without such a process will invite violations of the public trust and Native Hawaiian traditional and customary rights, and may compromise the food security, water security, climate resilience, and even housing and job opportunities of ourselves and our future generations.

201h Not Affordable In Perpetuity & Conflicts w/Mandates to Increase Local Food Production:

Affordable units developed under the 201H program do not need to be affordable in perpetuity, rather they must be affordable for a minimum of 30 years. When affordability restrictions expire land speculation will essentially convert these ag lands to higher-value non-agricultural uses. This will create uncertainty for farmers and food producers. Farmers already cite the lack of affordable agricultural land as a major barrier to increasing local production.

Due to these concerns we respectfully request that the committees HOLD HB 826 HD2.

Mahalo for your consideration.

Best Regards,

A handwritten signature in black ink, appearing to read 'Anne Frederick', with a stylized, flowing script.

Anne Frederick,  
Executive Director



**HB-826-HD-2**

Submitted on: 3/15/2025 8:53:08 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Bence	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha

As a farmer, I'm strongly opposed to this bill as it does not say it's only for agricultural housing and it doesn't define affordable or do anything to protect locals rights to housing.

It's only for the profit of wealthy developers that continue to ruin agriculture in Hawai'i while also failing to provide housing. The global demand is unlimited for housing here, we must address supply by definition of affordable housing for local farmers none of which is in this current bill.

Mahalo

Robert Bence

**HB-826-HD-2**

Submitted on: 3/16/2025 11:14:25 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Stacey Alapai	Individual	Oppose	Remotely Via Zoom

## Comments:

Aloha, I strongly oppose HB826 that seeks to convert agricultural land into housing developments. While we need more affordable housing, we can't sacrifice our food security and agricultural land to build our way out of the housing crisis.

From the moment Mahi Pono bought A&B's former sugar cane land on Maui - the community has been on edge with rumors and conspiracies about their secret plan to "fake farm" until they're able to convert that agricultural land into some kind of a housing development. I've always told people that's just a rumor because it would be illegal to build homes on that land - if you pass this law you convert that rumor into a real possibility. When word gets out it will cause panic and more distrust in our community. Please don't do this. It will further divide us and cause so much unnecessary conflict. We don't need to build on agriculture land.

Please do not pass this under the guise of "affordable housing" and preserve our agricultural land be used for agricultural purposes.

Mahalo,

Stacey

**HB-826-HD-2**

Submitted on: 3/16/2025 2:49:02 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Committee members - Please oppose HB826. This measure is not narrowly tailored to the issue of making it more possible for agricultural operations to have a labor force. I suggest amending the bill to exclude long term rental and general workforce housing and restrict agricultural workforce housing to workers of the same or adjacent agricultural lands that are going to be used for the agricultural workforce housing.

Yours,

Bianca Isaki

**HB-826-HD-2**

Submitted on: 3/16/2025 5:19:35 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Bradley Rogers	Individual	Oppose	Written Testimony Only

Comments:

Please do not support this bill. It does not help our community and our people.

**HB-826-HD-2**

Submitted on: 3/14/2025 3:33:30 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Palma-Glennie	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

i'm asking that you please HOLD HB826 HD2 -- a bill that would allow counties to side-step the Land Use Commission (a critical step in the public's opportunity to comment and take part on serious land use matters which will affect their lives, the land, the culture and all those who visit Hawai'i nei. the bill would authorize residential development on up to 100 acres of non-urban land at a time - severely, needlessly and recklessly compromising the rights and needs of our present and future generations.

From my vast experience advocating for better land use, i know that county planning commissions can't and won't do the work of the LUC. Allowing the county to approve 100-acre development projects on non-urban lands could lead to severely less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

Do not pass this bill. instead, please **HOLD HB826 HD2.**

mahalo and best,

janice palma-glennie

kailua-kona

**HB-826-HD-2**

Submitted on: 3/14/2025 3:48:03 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Harvey Arkin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Harvey Arkin and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

Sincerely,

Harvy Arkin

Manoa

**HB-826-HD-2**

Submitted on: 3/14/2025 4:46:47 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Oppose	Written Testimony Only

Comments:

No sidestepping land use commission.

**HB-826-HD-2**

Submitted on: 3/14/2025 5:05:57 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Benton Kealii Pang, Ph.D.	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs San Buenaventura and Inouye, Vice Chairs Aquino and Elefante, and members of the committees,

My name is Benton Kealii Pang, Ph.D., and I strongly OPPOSE HB969 HD2.

