



# LAND USE COMMISSION

*Komikina Ho'ohana 'Āina*

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

**JOSH GREEN, MD**  
GOVERNOR

**DANIEL E. ORODENKER**  
EXECUTIVE OFFICER

235 S. Beretania Street, RM 406, Honolulu, Hawai'i 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804  
Email Address: dbedt.luc.web@hawaii.gov

Telephone: (808) 587-3822

Website: luc.hawaii.gov

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

Before the  
**Senate Committees on**  
**Water, Land, Culture and the Arts**  
**And**  
**Energy and Intergovernmental Affairs**

Thursday March 19, 2026  
3:00 PM  
State Capitol, Room 224 and Video Conference

In consideration of  
**HB1844 HD2**

## **RELATING TO THE LAND USE COMMISSION**

Chairs Lee and Wakai; Vice Chairs Inouye and Chang; and members of the Senate Committees on Water, Land, Culture and the Arts; and Energy and Intergovernmental Affairs:

The proposed measure, in section 205-(a), would *require* the Land Use Commission (“LUC”) to reclassify lands into the State Urban District upon a request by a county, when those lands are designated for urban growth under a county general or development plan. Also, it requires that “...the requisite analyses are completed and all applicable requirements under this part are met...” before submission to the LUC. The LUC is directed to consider any supplemental data gathered or studies completed by the counties when determining whether to approve, deny, or modify a county’s request. Proposed section 205-(b) only requires a county to submit a request to amend the urban district boundary and include a description of the property and a metes and bounds map of the affected property.

The Land Use Commission (“LUC”) met on February 11, 2026, to discuss legislative proposals. At that time the LUC did not take a position on this measure.

Commissioners discussed due process concerns, implications from the Town case, constitutional issues, duplication of county processes, contested case rights, potential litigation, infrastructure responsibility, and affordable housing impacts.

LUC staff have concerns that the proposed measure may not meet legal requirements for due process or provide the necessary information to the LUC required to render legally defensible re-classification of private property. We are concerned that decisions under this measure may lead to legal action by affected parties causing significant delays in housing development.

LUC staff believes that constitutional due process requires that applications require a contested case hearing be provided for every impacted landowner. The general plan process does not afford this type of due process protection. Re-classifying lands without providing due process likely violates both state and federal constitutional protections.

Although the measure mentions the need that “requisite analyses” be completed before a request is submitted to the LUC, it does not provide any description of what these analyses should be. The lack of required technical studies and potential level of land use changes would not allow the counties or LUC to identify possible impacts or formulate appropriate mitigation measures. This is violative of the public trust doctrine and recent decisions on cultural resource protection which require a “Ka Pa’akai analysis be performed for every government decision.

Current HRS section 205-4(h) requires the LUC to make any amendments to land use district boundaries only upon finding a clear preponderance of the evidence that such a change is not in violation of the Hawai’i State Plan, the LUC decision-making criteria which incorporates statutory and constitutional protections and representations made by a petitioner. The Supreme Court has made it clear that any government body rendering a decision concerning land use must undertake a public trust analysis and a “Ka Pa’akai” analysis. The county General plan process does not afford this decision-making process for re-districting of land for each impacted private landowner.

In addition to due process for the landowner itself, the public’s interest in water, the environment, traditional and customary practices, cultural resources and public access rights must be taken into account in any decision-making on district boundary changes.

LUC staff is here to answer any technical concerns or process issues. Thank you for the opportunity to testify on this matter

**HB-1844-HD-2**

Submitted on: 3/16/2026 6:11:48 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ted Bohlen	Testifying for Hawaii Reef and Ocean Coalition and Climate Protectors Hawaii	Oppose	Written Testimony Only

Comments:

The Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i **STRONGLY OPPOSE** this bill!

The lack of required technical studies and potential level of land use changes would not allow the counties or LUC to identify possible impacts or formulate appropriate mitigation measures. This is violative of the public trust doctrine and recent decisions on cultural resource protection which require a "Ka Pa'akai analysis be performed for every government decision. Current HRS section 205-4(h) requires the LUC to make any amendments to land use district boundaries only upon finding a clear preponderance of the evidence that such a change is not in violation of the Hawai'i State Plan, the LUC decision-making criteria which incorporates statutory and constitutional protections and representations made by a petitioner. The Supreme Court has made it clear that any government body rendering a decision concerning land use must undertake a public trust analysis and a "Ka Pa'akai" analysis. The county General plan process does not afford this decision-making process for re-districting of land for each impacted private landowner. In addition to due process for the landowner itself, the public's interest in water, the environment, traditional and customary practices, cultural resources and public access rights must be taken into account in any decision-making on district boundary changes.

This bill would force the Land Use Commission ("LUC") to urbanize agricultural, rural, or even conservation lands without sufficiently examining the myriad impacts that land use changes can have on our food security, public trust resources, cultural practices, climate resilience, affordable housing opportunities, and economic development.

Please defer this bill!

March 19, 2026

TO: Chair Lee and Members of the Water, Land, Culture and the Arts Committee  
Chair Wakai and Members of the Energy and Intergovernmental Affairs Committee  
RE: HB 1844 HD2, Relating to the Land Use Commission

Dear Chairs Lee, Wakai and Committee Members,

Housing Hawai'i's Future is a nonprofit dedicated to creating opportunities for Hawai'i's next generation by ending the workforce housing shortage.

