



**STATE OF HAWAI'I  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

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Statement of  
**MARY ALICE EVANS, Director**

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

Wednesday, February 5, 2025

1:00 PM

State Capitol, Conference Room 229

in consideration of  
**SB 740**  
**RELATING TO SPECIAL PERMITS.**

Chair Inouye, Vice Chair Elefante, and Members of the Senate Committee on Water and Land.

The Office of Planning and Sustainable Development (OPSD) offers **comments** on SB 740, which would authorize the Land Use Commission (LUC) to designate another agency, including but not limited to OPSD, to monitor compliance with any conditions imposed in a special permit approved by the LUC.

OPSD notes that the counties are responsible for enforcing conditions imposed by special permits approved by the LUC as well as special permits for land areas fifteen acres or less approved by the county land use authority. OPSD is not a regulatory body and has neither the authority nor the staff to monitor and enforce special permit restrictions imposed by the LUC.

OPSD would need additional manpower and travel funds to have the capacity to monitor compliance with terms and conditions of Special Permits (SP). At a minimum, one FTE Planner VI (\$80K) and travel funds (12 rt X \$500=\$6K) to inspect SP sites and to attend LUC hearings on the Neighbor Island's where more of the Special Permits are located – because the Neighbor Island counties have a larger proportion of their lands in the State Agricultural District and thus need to locate needed facilities in the Ag District.

Some of the compliance monitoring could be done as a desk audit by calling state and county agencies to inquire if conditions that the agencies requested the LUC to impose in granting the Special Permit were in fact carried out. However, the enforcement authority resides with the LUC, in Chapter 205-12. Enforcement, not OPSD or other state agencies named as in SB 740.

The LUC starts a compliance review with a Status Hearing which, while not a contested case hearing with rules of evidence, may lead to Order to Show Cause, which is a prelude to enforcement and therefore, the evidence collected and reported to the LUC must be verified.

An additional expense relating to designation of OPSD to monitor compliance of Special Permits may be assignment of an additional deputy AG to review motions and filings.

Thank you for the opportunity to testify on this measure.



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

Before the  
**Senate Committee on Water and Land**

Wednesday February 5, 2024  
1:00 PM  
State Capitol, Room 229 and Video Conference

In consideration of  
**SB740**

## **RELATING TO SPECIAL PERMITS**

Chairs Inouye; Vice Chair Elefante; and members of the Senate Committee on Water and Land:

The proposed measure would allow the Land Use Commission ("LUC") to designate another agency to monitor compliance with any restrictions imposed under the State Special Permit process.

The LUC has not taken an official position on the measure at this time.

Thank you for the opportunity to testify on this matter.

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

**SYLVIA LUKE**  
Lt. Governor



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**SHARON HURD**  
Chairperson, Board of Agriculture

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



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

**BEFORE THE SENATE COMMITTEE ON WATER AND LAND**

**WEDNESDAY, FEBRUARY 5, 2025**  
**1:00 PM**  
**CONFERENCE ROOM 229**

**SENATE BILL NO. 740**  
**RELATING TO SPECIAL PERMITS**

Chair Inouye, Vice Chair Elefante and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 740 that authorizes the Land Use Commission to designate another agency, including the Office of Planning and Sustainable Development, Department of Agriculture, or Agribusiness Development Corporation, to monitor compliance with any restrictions imposed in a special permit.

The Department of Agriculture would offer its assistance to the Land Use Commission in their monitoring of compliance with agriculture-related restrictions imposed in special permits.

Thank you for the opportunity to testify on this measure.



## **SUGGESTED TESTIMONY POINTS ON CREATING A DROP PROGRAM**

Below are some suggested points to make for your testimony supporting SB470. Please feel free to use these in whole form or partially and to provide your own personal experience.

### **Officer Retention**

Our police department faces a staffing crisis. And month after month it is only getting worse.

Its harder to get days off, to take vacations. We're working more hours, longer days, sometimes without proper rest in between. The impact on us is taking its toll on our bodies and on our families.

DROP will keep more officers on the job longer. It's a fact. And we desperately need those officers. We all are hopeful that hiring and recruitment will pick up, but we can't wait for that to occur. We're losing officers today.

Please help solve the police staffing crisis. Please support SB 470.

### **Investment**

DROP offers a real, practical solution to our police staffing challenges by incentivizing experienced officers to extend their service.