While the intent of this bill is to protect our drinking water, HB969 HD2 may have unintended consequences that could hinder responsible waste management and increase costs for residents. A blanket prohibition on landfills above aquifers could severely limit landfill siting options, leading to logistical challenges and potential environmental trade-offs, such as increased greenhouse gas emissions from hauling waste longer distances.

Hawai‘i already faces significant waste management challenges, and restricting landfill locations without providing viable alternatives may put additional strain on our existing systems. Modern landfill technology has advanced significantly, with stringent safeguards in place to prevent groundwater contamination. Rather than an outright ban, a science-based, site-specific approach would be more effective in balancing environmental protection with practical waste management needs.

Furthermore, this measure could inadvertently push waste disposal costs onto local communities, particularly in rural areas, where alternative waste solutions are limited. A well-regulated landfill, properly engineered and monitored, can coexist with responsible water resource management.

I urge the committee to HOLD HB969 HD2 and instead explore solutions that enhance environmental protections while ensuring sustainable waste management strategies for Hawai‘i’s future.

Mahalo for your time and consideration.

Sincerely,

Benton Kealii Pang, Ph.D.



**HB-826-HD-2**

Submitted on: 3/14/2025 7:28:27 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Monica Morris	Individual	Oppose	Written Testimony Only

## Comments:

*Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,*

*My name is Monica Morris and I strongly OPPOSE HB826 HD2.*

*This measure would allow county planning commissions to side-step the state Land Use Commission (LUC), and fast track residential development on up to 100 acres of agricultural and rural lands at a time. This could severely compromise the rights and interests of our present and future generations, including those relating to our future food security, natural and cultural resources, Native Hawaiian traditional & customary rights, climate resilience, and even job creation and affordable housing needs.*

*Notably, county planning commissions lack the LUC's expertise and institutional memory in balancing development with these critical rights and community interests, and do not utilize the LUC's careful "contested case hearing" process that ensures transparency, accountability, and a degree of political insulation in approving large-scale land use changes.*

*Accordingly, allowing county planning commissions to fast track 100-acre development projects on non-urban lands by "special permit" could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's environmental and cultural integrity, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.*

*I urge you to HOLD HB826 HD2. Mahalo nui loa for your consideration.*

**HB-826-HD-2**

Submitted on: 3/14/2025 11:35:13 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Galloway	Individual	Oppose	Written Testimony Only

Comments:

**Please oppose this bill.**

**HB-826-HD-2**

Submitted on: 3/15/2025 1:29:00 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Toma Shiira	Individual	Oppose	Written Testimony Only

Comments:

Opposev HB 826 HD2

**HB-826-HD-2**

Submitted on: 3/15/2025 8:05:40 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Hyde	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB826 for two reasons.

First, in 2011 had it not been for the Land Use Commission, Maui County would have let 88 acres of ranch land be developed into the largest shopping mall on the island, dubbed by the community as the "Mega Mall," located in Kihei, when the land use designation change in 2005 required the land to be developed into a 123-lot light industrial park!

The LUC has a degree of professionalism and integrity largely lacking at the county level, at least in Maui County. Small town politics and political influence by large land owners and developers prevail. The LUC examines a host of matters that counties do not, especially water resources, traffic impacts, and preservation of cultural sites and historic sites. County officials, even though elections are nonpartisan, are highly integrated with local monied interests. The LUC is not.

Second, 100 acre parcels developed entirely into housing may be bad planning. Isolating housing from neighborhood community services is the antithesis of mixed use community development. The result: they are automobile dependent, bad for quality of life, bad for resident health and bad for the environment.

Third, here's what likely will happen with the 100 acres of ag land billed to be developed into housing: just like the Mega Mall case, where the county falsely testified that a 123-lot light industrial park is the same as a 100% gigantic retail shopping mall, you will find the acreage developed into something entirely different - to create the best return on investment for the land owner and developers - and that ain't housing.

Fourth, by allowing ag land to be converted to housing, presumably on the outskirts of existing development, you discourage infill and greater density. This is known as urban sprawl.

**HB-826-HD-2**

Submitted on: 3/15/2025 8:27:06 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
James Padgett	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees, My name is James Padgett and I strongly OPPOSE HB826 HD2, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations. The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests. County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions. Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decision making, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization, we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home. I urge you to HOLD HB826 HD2. Sincerely, James Padgett

**HB-826-HD-2**

Submitted on: 3/15/2025 8:31:12 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Marquez	Individual	Oppose	Written Testimony Only

Comments:

Aloha Kākou,

My name is Malia Marquez and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to please **HOLD HB826 HD2**.