**We support House Bill 1844 HD2.** This bill will require the Land Use Commission to reclassify lands that are designated for urban growth under a county general plan or county development plan as being in the urban district at the request of the county.

Hawai'i's housing shortage is, in large part, a supply constraint driven by layered and duplicative approval processes. When lands that have already been vetted and designated for urban expansion at the county level must undergo a separate reclassification process before the Hawaii Land Use Commission, the result is added delays, uncertainty, and added cost.

As Hawai'i faces a persistent housing deficit across income levels, policy alignment between state and county planning frameworks is essential. This bill advances that alignment in a targeted and responsible manner.

**Let's advance HB 1844 HD2.**

Thank you,



Lee Wang  
Executive Director  
Housing Hawai'i's Future  
[lee@hawaiisfuture.org](mailto:lee@hawaiisfuture.org)



Perry Arrasmith  
Director of Policy  
Housing Hawai'i's Future  
[perry@hawaiisfuture.org](mailto:perry@hawaiisfuture.org)

March 19, 2026

Senator Chris Lee, Chair  
Senator Lorraine Inouye, Vice Chair  
Committee on Water, Land, Culture & Arts

Senator Glenn Wakai, Chair  
Senator Stanley Chang, Vice Chair  
Committee on Energy and Intergovernmental Affairs

RE: **HB 1844 - Relating to the Land Use Commission**  
**Hearing date: March 19, 2026, at 3:00 PM**

Aloha Chair Lee, Chair Wakai and members of the committees,

Mahalo for the opportunity to submit testimony on behalf of NAIOP Hawaii **SUPPORTING THE INTENT WITH COMMENTS of HB 1844 RELATING TO THE LAND USE COMMISSION**. NAIOP Hawaii is the local chapter of the nation's leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders, and other professionals.

HB 1844 addresses the procedural overlap known as "double entitlement." The bill provides a mechanism for counties to process State Land Use District Boundary Amendments (SLUDBA) for lands already designated for growth within their respective, adopted county community plans.

The core of this issue is the sequential nature of two separate public review processes. County General Plans and Community Development Plans are adopted following multi-year public processes. These planning efforts involve:

- **Public & Stakeholder Engagement:** A series of community meetings, design charrettes, and informational workshops.
- **Technical Review:** Supporting technical studies concerning infrastructure capacity, environmental impacts, socioeconomic effects, and cultural resources.
- **Formal Public Hearings:** A quasi-legislative adoption process that includes multiple readings and formal public hearings before county planning commissions and county councils, providing platforms for public testimony.

When a county designates an "Urban Growth Boundary" through this process, it codifies a community-vetted consensus on future growth locations.

Under the current system, a project that conforms to this adopted county plan must subsequently undergo a separate, quasi-judicial public approval process at the State Land Use Commission (LUC). This second process often re-examines land use questions that were addressed during the county planning phase.

This duplicative "double entitlement" system, as identified in the Office of Planning and Sustainable Development's 2022 "State Land Use Review of Districts,"<sup>1</sup> is a documented driver of project delays and cost increases. The quasi-judicial nature of the LUC process can add years to project timelines and introduces litigation risks, which in turn contribute to higher costs for Hawai'i's homebuyers and renters.

### **Concerns with the HD2 Draft**

NAIOP Hawaii appreciates the Legislature's continued work on this measure. However, the HD2 draft introduces language that, if left unaddressed, would undermine the bill's core objective of eliminating duplicative review. Specifically:

***Removal of the "notwithstanding" override.*** HD1 opened subsection (a) with "Notwithstanding sections 205-3.1 and 205-4," which expressly overrode the existing LUC boundary amendment petition and hearing framework. HD2 deletes this clause entirely. Section 205-4 is the provision that subjects boundary amendments to Chapter 91 contested case proceedings, and section 205-3.1 governs county-level amendments. Removing the override restores the full applicability of these sections, including the LUC's decision-making criteria under HRS §205-17, to requests submitted under the new pathway. This deletion, combined with the affirmative Chapter 91 requirement discussed below, means the HD2 process is not materially different from the existing LUC petition process it was intended to replace.

***Chapter 91 compliance requirement.*** HD2 requires the commission to "process the request in accordance with the requirements of chapter 91." HRS Chapter 91 is Hawai'i's Administrative Procedure Act. Applied to individual reclassification requests, this language reintroduces the very procedural framework the bill is designed to streamline: formal public notice, public hearings, and potentially contested case proceedings. The current LUC boundary amendment process under HRS §205-4 already operates under Chapter 91, and it is this process that generates the multi-year delays and litigation risk that HB 1844 seeks to address. Requiring Chapter 91 compliance for individual county-initiated requests under this new section preserves the bill's form while neutralizing its function.

***Restored LUC discretion.*** HD2 conditions reclassification on the commission determining "that the requirements of this part have been satisfied" and authorizes the commission to "approve, deny, or modify the request." "This part" refers to all of HRS Chapter 205, Part I, which encompasses the full range of LUC decision-making criteria. This language effectively grants the LUC the same substantive review authority it currently exercises over

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<sup>1</sup> [https://files.hawaii.gov/dbedt/op/lud/20220128 State Boundary Review-Final/SLUReviewofDistricts1-28-22Final3.pdf](https://files.hawaii.gov/dbedt/op/lud/20220128%20State%20Boundary%20Review-Final/SLUReviewofDistricts1-28-22Final3.pdf)

conventional boundary amendment petitions, eliminating the distinction between the new county-initiated pathway and the existing process. For the bill to function as intended, the LUC's role under this section should be ministerial: confirming the completeness of the county's submission, not relitigating the merits of the underlying land use designation.

