

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

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WRITTEN ONLY

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON JUDICIARY

TUESDAY, APRIL 2, 2024
10:05 AM
CONFERENCE ROOM 016

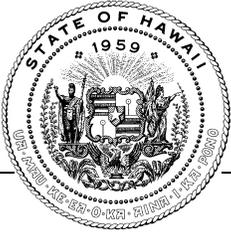
HOUSE BILL NO. 1923, HOUSE DRAFT 1, SENATE DRAFT 1
RELATING TO CAMPS

Chair Rhodes, Vice Chair Gabbard and Members of the Committee:

Thank you for the opportunity to testify on House Bill 1923, SD1 that retains the existing prohibition on overnight camps in the Agricultural District and allows overnight camps in operation prior to January 1, 1961, to be regulated by the Special Permit process. The Department of Agriculture (Department) supports the retention of the existing prohibition on overnight camps in the Agricultural District.

Thank you for the opportunity to present our testimony.





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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
INTERIM DIRECTOR

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Statement of
MARY ALICE EVANS, Interim Director

before the
SENATE COMMITTEE ON JUDICIARY

Tuesday, April 2, 2024

10:05 AM

State Capitol, Conference Room 016

in consideration of
**HOUSE BILL 1923 HD1 SD1
RELATING TO CAMPS.**

Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

The Office of Planning and Sustainable Development (OPSD) **supports** HB1923 HD1 SD1, which retains the prohibition against overnight camps in the State Agricultural District contained in § 205-4.5 (a) (6), Hawaii Revised Statutes, but allows “overnight camps in operation prior to January 1, 1961” to be approved by special permit.

OPSD recognizes the public benefit provided by overnight camps that existed prior to the establishment of the State Land Use Classifications and that these grandfathered uses are likely not in areas appropriate for reclassification to the Urban District. HB1923 HD1 SD1 allows these camps to continue to operate with a special permit while protecting the Agricultural District from new non-agricultural overnight camp use.

Thank you for the opportunity to testify on this measure.



April 1, 2024

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

DATE: Tuesday, April 2, 2024
TIME: 10:05 AM
PLACE: Conference Room 016 & Videoconference
State Capitol
415 South Beretania Street

TESTIMONY IN STRONG SUPPORT OF [HB 1923, HD1, SD1](#)

Aloha Chair Rhoads, Vice Chair Gabbard and members of the Committee,

Thank you for the opportunity to provide testimony in strong support of HB 1923, HD1, SD1

I am testifying on behalf of hundreds of active Scouts and adult volunteers who utilize Camp Maluhia north of Wailuku, which is one of the most widely used wilderness facilities within Maui County. Resting on the island's cool windward slopes and with a panoramic view of the Pacific Ocean, Camp Maluhia has been a favorite destination for over 100 years of Maui's Scouts

Throughout the year, Maui scouts utilize the camp for overnight camping, in addition to Summer Camp. This camp is an integral part of the Maui Scouting experience.

Our camp currently operates under a special permit set to expire in 2025. We plan to seek renewal of this permit.

Camp Maluhia operated prior to the adoption of the State Land Use law and is considered "grandfathered" for use. Based on the March 2023 Hawai'i Supreme Court our camp will no longer be able to obtain time extensions for the respective special permit, and instead would be required to change our State Land Use classification from "Agricultural" to "Urban." This would create an immense burden for our non-profit, which would require a long and expensive rezoning process. Camp Maluhia is in a rural setting with no urban uses in the nearby vicinity.

If approved this bill would re-establish the regulatory process for overnight camps that existed for over 30 years prior to the recent ruling, allowing Special Permits to be used as a permitting vehicle for overnight camps, requiring approval from the Planning Commissions (or Land Use Commission for uses over 15 acres) via the Special Permit process, including notification neighbors and a public hearing.





BOY SCOUTS OF AMERICA®
ALOHA COUNCIL

We are not asking for an exclusion or exemption, we are asking to remain operable by special use permits, it is a guaranteed way for local control to ensure that we are operating as set forth by our use permit.

Thank you for the opportunity to provide testimony.

Blake Parsons
CEO / Scout Executive
Boy Scouts of America, Aloha Council

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MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEE ON JUDICIARY
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 016
Tuesday, April 2, 2024 AT 10:05 A.M.**

To The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Mike Gabbard, Vice Chair
Members of the committee on Judiciary

SUPPORT HB1923 HD1 SD1 RELATING TO CAMPS

The Maui Chamber of Commerce **SUPPORTS HB1923 HD1 SD1.**

The Chamber notes there was a Hawaii Supreme Court ruling that disallowed camping as a special use in a district that prohibited the use. Here, on Maui, there are four campgrounds in agricultural districts each established before the adoption of the state land use law and considered grandfathered uses. Two campgrounds have special permits expiring in the next year and a half. Based on the Hawaii Supreme Court's ruling, these two campgrounds would need to obtain a district boundary amendment to change the land use classification from agricultural to urban. Changing the land use classification to urban would be a type of spot zoning since the campgrounds are in rural, country type settings with no urban uses in the nearby vicinity.

We support this bill that repeals the prohibition on overnight camps in agricultural districts in order to allow overnight camps to be regulated via the special permit process.

For these reasons, we **SUPPORT HB1923 HD1 SD1.**

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.