**Mahalo for your time on this matter,**

**Malia Marquez**

**HB-826-HD-2**

Submitted on: 3/15/2025 9:07:07 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl hendrickson	Individual	Oppose	Written Testimony Only

## Comments:

To allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.



**HB-826-HD-2**

Submitted on: 3/15/2025 11:24:09 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Oppose	Written Testimony Only

Comments:

**I strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

**HB-826-HD-2**

Submitted on: 3/15/2025 1:57:24 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Samantha Nelson	Individual	Oppose	Written Testimony Only

Comments:

*Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,*

*My name is Samantha Nelson and I strongly OPPOSE HB826 HD2.*

*This measure would allow county planning commissions to side-step the state Land Use Commission (LUC), and fast track residential development on up to 100 acres of agricultural and rural lands at a time. This could severely compromise the rights and interests of our present and future generations, including those relating to our future food security, natural and cultural resources, Native Hawaiian traditional & customary rights, climate resilience, and even job creation and affordable housing needs.*

*Notably, county planning commissions lack the LUC's expertise and institutional memory in balancing development with these critical rights and community interests, and do not utilize the LUC's careful "contested case hearing" process that ensures transparency, accountability, and a degree of political insulation in approving large-scale land use changes.*

*Accordingly, allowing county planning commissions to fast track 100-acre development projects on non-urban lands by "special permit" could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's environmental and cultural integrity, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.*

*I urge you to HOLD HB826 HD2.*

*Sincerely,*

*Samantha Nelson*

**HB-826-HD-2**

Submitted on: 3/15/2025 2:06:47 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
emily gambino	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Emily Gambino and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

Sincerely,

Emily Gambino

**HB-826-HD-2**

Submitted on: 3/15/2025 2:34:14 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Oppose	Written Testimony Only

Comments:

Allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai‘i’s lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2.**

Mahalo, Bobbie Best, Wailuku

**HB-826-HD-2**

Submitted on: 3/15/2025 4:11:26 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

*Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,*

*My name is Diane Ware and I strongly OPPOSE HB826 HD2.*

*This measure would allow county planning commissions to side-step the state Land Use Commission (LUC), and fast track residential development on up to 100 acres of agricultural and rural lands at a time. This could severely compromise the rights and interests of our present and future generations, including those relating to our future food security, natural and cultural resources, Native Hawaiian traditional & customary rights, climate resilience, and even job creation and affordable housing needs.*

*Notably, county planning commissions lack the LUC's expertise and institutional memory in balancing development with these critical rights and community interests, and do not utilize the LUC's careful "contested case hearing" process that ensures transparency, accountability, and a degree of political insulation in approving large-scale land use changes.*

*Accordingly, allowing county planning commissions to fast track 100-acre development projects on non-urban lands by "special permit" could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's environmental and cultural integrity, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.*

*I urge you to HOLD HB826 HD2.*

Malama 'aina pono,

Diane Ware, 96785



**HB-826-HD-2**

Submitted on: 3/15/2025 4:50:00 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Kaleiheana Stormcrow and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

Sincerely,  
Kaleiheana Stormcrow



**HB-826-HD-2**

Submitted on: 3/15/2025 8:27:03 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Lee	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Samuel Lee and I strongly oppose HB826 HD2, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to hold HB826 HD2.

Mahalo nui,

Samuel

**HB-826-HD-2**

Submitted on: 3/16/2025 10:21:19 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

## Comments:

Hello Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

**My name is Nanea Lo, and I strongly OPPOSE HB826 HD2.**

This measure would allow county planning commissions to bypass the State Land Use Commission (LUC) and fast-track residential development on up to 100 acres of agricultural and rural lands at a time. Such a policy threatens the rights and well-being of both present and future generations, jeopardizing our food security, natural and cultural resources, Native Hawaiian traditional and customary rights, climate resilience, and even the long-term sustainability of job creation and truly affordable housing.

The LUC plays a critical role in ensuring that development decisions balance economic interests with the need to protect Hawai‘i’s environment, cultural heritage, and public trust resources. County planning commissions, in contrast, lack the LUC’s expertise and institutional memory in evaluating large-scale land use changes. Additionally, they do not utilize the LUC’s contested case hearing process, which is designed to provide transparency, accountability, and a level of political insulation to ensure fair and informed decision-making.

Allowing county planning commissions to fast-track 100-acre development projects on non-urban lands through "special permits" increases the risk of uninformed and politically influenced decisions. This would have devastating and irreversible consequences for Hawai‘i’s environmental and cultural integrity, food security, and social fabric. At a time when climate change is intensifying the challenges we face, we must be strengthening, not undermining, the foundations of resilience for ourselves, our keiki, and the generations to come.