### **Response to Due Process Concern**

NAIOP Hawaii recognizes that the Department of the Attorney General raised concerns regarding public participation and notice to affected property owners in its February 10, 2026 testimony on the original bill. We understand these concerns prompted the HD2 insertion of Chapter 91 compliance requirements. While we share the Attorney General's commitment to due process, we respectfully submit that layering a second Chapter 91 contested case process onto this pathway is not the appropriate remedy, because the county general plan adoption process already satisfies the underlying due process requirements.

County general plans and community development plans are adopted through multi-year processes that include extensive public notice, community meetings, design charrettes, technical studies, formal public hearings before county planning commissions, and quasi-legislative adoption by county councils with multiple readings. These processes are conducted pursuant to HRS §226-58, which requires county plans to conform with the goals, objectives, policies, and priority guidelines of the Hawaii State Plan. Affected property owners and community members have multiple opportunities to participate throughout this process. The lands subject to HB 1844 are, by definition, lands that have already been through this full public process and designated for urban growth by the county's elected legislative body.

The Attorney General's concern is better addressed through the OPSD certification mechanism described below, which provides independent state-level verification that the county plan was adopted in compliance with HRS §226-58, without recreating the full contested case hearing process at the LUC. This approach preserves state oversight, confirms that public participation requirements were satisfied at the county level, and avoids reimposing the procedural redundancy that the bill is designed to eliminate.

### **Recommended Amendments**

To ensure HB 1844 functions as intended and avoids unintended procedural barriers, NAIOP Hawaii respectfully recommends the following amendments:

1. **Restore the “notwithstanding” language and delete the Chapter 91 processing requirement.** The bill should reinstate the HD1 language “Notwithstanding sections 205-3.1 and 205-4” to clearly establish this section as a distinct pathway and should remove the requirement that the commission process county requests “in accordance with the requirements of chapter 91.” Without the override, the existing LUC petition framework, including the full contested case hearing process and the decision-making criteria under §205-17, applies by default, and the affirmative Chapter 91 reference reinforces that result. Chapter 91 compliance is appropriate for the LUC's adoption of implementing rules under subsection (f), which already references Chapter 91. However, applying the full Chapter 91 contested case framework to each individual reclassification request defeats the bill's purpose. The county plan adoption process itself already satisfies

extensive public notice and hearing requirements under county charters and HRS §226-58. As discussed above in response to the Attorney General’s due process concern, the OPSD certification mechanism recommended below provides state-level verification without reimposing the contested case framework.

2. **Remove the LUC’s discretionary review authority and make the reclassification ministerial.** The bill should delete the language authorizing the commission to “approve, deny, or modify” and the condition that the commission must determine “that the requirements of this part have been satisfied.” In its place, the LUC’s review should be limited to confirming the completeness of the county’s submission (i.e., the property description and metes and bounds map required under subsection (b)). The commission should not evaluate the sufficiency of the county general plan, the county development plan, or the analyses underlying them.
3. **Assign compliance review to OPSD and require a certification letter.** To address legitimate concerns about state-level oversight without restoring the LUC’s adjudicatory role, the bill should require the Office of Planning and Sustainable Development (OPSD) to issue a limited-scope letter certifying county plan compliance with HRS §226-58 prior to the county’s submission to the LUC. OPSD already has the statutory role of coordinating between state and county plans under HRS §226-53 and regularly reviews county plans in the course of its existing functions. This certification should be included with the county’s request and should be treated as conclusive for the commission’s purposes. OPSD should be required to issue the letter within 90 days of request.
4. **Add a deemed-approval failsafe with a 90-day action deadline.** The bill currently imposes no deadline on the LUC to act, creating risk of indefinite administrative delay. Land should be deemed reclassified to the urban district upon the earlier of: (1) the LUC’s recording of the boundary amendment, or (2) expiration of a 90-day period following the county’s submission of a complete request.

This approach has clear statutory precedent. Under HRS §201H-38(a)(4), the LUC must approve, approve with modification, or disapprove a boundary change within 45 days of a petition filed by the Hawai‘i Housing Finance and Development Corporation. If the petition is not disapproved by the 46th day, it is deemed approved. The §201H-38 process applies to housing development projects that may involve lands not previously designated for urban growth at all and may require reclassification from the agricultural or rural district. This provision has been operative since 2006 and establishes that: (a) the Legislature has already determined the LUC is capable of acting on boundary amendments within a compressed timeframe; (b) deemed-approval mechanisms for LUC decisions have existing statutory precedent; and (c) a 90-day deadline for the more limited action contemplated by HB 1844, aligning the state district boundary with a county plan that has already undergone multi-year public review, is conservative relative to the 45-day standard that already exists for more complex reclassification decisions.

HB 1844 does not bypass planning; it better aligns the state and county planning designations. It empowers counties to implement their own community-derived vision for growth. By aligning the state district boundary with the county's designated growth boundary,

this bill removes a documented procedural redundancy, allowing for the more timely and efficient creation of housing for Hawai'i's residents.

For these reasons, NAIOP Hawai'i supports the passage of HB 1844. NAIOP Hawaii appreciates the Legislature's commitment to creating forward looking policy for Hawaii residents and we look forward to working together. Thank you for the opportunity to provide testimony.

