



LAND USE COMMISSION

Komikina Ho'ohana 'Āina

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

JOSH GREEN, MD
GOVERNOR

DANIEL E. ORODENKER
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Statement of
Daniel E. Orodener
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
HB2424 HD2

RELATING TO LAND USE

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 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.

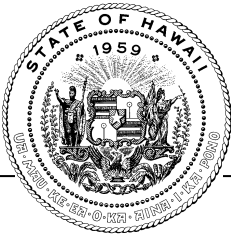
The Land Use Commission ("LUC") staff has no position at this time but has the following comments on this measure that would provide the counties a three-year window to petition to reclassify lands from the State Agricultural District into the State Rural District through the LUC's declaratory ruling ("DR") process.

LUC staff are willing to work with the counties and the State Office of Planning and Sustainable Development ("OPSD") on this issue. LUC staff remains concerned that due process be provided by county planning commissions throughout the process being proposed.

Section 2(b) sets forth the process to be used by the LUC for handling such DR petitions. LUC staff is concerned that the DR process may not be the correct procedure to use to ensure affected landowners due

process. LUC staff concurs that rules would need to be promulgated for an efficient process and to provide guidance to address due process concerns.

Thank you for the opportunity to testify on this matter



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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

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Statement of
MARY ALICE EVANS, Director

before the
**SENATE COMMITTEES ON ENERGY AND INTERGOVERNMENTAL AFFAIRS
AND WATER, LAND, CULTURE AND THE ARTS**

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

in consideration of
HB 2424, HD 2
RELATING TO LAND USE.

Chairs Wakai and Lee, Vice Chairs Chang and Inouye, and Members of the Committees on Energy and Intergovernmental Affairs and Water, Land, Culture and the Arts.

The Office of Planning and Sustainable Development (OPSD) **supports and proposes an amendment** to HB 2424, HD 2, which allows the counties a temporary opportunity to petition for the redistricting of land from the Agricultural District to the Rural District through the establishment of a Land Use Commission (LUC) county plan-based district boundary amendment process, provided certain conditions are met.

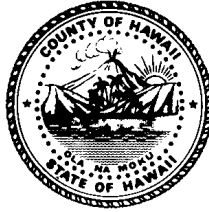
The OPSD's *State Land Use Review of Districts* (January 2022) found that reclassification of established rural subdivisions and rural centers from the Agricultural to the Rural District could accommodate rural settlement patterns and subsistence farming lifestyles, and better align State and county land use policy that seeks to separate non-farm residential uses from bona fide farming to reduce pressure on Hawai'i's limited productive agricultural lands.

HB 2424, HD 2 proposes to establish a temporary process by which counties may petition the LUC to reclassify land from Agricultural to Rural based on county plans and requires the LUC to adopt rules to implement the process. However, OPSD is concerned that the rule-making process, which can be time consuming, may significantly shrink the temporary window of time that the counties are given under HB 2424, HD 2 to file their reclassification petitions with the LUC. Therefore, OPSD suggests the following addition (in italics) to the bill:

“§205- County plan-based district boundary amendment proceeding; reclassification from agricultural to rural; temporary authorization. (a) Between July 1, 2026, and December 31, 2028, or an equivalent period of time upon adoption of rules pursuant to chapter 91 to implement this section, the applicable planning agency of any county may petition the commission for a district boundary amendment to reclassify land within the agricultural district to the rural district that is consistent with a county's general plan and community development plan land use designations; provided that the following requirements are met:...”

Thank you for the opportunity to testify on this measure.

HEATHER L. KIMBALL
COUNCIL DISTRICT 1
(North Hilo, Hāmākua, and portion of
Waimea)



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HAWAI‘I COUNTY COUNCIL
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March 18, 2026

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

Senate Committee on Water, Land, Culture and the Arts
Honorable Senator Chris Lee, Chair and Honorable Senator Lorraine R. Inouye, Vice Chair
Submission via online testimony only

RE: **Support of HB 2424, HD2 – Relating to Land Use (Agricultural to Rural)**

Dear Chair Wakai, Vice Chair Chang, Chair Lee, Vice Chair Inouye, and Members of the Committee on Energy and Intergovernmental Affairs and the Committee on Water, Land, Culture and the Arts:

Mahalo for the opportunity to submit **testimony in SUPPORT of HB 2424, HD2**, which authorizes each county planning commission to petition the Land Use Commission for a district boundary amendment to reclassify certain lands within the agricultural district to the rural district through the declaratory ruling process.

As a Hawai‘i County Council Member, I recognize firsthand the longstanding land use challenges associated with small-lot subdivisions located within the agricultural district, many of which were created prior to the enactment of the State Land Use Law in 1961. These legacy subdivisions often contain lots that are insufficient in size or configuration to support viable agricultural use, resulting in persistent nonconformities and regulatory uncertainty for property owners, counties, and state agencies alike.

By authorizing county planning commissions, between July 1, 2026 and December 31, 2028, to petition the Land Use Commission for district boundary amendments through the declaratory ruling process, the bill empowers counties to align land use designations with existing development patterns, while preserving critical agricultural lands and safeguarding public trust resources.