I urge you to protect Hawai‘i’s future by voting NO on HB826 HD2.

me ke aloha ‘āina,

Nanea Lo

Mō‘ili‘ili, HI 96826

Sierra Club of Hawai‘i Executive Committee Member

Board Member, Hawai‘i Workers Center

Kanaka Maoli/Lineal Descendant of the Hawaiian Kingdom



**HB-826-HD-2**

Submitted on: 3/16/2025 1:58:31 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ronnie N Inagaki	Individual	Oppose	Written Testimony Only

Comments:

**\*\*Testimony in Opposition to HB826 HD2\*\*****\*\*Submitted to the COMMITTEE ON WATER AND LAND & COMMITTEE ON HOUSING\*\*****\*\*Hearing Date: Tuesday, March 18, 2025**

To: Senator Lorraine R. Inouye, Chair

Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Stanley Chang, Chair

Senator Troy N. Hashimoto, Vice Chair

COMMITTEE ON HOUSING

**\*\*From:\*\*Ronnie Inagaki****\*\*Subject:\*\* Opposition to HB826 HD2**

Dear Chairs, Vice Chairs, and Members of the Committees,

I am writing to respectfully express my **\*\*opposition\*\*** to HB826 HD2. While I appreciate the intent of the bill to address housing shortages in Hawaii, I believe that this measure is not the right approach to solving the broader housing crisis.

HB826 HD2 proposes to facilitate the development of agricultural workforce housing, long-term rentals, and workforce ownership housing by allowing county planning commissions to permit such developments on agricultural lands. However, I believe this bill could have unintended consequences that may outweigh its intended benefits, and I cannot support it in its current form.

I urge the committee to reconsider this measure and explore alternative solutions that address the housing crisis without jeopardizing other critical priorities such as agricultural sustainability, environmental protection, or responsible urban growth.

Thank you for the opportunity to provide testimony.

Sincerely,

Ronnie Inagaki

**HB-826-HD-2**

Submitted on: 3/16/2025 3:17:38 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurien Nuss	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Chang, and Members of the Senate Committees on Water and Land and Housing:

Please HOLD HB 826. This is another attempt to weaponize our housing crisis against our own people. The bill removes major protections for agricultural land and public trust resources, and doesn't even require that any of the housing go to those of us from here who need it. It is yet another attempt to get our important land use laws for the benefit of a few developers.

This bill is nothing short of a giveaway to developers with no clear benefits to our local community and no protections for public trust resources or other public interests. Indeed the term "workforce" is undefined and the term "affordable" appears nowhere, so presumably as long as the wealthy work at home the new units could qualify as "workforce" housing. It is yet another bill that assumes just building more housing will solve all our problems.

Mahalo,

Laurien Nuss

Hilo, HI.

**HB-826-HD-2**

Submitted on: 3/16/2025 3:47:57 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Krista Vessell	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE OPPOSE OPPOSE!!! WE DO NOT NEED ANYMORE UN" AFFORDABLE" HOUSING PROJECTS TAKING AWAY AG LANDS! We have MORE than enough housing units available for LOCALS if you stop letting real estate investors turn housing into cashflow properties! Why don't you take up a bill to END real estate speculation with RESIDENTIAL housing???

**HB-826-HD-2**

Submitted on: 3/16/2025 4:31:27 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
pahnelopi mckenzie	Individual	Oppose	Written Testimony Only

Comments:

This bill needs way more community oversight and sound very dangerous. I oppose HB268

Pahnelopi McKenzie



**HB-826-HD-2**

Submitted on: 3/16/2025 8:10:55 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Wahinehookae	Individual	Oppose	Written Testimony Only

Comments:

Eric Keali'i Wahinehookae

81 waipahe st

Kihei HI 96753

Ewahinehookae@gmail.com

3/16/2025

Chair Inouye, Chair Chang, and Members of the Senate Committees on Water and Land and Housing,

Dear Chair Inouye, Chair Chang, and Members of the Committees,

I am writing to express my strong opposition to House Bill 826, which poses a significant threat to our agricultural lands and the integrity of our Land Use Commission. It is crucial that we act together to protect these invaluable resources from being sacrificed under the guise of providing affordable housing.

Each year, we witness the relentless push from development interests to amend or repeal the laws that safeguard our agricultural lands. This year, HB 826 exemplifies this trend, masquerading as a solution for our workforce housing needs while fundamentally undermining the protections established in Chapter 205.