Mahalo for your consideration,

A handwritten signature in cursive script, appearing to read "Ken Hayashida".

Ken Hayashida, President  
NAIOP Hawaii



P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

March 19, 2026

HEARING BEFORE THE  
SENATE COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS  
SENATE COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS

**TESTIMONY ON HB 1844, HD2**  
RELATING TO THE LAND USE COMMISSION

Conference Room 224 & Videoconference  
3:00 PM

Aloha Chairs Lee and Wakai, Vice-Chairs Inouye and Chang, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau provides comments on HB 1844, HD2**, which requires the Land Use Commission, at the request of a county, to reclassify lands designated for urban growth under a county general plan or county development plan into the urban district.

The Hawai'i Farm Bureau recognizes the seriousness of Hawai'i's housing shortage and supports thoughtful efforts to increase the supply of affordable housing. At the same time, we must ensure that solutions to the housing crisis do not come at the expense of agriculture and the long-term protection of productive agricultural lands.

HFB appreciates the Committee's amendments to ensure that requests are processed with appropriate due process and public participation, and to explicitly protect Important Agricultural Lands. These changes help address concerns raised in earlier versions of the bill regarding the role of the Land Use Commission and the importance of maintaining transparency in land use decision-making.

While we recognize that Important Agricultural Lands (IAL) are excluded from this process, many actively farmed and productive agricultural lands across the State have not been formally designated as IAL. As a result, significant agricultural acreage could still be reclassified based on its inclusion in a county's long-range urban growth area.

County general and development plans are important planning tools, but they are policy documents that often identify areas for potential future use decades in advance. In many cases, lands within these identified growth areas are currently in active agricultural production. Agriculture today includes diversified crops, orchard systems, greenhouse operations, pasture-based livestock, and value-added enterprises that may not fit traditional definitions of “prime” lands but nonetheless contribute meaningfully to local food production and economic activity.

Once agricultural land is reclassified into the urban district, it is effectively lost to agriculture. Increased land values, development pressure, infrastructure expansions, and land-use conflicts often follow, making continued farming difficult or infeasible. Agricultural land, once converted, is rarely recovered.

The Land Use Commission plays an important statewide role in balancing housing needs with agricultural protection, water resources, and long-term land use planning. While this measure preserves procedural requirements and public participation, HFB believes it is important that the Commission retain a meaningful and substantive review role to ensure that broader statewide land use considerations are fully evaluated.

We support increasing housing supply. However, housing solutions must be pursued in a way that protects bona fide agriculture, avoids unnecessary loss of productive lands, and preserves Hawai'i's capacity to grow food locally for future generations.

For these reasons, the Hawai'i Farm Bureau offers comments on this measure and respectfully requests continued consideration of the Land Use Commission's role as this bill moves forward.

Mahalo for the opportunity to provide testimony.



**SENATE COMMITTEE ON WATER, LAND, AND CULTURE AND THE ARTS  
SENATE COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS**

March 19, 2026

3:00 PM

Conference Room 224

**In OPPOSITION to HB1844 HD2: RELATING TO THE LAND USE COMMISSION**

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Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and Members of the Committees,

On behalf of our more than 20,000 members and supporters, the Sierra Club of Hawai'i **strongly OPPOSES** HB1844 HD2, which would force the Land Use Commission (“LUC”) to urbanize large swaths of agricultural, rural, or even conservation lands regardless of the myriad impacts that such land use changes can have on our food security, public trust resources, cultural practices, climate resilience, affordable housing opportunities, and economic development.

The LUC is tasked with assessing and protecting a variety of critical public interests in its review and approval of large-scale land use changes, including in our natural and cultural public trust resources, sea level rise, Native Hawaiian traditional and customary rights, agriculture and food security, affordable housing, and local job creation, among others. To carry out this responsibility, the LUC employs an evidentiary process, called a contested case hearing, that allows stakeholders to provide and cross-examine evidence including but not limited to expert and cultural practitioner testimony, data and technical reports, and other sources of information. The LUC uses this court-like process to issue written findings of fact, conclusions of law, and decisions and orders that can consider and protect the various public interests at hand, providing a level of transparency, objectivity, accountability, and thoroughness that is not found in county general plan and land use decisionmaking processes.<sup>1</sup>

**By forcing the LUC to urbanize lands at the request of the counties, based on county plans that may be decades old, this measure would undermine the LUC’s ability to account for the myriad critical public interests it is tasked with considering – including by rejecting a**

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<sup>1</sup> For example, county general plans and county land use decisionmaking, while allowing for public testimony, do not provide for the taking or examination of expert testimony – including that of Native Hawaiian traditional and customary practitioners – the cross examination of witnesses, and the building of an evidentiary record that is then explicitly considered in the balancing of public needs and interests described above. The current county practice of taking public testimony and then rendering a decision provides little transparency on how those decisions are made, what countervailing concerns were considered or addressed, what weight was given to any particular testifier or piece of information provided, etc. To the extent that this measure views county decisionmaking as a substitute for the current LUC district boundary amendment process, it is mistaken.