From a county perspective, this measure supports responsible land use planning, reduces regulatory conflicts, and provides clarity for long-established communities without undermining the broader goal of protecting agricultural productivity. HB 2424, HD2 reflects a balanced partnership between the State and counties, recognizing that counties are best positioned to evaluate local conditions while remaining accountable to statewide land use priorities.

For these reasons, I respectfully urge your favorable consideration of HB 2424, HD2. If you would like to discuss my knowledge of this matter further, please do not hesitate to contact me directly.

Sincerely,

HEATHER L. KIMBALL

HB-2424-HD-2

Submitted on: 3/17/2026 9:05:08 AM

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

Submitted By	Organization	Testifier Position	Testify
Bonnie Self	Testifying for Hawaiian Macadamia Nut Orchards	Support	Written Testimony Only

Comments:

I strongly support this bill. This will help alleviate the housing shortage for our communities on the Big Island.



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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 2424, HD2
RELATING TO LAND USE

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 2424, HD2, which creates a temporary and targeted pathway, effective from July 1, 2026, through December 31, 2028, for county planning commissions to seek reclassification of certain lands from the Agricultural District to the Rural District.

We appreciate the amendments made by the Judiciary & Hawaiian Affairs Committee. In particular, replacing the Land Use Commission's declaratory ruling process with a formal district boundary amendment process and requiring consistency with the county's general and community development plans are important improvements that provide greater clarity and alignment with existing land use frameworks.

The measure continues to address a narrow and longstanding issue involving legacy subdivisions within the Agricultural District that are already residential in character and may not be suitable for commercial agricultural use. We recognize that, in limited circumstances, reclassification may help resolve ongoing land use conflicts and provide greater certainty for both landowners and counties.

However, HFB continues to have concerns regarding the potential long-term impacts on agricultural lands and operations.

While the bill includes several safeguards, such as excluding Important Agricultural Lands, limiting lot sizes, and requiring that reclassification not adversely affect neighboring agricultural uses, it still allows for the conversion of lands out of the Agricultural District based primarily on planning designations rather than demonstrated agricultural viability. Agricultural lands, once reclassified, are rarely returned to production.

Additionally, HFB is concerned about the implications for existing agricultural operations on lands that may be reclassified to Rural. While farming activities may continue, the change in district designation alters the expectations of land use in these areas. In a Rural district, where residential uses are more prevalent, agricultural operations may face increased conflicts with neighboring uses and greater scrutiny under county regulations.

Although Hawai'i's Right to Farm law (HRS Chapter 165) provides important protections for agricultural operations, those protections are most effective within areas where agriculture is the primary and expected use. Reclassification to Rural may weaken the practical application of these protections, making it more difficult for farmers to defend normal farming practices against nuisance complaints or operational restrictions.

For these reasons, HFB respectfully urges the Legislature to ensure that any reclassification under this measure does not inadvertently undermine the viability of existing agricultural operations. At a minimum, consideration should be given to strengthening safeguards to ensure that:

- lands eligible for reclassification are clearly demonstrated to be no longer viable for agriculture; and
- existing agricultural operations retain meaningful protections, including those afforded under Hawai'i's Right to Farm law.

Hawai'i's agricultural lands are finite, and preserving them is essential to the State's food security, economic resilience, and local food production goals. While we understand the intent of this measure, careful implementation and additional safeguards are necessary to avoid unintended consequences.

Thank you for the opportunity to provide comments on this measure.



Hawai'i Island Chamber of Commerce

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2025-2026

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**Testimony to the Senate Committee on Energy and Intergovernmental Affairs
Senator Glenn Wakai, Chair
Senator Stanley Chang, Vice Chair**

Thursday, March 19, 2026 at 3:00 PM

RE: HB2424 HD2 Relating to Land Use - SUPPORT

LATE

Aloha e Chair Wakai, Vice Chair Chang, and Members of the Committee:

The Hawai'i Island Chamber of Commerce, representing more than 350 businesses and individual members primarily on the east side of Hawai'i Island, respectfully submits testimony in SUPPORT of House Bill 2424 HD2.

This measure provides a practical, time-limited pathway (2026–2028) for counties to petition the Land Use Commission to reclassify certain small-lot agricultural lands to the rural district. It appropriately focuses on already developed or residential-use lots that are not viable for commercial agriculture, while requiring consistency with county plans and public input.

HB2424 HD2 offers a balanced approach to addressing longstanding nonconforming agricultural subdivisions while maintaining protections for important agricultural lands. The bill also strengthens public notice, hearing, and due process requirements, ensuring that communities, neighboring landowners, and agricultural producers have meaningful opportunities to participate in decisions that may affect regional land use patterns. By improving alignment between land use designations and actual use, this measure can support better planning, infrastructure coordination, and regulatory clarity.

Mahalo for the opportunity to testify in support of this measure.

Respectfully submitted,

Carla Kuo
Executive Officer
Hawai'i Island Chamber of Commerce

HB-2424-HD-2

Submitted on: 3/16/2026 8:27:58 PM

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

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Comments	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, comment EXCLUDE SOIL TYPE A-B-C which is to kept to food production farming for human consumption.

2424 HB RELATING TO LAND USE.