While the bill claims to address housing shortages, it does so at the expense of our agricultural lands, allowing county planning commissions to bypass essential contested case hearings. This process is vital for ensuring that community, public trust, and Native Hawaiian interests are considered. By limiting the contested case hearing to the county level, the bill effectively silences important voices and diminishes accountability.

Moreover, the language of HB 826 is misleading. The undefined terms “workforce” and the absence of clear definitions for “affordable” housing raise serious concerns. This bill could lead to a scenario where luxury housing is labeled as workforce housing simply because individuals can work remotely.

The special permit process outlined in HRS 205-6 is intended for unique and reasonable uses of agricultural land, not for urbanization. By diverting this process, we risk the integrity of our land use laws, which are designed to balance public needs with development interests.

Thank you for your attention to this critical matter.

Sincerely,

Eric Keali'i Wahinehookae

3/16/2025

81 waipahe st Kihei hi 96753.

**HB-826-HD-2**

Submitted on: 3/16/2025 8:15:02 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurie Roberson	Individual	Oppose	Written Testimony Only

Comments:

Help save our agricultural lands from fake affordable housing projects

Dear Chair Inouye, Chair Chang, and Members of the Senate Committees on Water and Land and Housing:

My name is Laurie Robertson and I am a farmer on Maui and a long time resident very concerned about our agriculture industry and all agricultural lands. We need food security and agricultural lands to feed our community.

Please HOLD HB 826. This is another attempt to weaponize our housing crisis against our own people. The bill removes major protections for agricultural land and public trust resources, and doesn't even require that any of the housing go to those of us from here who need it. It is yet another attempt to gut our important land use laws for the benefit of a few residences.

I am also a Lahaina fire survivor, still waiting to have stable housing and still, I vehemently oppose this bill and hope you will too

Sincerely,

Laurie Robertson

**HB-826-HD-2**

Submitted on: 3/16/2025 9:21:37 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kalena Shim	Individual	Oppose	Written Testimony Only

## Comments:

Aloha Chair Inouye, Chair Chang and Members of the Senate Committees on Water, Land and Housing,

My name is Kalena Shim from Lahaina and I am writing in strong opposition to HB826, which would allow residential development on agricultural lands through special permits. While I understand the urgent need for more affordable housing, this bill poses a significant threat to Hawaii's long-term agricultural viability and food security.

Agricultural lands are not just empty spaces waiting to be developed — they are essential to Hawaii's ability to feed itself and preserve its cultural identity. HB826 opens the door for residential sprawl in areas specifically designated for agriculture, even if the bill limits development to lower-productivity soils. Once agricultural land is lost to development, it is nearly impossible to reclaim it for farming.

This bill also creates a dangerous precedent. If residential development is allowed on agricultural land through special permits, what stops future expansions or exemptions? Developers will push for more lenient terms, and before long, agricultural districts will be indistinguishable from urban zones. Hawaii has already seen how unchecked development displaces local farmers and drives up land values, making it harder for the next generation of farmers to survive.

HB826 also lacks meaningful protections to ensure that the housing created will truly benefit local families and agricultural workers. Without clear enforcement mechanisms, there is a high risk that developers will exploit these special permits to build market-rate or luxury housing instead of affordable, workforce housing. This bill is more likely to increase profits for developers than provide real solutions for local families struggling to afford a home.

Preserving agricultural land is not just about protecting farming — it's about protecting our culture, food security, and future self-sufficiency. Once we sacrifice agricultural land for development, we cannot reverse that decision. Hawaii needs real solutions to the housing crisis, but HB826 will only deepen the divide between local families and their ability to remain connected to the 'āina.

I urge you to vote NO on HB826 and instead focus on strengthening affordable housing initiatives within existing urban areas without compromising Hawaii's agricultural future.

Mahalo for your time and service.

Respectfully,

Kalena.

**HB-826-HD-2**

Submitted on: 3/16/2025 9:57:41 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Marion McHenry	Individual	Oppose	Written Testimony Only

Comments:

Chair Inouye, Chair Chang, and Members of the Senate Committees on Water and Land and Housing:

Please HOLD HB 826. This is another attempt to weaponize our housing crisis against our own people. The bill removes major protections for agricultural land and public trust resources, and doesn't even require that any of the housing go to those of us from here who need it. It is yet another attempt to gut our important land use laws for the benefit of a few developers.