**county request due to significant, previously unforeseen impacts that might weigh heavily against the sought-after urbanization of land.**

While the Sierra Club appreciates the measure's intent to fast-track housing development, the Sierra Club reiterates that **the LUC is not the impediment to housing construction it is often purported to be.** The LUC is already required to approve or deny completed district boundary amendment applications within a year of receipt; for Chapter 201H "affordable housing" projects such as those described in this measure, this deadline is shortened to 45 days. According to LUC staff, throughout the 2010s, **all major 201H affordable housing projects were approved by the LUC within the 45 day timeline.**

Moreover, 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. On O'ahu alone, tens of thousands of 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. To address this backlog, the Legislature may wish to consider providing the LUC with reasonably enhanced enforcement authority, which will help to encourage developer follow-through on commitments made during the district boundary amendment process, including with regards to the production of affordable housing units. Possible statutory language to accomplish this could read as follows:

"§205- Penalty. (a) Any petitioner for an amendment to a district boundary that:

(1) Violates; or

(2) Neglects, fails to conform to, or comply with this chapter or any lawful order of the land use commission may be subject to a civil penalty not to exceed \$50,000 per day that the violation, neglect, or failure occurs, or reversion pursuant to section 205-4(g), but not both. The civil penalty shall be assessed by the land use commission after a hearing in accordance with chapter 91.



(b) Upon written application filed within fifteen days after service of an order imposing a civil penalty pursuant to this section, the land use commission may remit or mitigate the penalty upon terms that it deems proper.

(c) If any civil penalty imposed pursuant to this section is not paid within a time period as the land use commission may direct, the attorney general shall institute a civil action for recovery of the civil penalty in circuit court."

For the reasons described above, the Sierra Club respectfully but strongly urges the Committees to **HOLD** this measure. Mahalo nui for the opportunity to testify.

**HB-1844-HD-2**

Submitted on: 3/17/2026 12:36:14 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nakoʻolani Warrington	Testifying for Kupuna for the Moopuna	Oppose	Written Testimony Only

Comments:

**STRONG OPPOSITION to HB 1844 HD2**

We, Kūpuna for the Mo‘opuna, a hui of Hawaiian Homes Commission Act kūpuna beneficiary farmers from Pana‘ewa, Hawai‘i, **testify in STRONG OPPOSITION to HB 1844 HD2.**

HB 1844 HD2 would force the Land Use Commission to urbanize unlimited areas of land at the request of the counties, based on “general plans,” some of which DO NOT INCLUDE COMMUNITY DEVELOPMENT PLANS FOR THE COMMUNITIES THAT WILL MOST LIKELY SUFFER THE GREATEST NEGATIVE IMPACTS OF THIS BILL.

Do not diminish the balanced quasi-judicial authority of the Land Use Commission working for the well being of Hawai‘i now and for the next generations to come.

**IMMEDIATELY NO to HB 1844 HD2.**

March 19, 2026, 3 p.m.  
Hawaii State Capitol  
Conference Room 224 and Videoconference

**To: Senate Committee on Energy and Intergovernmental Relations**

**Sen. Glenn Wakai, Chair**  
**Sen. Stanley Chang, Vice-Chair**

**Senate Committee on Water, Land, Culture and the Arts**

**Sen. Chris Lee, Chair**  
**Sen. Lorraine R. Inouye, Vice Chair**

**From: Grassroot Institute of Hawaii**

**Ted Kefalas, Director of Strategic Campaigns**

RE: TESTIMONY IN SUPPORT OF HB1844 HD2 — RELATING TO THE LAND USE COMMISSION

Aloha Chairs, Vice Chairs and other Committee Members,

The Grassroot Institute **supports** [HB1844 HD2](#), which would require the state Land Use Commission to reclassify lands to the urban district if those lands are designated for urban growth under certain county plans. It would also specify that this mechanism would trigger only if the county applied to the LUC for the redistricting, and that the LUC could not redistrict Important Agricultural Lands under this process.

This bill correctly identifies and addresses one of the major causes for the slow growth of housing in this state: the delays caused by multiple layers of bureaucratic approvals.

The Economic Research Organization at the University of Hawai'i has found that Hawaii's average permit approval delay is more than three times the national average. The UHERO report notes that "Extreme delays in permitting will generate significant costs and uncertainty for developers, creating a disincentive for new projects."<sup>1</sup>

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<sup>1</sup> Rachel Inafuku, Justin Tyndall and Carl Bonham, "[Measuring the Burden of Housing Regulation in Hawaii](#)," Economic Research Organization at the University of Hawai'i, April 14, 2022, p.7.

The LUC is a major contributor to permitting delays. Established over 60 years ago, the LUC was intended to protect and manage Hawaii’s four land-use designations — urban, rural, agricultural and conservation. Today, less than five percent of land in Hawaii is designated for urban use under the LUC’s maps.<sup>2</sup>

In 2020, the Grassroot Institute of Hawaii produced a report, “Reform the Hawaii LUC to encourage more housing,” that focused heavily on ways to reduce the scope of the LUC, which would free it up to focus on statewide environmental issues and district boundary amendments of conservation lands, as well as operate more efficiently in general.<sup>3</sup>

This bill would also maintain protections for Hawaii’s rural and agricultural areas by specifying that this process would only apply to lands that counties have already identified for future urban development.

For anyone who wants to see more homes built for Hawaii residents, enacting this bill would be an important and very welcome step forward. We urge the committee to pass this bill.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii

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<sup>2</sup> Jonathan Helton, “[How to facilitate more homebuilding in Hawaii](#),” Grassroot Institute of Hawaii, December 2023, p. 5.