This program allows us to retain highly trained officers who have the institutional knowledge and expertise we need to continue to protect public safety as well as mentor the new hires we need to rebuild our departments.

I urge to look at DROP as an investment. An investment in the retention of our experienced officers, an investment in the safety and well-being of our communities.

The alternative is to continue to wait for a miracle to solve our staffing crisis. The longer we wait, the worse it gets.

I urge you to support SB 470.

### **Officer/Community Impact**

The current staffing shortage places an immense burden on our officers, leading to burnout, stress, and compromised well-being.

SB 470 offers a pathway to lighten that burden.

By enabling experienced officers to participate in DROP, we ensure that our communities continue to benefit from their expertise and dedication.

This program promotes continuity in community policing, fostering stronger relationships between officers and the neighborhoods they serve because they will stay in those neighborhoods instead of leaving the department.

Supporting SB 470 is supporting both the well-being of our dedicated police officers and the safety of our communities. I urge you to vote 'yes' on SB470

### **Officer Safety and 911 Response Times**

Understaffed police departments pose a direct threat to officer safety. When fewer officers are on patrol, backup can be dangerously delayed, putting officers at increased risk.”

SB 470 addresses this critical safety concern by incentivizing experienced officers to remain on the force, ensuring adequate staffing levels and faster response times.

Improved response times not only protect officers but also enhance public safety. Every second counts in an emergency, and SB 470 helps ensure timely assistance for those in need.

This legislation is essential for safeguarding our officers and maintaining effective 911 response capabilities. I urge you to prioritize officer and community safety by supporting SB 470.”



# Food+ Policy Internship 2025

[food@purplemaia.org](mailto:food@purplemaia.org)

**LATE**

February 4, 2025

Subject: SB 740 *Relating to Special Permits*

Aloha Chairs Inouye and Rhoades, Vice Chairs Elefante and Gabbard, and Members of the Water & Land and Judiciary Senate Committees,

Hawai'i Food+ Policy is in support of SB 740, which seeks to enhance the regulatory framework surrounding special permits for land use in our state. This bill is crucial for ensuring that agricultural lands and rural districts are managed responsibly and sustainably, while also providing a mechanism for effective compliance monitoring.

Special permits serve as a vital tool in managing land use, particularly for areas exceeding fifteen acres or designated as important agricultural lands. These permits allow the Land Use Commission (LUC) to impose specific conditions that align with the state's goals for sustainable development and environmental protection. By requiring approval from the LUC, we ensure that any development on these lands is carefully scrutinized and aligned with broader community interests.

One of the most significant aspects of SB740 is its provision allowing the LUC to designate another agency to monitor compliance with restrictions imposed by special permits. This feature addresses a critical gap in our current system: the need for ongoing oversight after a permit has been granted. Effective compliance monitoring is essential to ensure that developers adhere to the conditions set forth in their permits, thus safeguarding our valuable agricultural resources and maintaining the integrity of rural districts.

By empowering another agency to take on this responsibility, we can leverage specialized expertise and resources that may not be available within the LUC itself. This collaborative approach will enhance accountability and transparency in land use decisions, ultimately benefiting both landowners and the community at large.

**The Food+ Policy internship** develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2024, the cohort of interns are undergrads and graduate students from throughout the UH System. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.



# Food+ Policy Internship 2025

[food@purplemaia.org](mailto:food@purplemaia.org)

Hawai'i's agricultural lands are not only vital for food production but also play a crucial role in preserving our cultural heritage and natural environment. The designation of important agricultural lands reflect our commitment to protecting these resources from inappropriate development. SB740 reinforces this commitment by ensuring that any special permit granted includes robust compliance measures tailored to protect these critical areas.

Moreover, as we face increasing pressures from urbanization and climate change, it is imperative that we adopt proactive measures to safeguard our agricultural lands. The provisions outlined in SB740 will help us achieve this goal by ensuring that all developments are conducted responsibly and sustainably.

In conclusion, we urge you to support SB740 as it represents a significant step forward in enhancing our land use regulatory framework. By allowing designated agencies to monitor compliance with special permits, we can ensure that our agricultural districts and rural areas are protected from potential harm while promoting responsible development practices. Let us work together to preserve Hawai'i's 'aina for future generations. We kindly appreciate your consideration.

Mahalo, The Hawaii Food+ Policy Team

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