Sincerely,

Marion McHenry,

Princeville, Kauai

**HB-826-HD-2**

Submitted on: 3/17/2025 6:20:55 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

**STRONGLY OPPOSE!!!**

**HB-826-HD-2**

Submitted on: 3/17/2025 7:10:43 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Alexa Helge	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB826 HD2 as it is currently written. I appreciate the legislature's commitment to solve our housing crisis, but eliminating agriculture lands to do so is not the answer. I fear it will result in the further concretization of our islands and will not result in locals or kānaka actually getting housing.



**HB-826-HD-2**

Submitted on: 3/17/2025 7:42:18 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kylie Hopkins	Individual	Oppose	Written Testimony Only

## Comments:

*Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,*

*My name is Kylie Hopkins and I **strongly OPPOSE HB826 HD2.***

*This measure would allow county planning commissions to side-step the state Land Use Commission (LUC), and fast track residential development on up to 100 acres of agricultural and rural lands at a time. This could severely compromise the rights and interests of our present and future generations, including those relating to our future food security, natural and cultural resources, Native Hawaiian traditional & customary rights, climate resilience, and even job creation and affordable housing needs.*

*Notably, county planning commissions lack the LUC's expertise and institutional memory in balancing development with these critical rights and community interests, and do not utilize the LUC's careful "contested case hearing" process that ensures transparency, accountability, and a degree of political insulation in approving large-scale land use changes.*

*Accordingly, allowing county planning commissions to fast track 100-acre development projects on non-urban lands by "special permit" could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's environmental and cultural integrity, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.*

*I urge you to **HOLD HB826 HD2.***

*Sincerely,*

*Kylie Hopkins*

**HB-826-HD-2**

Submitted on: 3/17/2025 9:42:17 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

oppose

**HB-826-HD-2**

Submitted on: 3/17/2025 10:12:06 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Katherine Fryer	Individual	Oppose	Written Testimony Only

## Comments:

I strongly OPPOSE HB826 HD2, which would allow counties to sidestep the Land Use Commission and authorize residential development on up to 100 acres of non-urban land at a time.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to uninformed and potentially biased decisions, threatening irreversible damage to Hawai'i's lands, water, food security, economy, and social fabric. The uncertainties of climate destabilization make it all the more essential to protect these foundations of resilience for ourselves and our descendants.

I urge you to hold HB826 HD2.

**HB-826-HD-2**

Submitted on: 3/17/2025 10:34:37 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is William Reese Liggett and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

Sincerely,  
William Reese Liggett

**HB-826-HD-2**

Submitted on: 3/17/2025 10:38:31 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Umiamaka	Individual	Oppose	Written Testimony Only

Comments:

Dear Legislators,

I am writing to express my strong opposition to HB826 HD2, which proposes to allow residential development on agricultural lands. This bill is fundamentally at odds with Hawaii's critical priorities of food and energy security, and it threatens the health and future of our local residents and families.

Hawaii's over-dependence on imported food and energy is a well-documented challenge that demands urgent action. Our state has a unique opportunity to increase local food production and energy self-sufficiency, but HB826 HD2 would severely undermine these efforts. By allowing the conversion of up to 100 acres of agricultural land for residential use, this bill directly contradicts the goal of increasing Hawaii's food self-sufficiency.

The economic impact of food import replacement is significant. Replacing just 10% of the food Hawaii currently imports would keep approximately \$313 million within our state. HB826 HD2 would make achieving this goal much more difficult by reducing the land available for local food production.

Furthermore, this bill bypasses the expertise and thorough review process of the Land Use Commission, potentially leading to uncontrolled development without adequate safeguards. This could have severe consequences for our natural and cultural resources, Native Hawaiian rights, and climate resilience.

Hawaii's unique island ecosystem requires careful stewardship of our limited land resources. The preservation of agricultural lands is crucial not only for food production but also for maintaining the environmental balance and cultural heritage of our islands.

Instead of facilitating residential development on agricultural lands, we should be focusing on strategies to strengthen our local food systems. This includes supporting local farmers, improving agricultural infrastructure, and implementing policies that encourage local food production and consumption.

I urge you to reject HB826 HD2 and instead prioritize legislation that truly supports Hawaii's food and energy security. Our families' health and future depend on maintaining and enhancing our agricultural lands, not converting them for short-term housing gains.

Sincerely,  
Deborah Umiamaka

**HB-826-HD-2**

Submitted on: 3/17/2025 10:59:25 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lory Ono	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Lory Ono, and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

Sincerely,

Lory Ono

**HB-826-HD-2**

Submitted on: 3/17/2025 11:39:28 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kapali Keahi	Individual	Oppose	Written Testimony Only

Comments:

Chair Inouye, Chair Chang, and Members of the Senate Committees on Water and Land and Housing:

Please HOLD HB 826. This is another attempt to weaponize our housing crisis against our own people. The bill removes major protections for agricultural land and public trust resources, and doesn't even require that any of the housing go to those of us from here who need it. It is yet another attempt to gut our important land use laws for the benefit of a few developers.