<sup>3</sup> Jackson Grubbe, “[Reform the Hawaii LUC to encourage more housing](#),” Grassroot Institute of Hawaii, September 2020.



March 18, 2026

Hawai'i State Capitol  
415 S Beretania St  
Honolulu, HI 96813

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Jonnetta Peters, Executive Director of Conservation Council for Hawai'i (CCH), a non-profit environmental and conservation organization who serves to protect and save native species and their habitats. CCH is also the Hawai'i affiliate of the National Wildlife Federation. **CCH STRONGLY OPPOSE HB1844 HD2.**

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public's interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai'i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public's interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public's interests while overseeing such large-scale land use changes, without creating undue delays. **Throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 "affordable housing" projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committees to **HOLD this measure**. Mahalo nui for the opportunity to testify.

Sincerely,

Jonnetta Peters  
Executive Director

**Telephone/Fax: 224.338-6511 | email: [info@conservehi.org](mailto:info@conservehi.org)**

**web: [www.conservehawaii.org](http://www.conservehawaii.org) | P.O. Box 2923, Honolulu, HI 96802**

**President: Bret Nainoa Mossman | Vice President: Les Welsh | Secretary: Colleen Heyer**

**Treasurer: Mashuri Waite, PhD |**

**Directors: Erica Amundson, Puanani Anderson-Fung, Maka'ala Ka'aumoana, Steven Lee Montgomery, PhD,  
Emily Sarasa |**

**Executive Director: Jonnetta "Jonee" Peters Operations and Events Manager: Leah Kocher**

**National Wildlife Federation Region 12 Director: Rachel Sprague**

**National Wildlife Federation Pacific Region Associate Director: Emily Martin**

***Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation***



Queen's Court  
800 Bethel Street, Suite 501  
Honolulu HI 96813

Phone 808.587.7770  
Fax 808.587.7769  
[www.avalonhi.com](http://www.avalonhi.com)

**RE: TESTIMONY IN SUPPORT OF HB 1844 – RELATING TO THE LAND USE COMMISSION**

Aloha Chair, Vice Chair, and members of the Committee. Avalon Development Company supports HB 1844, which would require the State Land Use Commission to reclassify lands to the urban district when those lands have already been designated for urban growth under an adopted county general plan or county development plan, and only upon request by the county. This measure respects the extensive planning, analysis, and public engagement that occurs at the county level and helps ensure consistency between county land use plans and the State Land Use District maps.

HB 1844 appropriately clarifies the Land Use Commission's role in these limited circumstances by making the reclassification process ministerial rather than discretionary. When a county has already completed its planning process and determined that specific lands are appropriate for future urban use, requiring an additional discretionary reclassification step at the state level creates duplication, uncertainty, and delay without adding corresponding public benefit. This bill maintains all existing county planning requirements while improving coordination between state and county systems.

By reducing regulatory overlap and increasing predictability, HB 1844 supports more efficient implementation of long-adopted county plans and helps remove unnecessary barriers to housing and infrastructure development. Avalon Development Company respectfully urges the Committee to support HB 1844 as a measured and practical reform that aligns state land use classifications with county planning decisions.

Respectfully submitted,

McKinley Eads

Project Manager | Registered Lobbyist

On behalf of Avalon Development Company

**HB-1844-HD-2**

Submitted on: 3/17/2026 11:02:00 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Spitz	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

**I STRONGLY OPPOSE HB1844 HD2.**

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committee to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,  
Danielle A Spitz

**HB-1844-HD-2**

Submitted on: 3/17/2026 11:44:23 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noelle Lindenmann	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

I am submitting testimony in strong opposition to HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committee to HOLD this measure.

Mahalo nui for the opportunity to provide testimony.

Sincerely,  
Noelle Lindenmann, Kailua-Kona

**HB-1844-HD-2**

Submitted on: 3/17/2026 11:46:21 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

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

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and Members of the Committees,

My name is Keali‘i Pang, Ph.D. I am a resident of Kaimukī, a lifetime member of the Hawaiian Civic Club, and have served as an environmentalist in Hawai‘i for the last 35 years. I am also a retired federal biologist and currently serve as a State Commissioner. I **STRONGLY OPPOSE** HB1844 HD2.

As a former environmental consultant and regulator, I have spent my career navigating the delicate balance between development and preservation. I have seen firsthand why rigorous oversight is not red tape — it is the baseline for protecting our future. And in Hawai‘i, where our land is finite, irreplaceable, and inseparable from our cultural identity, that oversight is not optional.

The Land Use Commission has long administered a critical, comprehensive process to identify and mitigate impacts to our natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and climate resilience. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC's district boundary amendment process ensures that data from technical experts and cultural practitioners is not merely heard — it is adequately considered and formally incorporated into approvals. The LUC also carries decades of institutional knowledge about how to protect the public interest in large-scale land use changes. That knowledge cannot simply be replicated at the county level.

This measure would force the LUC to urbanize unlimited areas of conservation, rural, and agricultural land at county request — based on general plans that may be decades old and that did not account for the public interests the LUC is specifically tasked with safeguarding. My experience in the field has taught me that once these lands are urbanized without proper vetting, there is no going back. We risk sacrificing our food security, our wai, our Native Hawaiian traditional and customary rights, and our long-term housing affordability for short-term gains that fail to reckon with the specific and irreplaceable character of Hawai‘i's ‘āina.

