



OFFICE OF HAWAIIAN AFFAIRS

‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai

TESTIMONY IN OPPOSITION OF HOUSE BILL 1799 HD2
RELATING TO THE COUNTIES

Ke Kōmike ‘Aha Kenekoa o ke Ikehu, a me ka Pilina O Nā Aupuni
(Senate Committee on Energy and Intergovernmental Affairs)
Ke Kōmike ‘Aha Kenekoa o ke Kuleana Hale Noho
(Senate Committee on Housing)

Ke Kapitala ‘o Hawai‘i
(Hawai‘i State Capitol)

Malaki 19, 2026

3:02 PM

Lumi 224

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

The Office of Hawaiian Affairs (OHA) **OPPOSES HB1799 HD2** which expands on a county’s experimental and demonstration housing project authority to include the development of commercial projects.

OHA is the constitutionally established body responsible for protecting and promoting the rights of Native Hawaiians.¹ As part of our constitutional and statutory mandate, OHA regularly assesses the policies and practices of other agencies impacting on Native Hawaiians and conducts advocacy efforts on their behalf.² In this capacity, OHA regularly reviews applications submitted to county planning departments for compliance. The regulatory frameworks intended to safeguard public interests and resources are not arbitrary barriers to development, but carefully constructed frameworks designed to ensure that growth occurs responsibly and sustainably.

Native Hawaiian Communities maintain deep cultural and genealogical ties to land and place and are disproportionately affected when development occurs without safeguards. **This measure represents a significant and unwarranted expansion of extraordinary regulatory exemptions that act as subsidies for affordable housing.** The Legislature originally authorized streamlined treatment for certain housing projects in

¹ Haw. Const. Art. XII § 5.

² See HRS § 10-3(4).

recognition of Hawai‘i’s well-documented housing crisis. Even in that context, the exemptions were framed as narrow and purpose-driven—intended to address an urgent public need for housing.

For many Native Hawaiian families, secure housing is directly tied to the ability to remain connected to ‘āina, maintain cultural practices, and preserve intergenerational ties to place. Policies that weaken housing-focused tools or shift their use toward non-housing purposes risk exacerbating these disparities and undermining long-term community stability. OHA cautions against expanding regulatory streamlining for projects without clear community benefits attached. **Regulatory streamlining is a form of subsidy that should be narrowly tailored to incentivize and support public purposes. Commercial development does not carry the same public policy justification.** Expanding housing related exemptions to commercial development risks undermining tools that should remain focused on keeping Native Hawaiian families in Hawai‘i.

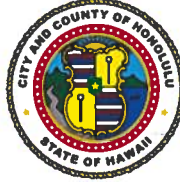
OHA respectfully urges the Committees to **DEFER HB1799 HD2**

Mahalo for the opportunity to testify.

DEPARTMENT OF HOUSING AND LAND MANAGEMENT
KA 'OIHANA HO'OLĀLĀ KŪKULU HALE A ME KA HO'OKELE 'ĀINA
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, FLOOR 3 • HONOLULU, HAWAII 96813
PHONE: (808) 768-4277 • FAX: (808) 768-4296 • WEBSITE: www.honolulu.gov/dhlm

RICK BLANGIARDI
MAYOR
MEIA



KEVIN D. AUGER
DIRECTOR
PO'O

CATHERINE A. TASCHNER
DEPUTY DIRECTOR
HOPE PO'O

March 16, 2026

The Honorable Glenn Wakai, Chair
and Members of the Senate Committee on
Energy and Intergovernmental Affairs
Hawaii'i State Senate
Hawaii'i State Capitol
415 South Beretania Street
Honolulu, Hawaii'i 96813

The Honorable Stanley Chang, Chair
and Members of the Senate Committee on Housing
Hawaii'i State Senate
Hawaii'i State Capitol
415 South Beretania Street
Honolulu, Hawaii'i 96813

SUBJECT: Support for House Bill 1799, HD2
Relating to the Counties

Dear Chair Wakai, Chair Chang, and Committee Members:

The Department of Housing and Land Management (DHLM) **supports** HB1799, HD2 which expands the authority provided under Hawaii Revised Statutes (HRS) §46-15 to include commercial projects.

HRS §46-15 is an important tool that allows counties to advance innovative housing solutions by testing alternative approaches to design, development standards, and delivery methods. The flexibility provided by this statute enables projects that might otherwise be infeasible under conventional regulatory frameworks.

HB1799, HD2 appropriately recognizes that successful housing communities often require integrated land uses. Allowing commercial projects under §46-15 will enable counties to pursue mixed-use residential and commercial developments that support complete communities, improve project feasibility, and help reduce overall housing costs by incorporating services, employment opportunities, and supporting infrastructure.

The Honorable Glenn Wakai, Chair
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March 16, 2026
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From DHLM's perspective, the primary value of this amendment is its ability to facilitate mixed-use projects tied to residential development. When used thoughtfully, this authority can help test new models of integrated development that helps spur innovation in development.

For these reasons, DHLM respectfully supports HB1799, HD2 and appreciates the Legislature's continued efforts to provide counties with flexible tools to address Hawai'i's housing challenges.

Thank you for the opportunity to provide testimony. If you have any questions, please feel free to contact me or Gavin Thornton, Director of Housing Policy, at (808) 768-4277.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin D. Auger', with a stylized flourish at the end.

Kevin D. Auger
Director

March 19, 2026

TO: Chair Wakai and Members of the Senate Energy and Intergovernmental Affairs
Committee
Chair Chang and Members of the Senate Housing Committee
RE: HB 1799 HD2, Relating to the Counties

Dear Chairs Wakai, Chang 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 1799 HD2. This bill would expand on a county's experimental and demonstration housing project authority to include the development of commercial projects.

Existing law grants counties the authority to undertake experimental and demonstration housing projects. This provides flexibility to test innovative models that may go beyond traditional zoning or development standards.

Currently, this authority is limited to housing projects. HB1799 expands this scope, increasing the county's potential to pilot more innovative and walkable mixed-use developments.

Please advance HB1799 HD2.

Thank you,



Lee Wang
Executive Director
Housing Hawai'i's Future
lee@hawaiisfuture.org



Perry Arrasmith
Director of Policy
Housing Hawai'i's Future
perry@hawaiisfuture.org

HB-1799-HD-2

Submitted on: 3/18/2026 12:54:48 PM

Testimony for EIG on 3/19/2026 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Gino Soquena	Testifying for Hawaii Building & Construction Trades Council	Oppose	In Person

Comments:

Aloha Chairs Wakai and Chang, Vice Chairs, and Members of the Committees, my name is Gino Soquena, Executive Director of the Hawaii Building & Construction Trades Council (HBCTC) which represents 18 construction trade unions here in the State of Hawaii. Thank you for the opportunity to provide testimony in **OPPOSITION** to HB 1799 HD2.

While the HBCTC realizes the need for more housing, we feel that any exemptions to any of the safeguards that are put in place to protect the public, the Counties, and the State would be opening Pandora's Box and would lead to more exemptions that would be detrimental to our industry.

For these reasons, the Hawaii Building & Construction Trades Council **OPPOSES** HB 1799 HD2.