Sincerely,

Kapali Keahi



**HB-826-HD-2**

Submitted on: 3/17/2025 1:09:45 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Sharde Freitas	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Sharde Freitas and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

**LATE**

**HB-826-HD-2**

Submitted on: 3/17/2025 1:11:32 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Michaellyn Burke	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Chang, and Members of the Senat Committees and Water and Land and Housing:

I am a Lahaina resident submitting testimony today to request that you **HOLD HB 826**. This is another attempt to weaponize our housing crisis against our own people. The bill REMOVES major protections for agricultural land and public trust resources, yet doesn't even require taht any of the housing go to those of us from here who need it. This is yet another attempt to gut out important land use laws for the benefit of a few developers. The housing crisis across the state is the worst it's ever been but that does not mean we are too desparate to see a snake for what it is. We need to be protecting what meager resources we have left with an eye toward permanence for attainable homes for our local workforce and culture.

I have learned the following in my attempt to educate myself on housing and land use issues in our state:

EVERY YEAR, the confluence of money and political power which largely rules Hawai`i tries to erode or eliminate the state Land Use Commission by amending or repealing the law that created it, chapter 205. Development interests especially have their eyes on gutting the laws that protect agricultural land from speculative housing development.

This year's current main attack is coming from House Bill 826, which like all bills, sounds good if you do not know the details – providing more housing for our “workforce” on poorer quality ag lands. The bill would allow county planning commissions to use a particular “special permit” process to do this and to bypass any contested case hearings later on.

The bill, however, is **nothing short of a giveaway to developers with no clear benefits to our local community and no protections for public trust resources or other public interests**. Indeed the term “workforce” is undefined and the term “affordable” appears nowhere, so presumably as long as the wealthy work at home the new units could qualify as “workforce” housing. It is yet another bill that assumes just building more housing will solve all our problems.

Perhaps most importantly, the very technical language of the bill – “Applications shall be reviewed pursuant to the process set forth in section 205-6; provided that section 91-9 shall only apply at the point of county planning commission review. “ - hides its dirty big secret. HRS 205-

6 is the “special permit” process which is designed for certain unusual and reasonable uses of ag land – not for urbanizing land! There is a different process for urbanizing land that specifically allows for the Land Use Commission to weigh different public needs and allow for conditions placed on developers (like requiring affordable housing)! **This would exempt these lands from that process.**

“Section 91-9” is the process that allows a contested case hearing, which is often the only way community, public trust, and Native Hawaiian interests to be meaningfully considered. By making that process only occur at the county planning commission level, it means that any other body, like the County Council, could simply ignore the legal issues raised and approve the project.

**This is a very HARMFUL bill disguised in the name of helping to solve the housing crisis. DO NOT fall for it because we learn over and over again that the devil is in the details and the details are nefarious. Please at minimum, HOLD Bill HB 826 before you create more harm for our true local workforce.**

Me ke ha'aha'a,

Michaellyn Burke

Lahaina, Maui

**HB-826-HD-2**

Submitted on: 3/17/2025 1:31:50 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Glenn Choy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. Thank you

**HB-826-HD-2**

Submitted on: 3/17/2025 2:28:09 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
Caroline Barbeau	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

**HB-826-HD-2**

Submitted on: 3/17/2025 2:58:03 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
david hill	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is David Hill and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

Sincerely,

David Hill

**LATE**

**HB-826-HD-2**

Submitted on: 3/17/2025 3:32:25 PM  
Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB826 HD2.

We cannot afford to lose agricultural and rural lands for the sake of developers and their profits.

Please Hold HB826 HD2.

Thank you.

**HB-826-HD-2**

Submitted on: 3/17/2025 5:12:41 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Bo Breda and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

County planning commissions lack the LUC's expertise and institutional memory, and do not utilize the LUC's sophisticated "contested case hearing" process when rendering land use decisions.

Accordingly, allowing county planning commissions to approve 100-acre development projects on non-urban lands could lead to less-than-informed and potentially biased decisionmaking, threatening needless and irreversible harm to Hawai'i's lands, water, food security, economy, and social fabric. With the uncertainties of climate destabilization we must protect, and not undermine, these foundations of resilience for ourselves, as well as our children, grandchildren, and the future generations who will call these islands home.

I urge you to **HOLD HB826 HD2**.