Notably, the LUC has consistently met its statutory deadlines throughout the 2010s and to the present day, including the one-year approval deadline for completed district boundary amendment petitions and the 45-day deadline for affordable housing projects under HRS §

201H-38. There is no credible, data-driven case that the LUC is the source of housing delays. Removing its oversight does not streamline progress — it streamlines risk.

As a current State Commissioner and a devoted member of the Hawaiian Civic Club, I respectfully but strongly urge the Committee to **HOLD** HB1844 HD2.

Mahalo nui for the opportunity to testify.

Me ka 'oia'i'o,

Keali'i Pang, Ph.D.

Kaimukī, O'ahu

**HB-1844-HD-2**

Submitted on: 3/17/2026 12:48:11 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

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

Comments:

**I STRONGLY OPPOSE HB1844 HD2.**

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committee to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

**HB-1844-HD-2**

Submitted on: 3/17/2026 1:24:39 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

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

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Harvey Arkin and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committee to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,

Harvey Arkin

Manoa

**HB-1844-HD-2**

Submitted on: 3/17/2026 1:39:08 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Glenn Choy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. Thank you.

**HB-1844-HD-2**

Submitted on: 3/17/2026 1:49:26 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Lorenzo	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Anne M. Lorenzo and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committee to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,  
Anne M. Lorenzo

**HB-1844-HD-2**

Submitted on: 3/17/2026 3:13:02 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1844 HD2 that, except for Important Agricultural Lands, requires the Land Use Commission to reclassify lands that are designated for urban growth under a county general plan or county development plan as being in the urban district at the request of the county. This would be done under the pretext of the need for affordable housing. This is a false narrative and a scapegoating tactic used to undermine protections. We have a shortage of affordable housing because of developers who are greedy, and despite a multitude of opportunities to provide truly affordable housing, they don't. This bill will not fix this problem and is wholly unacceptable. Please HOLD this irresponsible measure.

**HB-1844-HD-2**

Submitted on: 3/17/2026 3:17:39 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DIANE CHOY FUJIMURA	Individual	Oppose	Written Testimony Only

Comments:

/Cmd+VM name is Diane Choy Fujimura and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

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Accordingly, I respectfully but strongly urge the Committees to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,

Diane Choy Fujimura

**HB-1844-HD-2**

Submitted on: 3/17/2026 3:46:48 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia Blair	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose this dumb bill

**HB-1844-HD-2**

Submitted on: 3/17/2026 3:18:31 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Wassell	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is John Wassell and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committees to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,  
John Wassell

**HB-1844-HD-2**

Submitted on: 3/17/2026 4:14:15 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Michele Nihipali and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

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Accordingly, I respectfully but strongly urge the Committees to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

**HB-1844-HD-2**

Submitted on: 3/17/2026 6:41:32 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Casey Takayama	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Casey Takayama and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

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This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committees to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,  
Casey Takayama

**HB-1844-HD-2**

Submitted on: 3/17/2026 11:33:13 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cory Harden	Individual	Oppose	Written Testimony Only

Comments:

Aloha legislators,

Please oppose this bill. It forces the LUC to urbanize lands at a county's request, based on county plans that may be decades old, and that do not reflect the complex public interests that the LUC was established to consider.

mahalo,

Cory Harden Hilo

**HB-1844-HD-2**

Submitted on: 3/18/2026 8:14:33 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

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

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Bo Breda and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committees to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,  
Bo Breda

**HB-1844-HD-2**

Submitted on: 3/18/2026 8:15:49 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

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

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Peter Wilson and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.**

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. **Notably, throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.**

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committees to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,  
Peter Wilson

**HB-1844-HD-2**

Submitted on: 3/18/2026 8:45:59 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Denise Boisvert	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this bill.

**HB-1844-HD-2**

Submitted on: 3/18/2026 8:48:31 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kim Jorgensen	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE THIS BILL.

**HB-1844-HD-2**

Submitted on: 3/18/2026 9:29:52 AM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am testifying in **opposition** to HB1844, a bill that would dismantle a core safeguard of Hawai‘i’s statewide land use planning system. This legislation would mandate the Land Use Commission (LUC) to automatically reclassify lands to an urban district at the request of a county, stripping away the essential, evidence-based public hearing process that currently allows for the consideration of broad public interests and long-term consequences.

HB1844 is not a streamlining measure; it is an undemocratic and reckless shortcut. It would require the LUC to rubber-stamp county requests without any opportunity to hear from or weigh the testimonies and evidence provided by the very communities most affected: farmers, cultural practitioners, climate scientists, housing advocates, and concerned residents. Crucially, it would eliminate the requirement for the LUC to issue written findings of fact and conclusions of law. This means there would be no legal or factual record to justify a decision, no accountability for how impacts were considered, and no opportunity for meaningful judicial review if the process is flawed.

The implications of this are severe and far-reaching:

- **Threatens Food Security:** By fast-tracking the urbanization of agricultural lands without assessing the cumulative loss to our local food production capacity, this bill directly undermines our state’s food security and resilience. It prioritizes speculative development over the stewardship of finite agricultural resources.
- **Circumvents Environmental & Cultural Protection:** The bill would allow massive land use changes without any mandated environmental assessment to evaluate impacts on watersheds, sensitive ecosystems, or historic properties. It disregards the rights of Native Hawaiians and the public trust doctrine, which obligates the state to protect customary and traditional practices and natural resources for future generations.
- **Removes Due Process and Public Trust:** The LUC’s quasi-judicial proceedings exist for a reason: to ensure that decisions of immense consequence are made transparently, based on evidence, and with careful deliberation. HB1844 replaces this due process with an automatic, ministerial act, silencing community voices and removing the checks and

balances essential for good governance.

