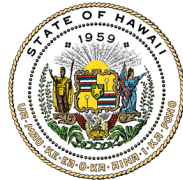


**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



State of Hawai'i  
**DEPARTMENT OF AGRICULTURE & BIOSECURITY**  
KA 'OIHANA MAHI'AI A KIA'I MEAOLA  
1428 South King Street  
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**SHARON HURD**  
Chairperson  
Board of Agriculture & Biosecurity

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

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

**BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT**

**WEDNESDAY, JANUARY 28, 2026  
3:00 PM  
CONFERENCE ROOM 224**

**SENATE BILL NO. 2123  
RELATING TO FARM DWELLINGS**

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

Thank you for the opportunity to testify on Senate Bill 2123. This bill prohibits the construction of new farm dwellings on agricultural park lots effective upon the bill becoming law. The measure prohibits residence within an unpermitted farm dwelling and authorizes inspections. The Department respectfully offers comments.

The Department recognizes the safety issues of unapproved farm dwellings. However, we also recognize that there are situations that farm dwellings may have an agricultural operation purpose. The presence of an occupied farm dwelling can deter agricultural theft and vandalism. It can also be used for worker housing and limited value-added processing. This is consistent with the Governor's housing initiative.

Regarding nuisances caused by the use of a farm dwelling, we are not aware of any buffer zone requirements. It is our understanding that buffer zones were created to protect farming operations from claims and complaints of the nuisances described, not to protect non-farming operations from farming operations.

Thank you for the opportunity to testify on this measure.



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January 28, 2026

HEARING BEFORE THE  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

**TESTIMONY ON SB 2123**  
**RELATING TO FARM DWELLINGS**

Conference Room 224 & Videoconference  
3:00 PM

Aloha Chair Gabbard, Vice-Chair Richards, and Members of the Committee:

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 appreciates the intent of SB 2123** to address concerns related to the use of agricultural park lots, particularly in cases where agricultural lands are being used in ways that are inconsistent with their intended purpose. HFB recognizes that abuses of agricultural zoning and agricultural park leases undermine public trust and create challenges for legitimate farmers and ranchers.

HFB supports appropriate enforcement actions to address non-bona fide agricultural uses, including so-called 'gentleman farms' that raise concerns about compliance with agricultural requirements while functioning primarily as residential properties. These practices harm agriculture by inflating land values, reducing land availability, and drawing increased scrutiny toward legitimate agricultural operations.

Farm dwellings and on-site housing can be essential components of bona fide agricultural operations, particularly for labor availability, animal care, equipment security, and emergency response. However, HFB has concerns with the provision requiring consultation with adjacent landowners and lessees as part of the permitting process for farm dwellings. While communication among neighbors is important, agricultural park decisions should remain grounded in agricultural criteria and lease compliance, rather than being influenced by nuisance-based considerations that are inherent to lawful farming activity.

Hawai'i's Right to Farm law under Chapter 165, Hawaii Revised Statutes, recognizes that noise, dust, and other impacts are a normal and expected part of agriculture. Introducing

adjacent landowner input as a formal component of agricultural park decision-making risks creating uncertainty for farmers and may unintentionally discourage legitimate agricultural operations, even when they are otherwise compliant with applicable laws and lease requirements.

HFB respectfully encourages the Legislature to consider refinements that focus enforcement efforts on clear standards for bona fide agricultural use and consistent administration of agricultural park lease terms, rather than broad prohibitions or processes that could undermine the ability of farmers to live and work on agricultural lands. We look forward to continuing to work with the Legislature, the Department of Agriculture and Biosecurity, and Counties to address misuse of agricultural park lots while maintaining strong protections for legitimate agricultural operations.

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

**SB-2123**

Submitted on: 1/27/2026 12:23:43 PM

Testimony for AEN on 1/28/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Austin "Shiloh" Martin	Testifying for Libertarian Party of Hawaii	Oppose	Remotely Via Zoom

Comments:

Aloha Chair Gabbard, Vice Chair Richards, and committee members. I am Austin Martin, Chair of the Libertarian Party of Hawaii, testifying in strong opposition to SB 2123 (Farm Dwellings/Inspections).

SB 2123 expands inspection authority over dwellings on agricultural land, subjecting private property owners to warrantless or low-threshold government entry for compliance checks.

This direct intrusion treats farmland as state-regulated domain rather than absolute private property, inviting conflict and potentially justified resistance. I recommend rejecting SB 2123 entirely to preserve rural property rights.

I should give this body a warning: should this pass, the LPHI will support efforts to sue the state of Hawaii over this proposed unconstitutional act, and may test legislative immunity doctrines while we are at it. A "yes" vote on this bill will be understood as a declaration of total war against rural Hawaiians and the Kanaka. This is a notice of harm and liability that is certain to occur as a direct result of proposed actions with respect to this bill.

Kill this bill. No amendments. If it doesn't immediately die, I ask any legislator with a conscience and a spine to please demand a roll call vote anytime this issue is on the table or in committee, so the Hawaiian People can know exactly who is to blame for this proposed atrocity, should it pass.

Mahalo in advance to those who will force roll call votes to ensure no one can quietly support this unconstitutional proposition without appropriate political consequences — you have our respect and our gratitude.

Austin Martin

Libertarian Party



THE SENATE  
KA 'AHA KENEKOA  
THE THIRTY-THIRD LEGISLATURE  
REGULAR SESSION OF 2026

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Herbert M. "Tim" Richards, III, Vice Chair

Wednesday, January 28, 2026  
3:00 PM  
Conference Room 224 & Videoconference  
State Capitol  
415 South Beretania Street

**RE: SB2123 RELATING TO AGRICULTURE**

My name is Eric S. Tanouye and I am the President for the Hawaii Floriculture and Nursery Association. HFNA is a statewide umbrella organization with approximately 350 members. Our membership is made up with breeders, hybridizers, propagators, growers, shippers, wholesalers, retailers, educators, and the allied industry, which supports our efforts in agriculture.


The Hawaii Floriculture and Nursery Association (HFNA) **SUPPORTS Senate Bill 2123** that prohibits residing on agricultural park lots unless within a farm dwelling permitted by the Board of Agriculture and Biosecurity. Authorizes the Department of Agriculture and Biosecurity to conduct inspections of agricultural park lots for unpermitted farm dwellings during fiscal year 2026-2027.

We understand the need to keep Agricultural parks for agricultural production and not for unpermitted dwellings that seek to turn the land into residential properties. We only ask that this bill does not impact legitimate operation dwellings where an on-site presence is needed.

We ask that you support our industry and agriculture, so that we may continue to bring the beauty of Hawaii to others through flowers and ornamentals.

If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 2627, cell 960-1433 and email [eric@greenpointnursery.com](mailto:eric@greenpointnursery.com).

Supporting Agriculture and Hawaii,

  
Eric S. Tanouye  
President  
Hawaii Floriculture and Nursery Association