Sincerely,  
Bo Breda



**HB-826-HD-2**

Submitted on: 3/17/2025 5:17:02 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Peter Wilson and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

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I urge you to **HOLD HB826 HD2**.

Sincerely,  
Peter Wilson

**HB-826-HD-2**

Submitted on: 3/17/2025 6:37:32 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lei Fisher	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Lei Fisher and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

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I urge you to **HOLD HB826 HD2**.

Me ke aloha,

Lei Fisher

**HB-826-HD-2**

Submitted on: 3/17/2025 7:27:35 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Leo Braulick	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Nathan Leo Braulick and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

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I urge you to **HOLD HB826 HD2**.

Sincerely,  
Nathan Leo Braulick

**HB-826-HD-2**

Submitted on: 3/17/2025 8:00:52 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Testify
KEALA FUNG	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Keala Fung from Honolulu and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

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I urge you to **HOLD HB826 HD2**.

Sincerely,  
Keala Fung

**Senate Joint Committee Hearing on House Bill 826, HD2**  
**Senate Committee on Water and Land**  
**Senate Committee on Housing**  
**Tuesday March 18, 2025**  
**1:05 PM, Senate Conference Room 22**

**LATE**

**Strong Opposition to HB 826, HD2**

SB 826 HD2, relating to housing, authorizes county planning commissions to issue special permits for workforce fee-simple housing development and long-term rental housing development on vitally necessary agricultural land.

HB 826, HD2 is a development-driven bill that by-passes the State Land Use Commission. The State Land Use Commission (LUC) has a crucial role in land use planning and protective State oversight issues by considering the objectives and policies of the **State Plan** (HRS 226) and the **Public Trust** (HRS 205-17.3); by classifying all lands into districts within the State; and by ensuring that land use decisions recognize both State and public concerns, including **food security**.

SB 826, HD2 undercuts the State's Important Agricultural Land (IAL) Act 233 established in 2008 to protect important agricultural lands designated by the State and provide agricultural incentives to landowners.

The LUC additionally establishes agricultural uses in the C, D, E and U lower agricultural productivity categories to ensure that the objectives of the State Constitution are met to: "*conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.*" (State Constitution Article XI, Section 3)

In contrast, HB 826, HD2 authorizes county planning commissions to by-pass the State Constitution and issue "special permits" under HRS 201H exemptions to allow fee simple ownership and long-term rentals consuming agricultural land up to 100 acres per permit.

Further, HRS 201H has no requirement for public hearings or public involvement. Rightfully, the State Land Use Commission and the counties presently provide concerned citizens with the opportunity to be heard regarding matters impacting the State's safe and sustainable agricultural land supply for present and future generations. Additionally, contested case hearings before the LUC offer the public important opportunities to present issues of concern regarding such over-reaching redevelopment proposals targeting necessary agricultural lands.

**Once necessary agricultural land is subdivided for housing development, this sustaining agricultural land is gone forever.**

**LATE**

**HB-826-HD-2**

Submitted on: 3/17/2025 10:08:15 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Aree Worawongwasu	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Aree Worawongwasu and I strongly OPPOSE HB826 HD2, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

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I urge you to HOLD HB826 HD2.

Sincerely,

Aree Worawongwasu, PhD Student, University of Hawai'i at Mānoa.

**LATE**

**HB-826-HD-2**

Submitted on: 3/17/2025 10:17:04 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Shishido	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and members of the committees,

My name is Karen Shishido and I **strongly OPPOSE HB826 HD2**, which would allow counties to side-step the Land Use Commission, and authorize residential development on up to 100 acres of non-urban land at a time - severely and needlessly compromising the rights and needs of our present and future generations.

The state Land Use Commission (LUC) has decades of experience balancing the urbanization of our non-urban lands with our future food security, natural and cultural resource protection, Native Hawaiian rights, climate resilience, and even job creation and affordable housing needs. It does this using a time-tested, objective, and transparent process that ensures a vetted factual record, due process for any impacted rights, and an explicit consideration of other critical public interests.

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I urge you to **HOLD HB826 HD2**.

Sincerely,  
Karen Shishido

**LATE**

**HB-826-HD-2**

Submitted on: 3/18/2025 9:25:22 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelly King	Individual	Oppose	Written Testimony Only

Comments:

Please HOLD HB 826. This is another attempt to weaponize our housing crisis against our own people. The bill removes major protections for agricultural land and public trust resources, and doesn't even require that any of the housing go to those of us from here who need it. It is yet another attempt to gut our important land use laws for the benefit of a few developers.