- **Creates Long-Term Risk:** Decisions to urbanize land are permanent and shape our islands for centuries. Making such decisions without a thorough, recorded analysis of infrastructure needs, climate vulnerability, and socioeconomic impacts is irresponsible and will lead to costly problems for future generations to solve.

The current LUC process, while imperfect, provides a critical statewide perspective that balances county initiatives with overarching state interests like environmental protection, cultural preservation, and agricultural sustainability. HB1844 abolishes that balance in favor of unchecked, expedited development.

I urge you to protect the integrity of our land use planning and the voice of our communities. Please reject this dangerous and undemocratic bill. Vote NO on HB1844.

Mahalo for the opportunity to testify.

**HB-1844-HD-2**

Submitted on: 3/18/2026 12:30:33 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

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

Comments:

Hello Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Nanea Lo and I STRONGLY OPPOSE HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public’s interest in large-scale land use changes can be consistently protected. One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai‘i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public’s interests.

Notably, throughout its decades of work, the LUC has also demonstrated its ability to consistently balance the public’s interests while overseeing such large-scale land use changes, without creating undue delays. Throughout the 2010s and to the present day, the LUC has consistently met the one-year approval deadline for completed DBA petitions, as well as the 45-day approval deadline for DBAs needed to accommodate HRS § 201H-38 “affordable housing” projects.

This measure would force the LUC to urbanize unlimited areas of land at the request of the counties, based on general plans that may be decades old, and that did not consider the important public interests the LUC is tasked with safeguarding. Accordingly, this measure may all but invite long-term or irreversible impacts to our food security, Native Hawaiian traditional and customary rights, climate resilience, and housing affordability, among other unintended consequences, for marginal to no benefit to housing development.

Accordingly, I respectfully but strongly urge the Committees to HOLD this measure.

Me ke aloha ‘āina,

Nanea Lo, 96826

Sierra Club of Hawai'i Member

Hawai'i Workers Center Board Member

Clean Elections Hawai'i Member

Honolulu Tenants Union Member

350 Hawai'i Member

Carbon Cashback Hawai'i Member

Hawai'i Tax Fairness Coalition Member

**HB-1844-HD-2**

Submitted on: 3/18/2026 2:07:43 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jessica Kuzmier	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I am writing in opposition to HB1844. I do not believe that urbanizing our ag and conservation lands at the counties' request based on county plans is a good idea. I believe that more is at stake with regards to what our food producers and cultural practitioners want, as well as the preservation needed for our biosphere and the ag lands we will need if we are to pursue a more self-sufficient food supply in these times of climate change and geopolitical upheaval. Mahalo for your consideration.

**LATE**

**HB-1844-HD-2**

Submitted on: 3/18/2026 6:18:47 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keri Zacher	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Keri Zacher and I **STRONGLY OPPOSE** HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public's interest in large-scale land use changes can be consistently protected. **One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai'i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public's interests.**

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Accordingly, I respectfully but strongly urge the Committee to **HOLD** this measure.

Mahalo nui for the opportunity to testify.

Sincerely,  
Keri Zacher

**LATE**

**HB-1844-HD-2**

Submitted on: 3/18/2026 9:38:43 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Katherine Fryer	Individual	Oppose	Written Testimony Only

Comments:

HB1844 HD2 would require the Land Use Commission to reclassify conservation, rural, and agricultural lands as urban at the request of the counties. Unlike the LUC’s current district boundary amendment process, this measure would give no opportunity for farmers, Native Hawaiian cultural practitioners, climate scientists, and other experts and stakeholders to give testimony and inform land-use decision makers. Stakeholders’ concerns and expertise would no longer be incorporated in district boundary amendment approvals. Without these safeguards, rushed or ill-informed decisions could cause serious, lasting damage to Hawaii’s limited land resources.

I strongly oppose this measure.

**LATE**

**HB-1844-HD-2**

Submitted on: 3/18/2026 10:16:49 PM

Testimony for WLA on 3/19/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Chair Wakai, Vice Chair Inouye, Vice Chair Chang, and members of the Committees,

My name is Diane Ware and I STRONGLY OPPOSE HB1844 HD2.

The Land Use Commission (LUC) has long administered a critical, comprehensive process to identify and mitigate impacts to natural and cultural resources, Native Hawaiian traditional and customary rights, food security, and other public interests that may be affected by the reclassification of conservation, rural, and agricultural lands into the urban district. Unlike existing county land use decisionmaking, the quasi-judicial nature of the LUC district boundary amendment process ensures that data and other information from technical experts, cultural practitioners, and other stakeholders are adequately considered and incorporated in district boundary amendment approvals. The LUC also possesses substantial institutional knowledge regarding how the public's interest in large-scale land use changes can be consistently protected. One of the key reasons we have these safeguards in place is because of the extreme importance of land in Hawai'i, and the significant, myriad, and long-lasting if not irreversible impacts that land use changes can have on the public's interests.

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Accordingly, I respectfully but strongly urge the Committees to HOLD this measure.

Mahalo nui for the opportunity to testify.

Sincerely, Diane Ware Volcano 96785