

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
KA 'OIHANA MAHI'AI A KIA'I MEAOLA
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9560 FAX: (808) 973-9613

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

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT
AND ENERGY AND INTERGOVERNMENTAL AFFAIRS**

**MONDAY, FEBRUARY 9, 2026
3:00 PM
CONFERENCE ROOM 224**

**SENATE BILL NO. 3231
RELATING TO AGRICULTURAL DISTRICTS**

Chairs Gabbard and Wakai, Vice Chairs Richards and Chang and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No. 3231 that requires condominium maps for lands within the Agricultural District to include a letter signed by an appropriate county official or agency certifying that the condominium property regime (CPR) will conform to county zoning laws. The bill also authorizes counties to require the county's approval of the subdivision of parcels of land larger than ten acres prior to the effective date of the condominium property regime. The Department of Agriculture and Biosecurity (Department) supports this measure.

The Department supports the first amendment (page 2, lines 10-15) involving Section 514B-52 that reinforces the requirement that CPRs be in conformance with the county's zoning laws (Section 514B-5), and that a signed letter from the county attesting to this conformance is to be attached to the condominium map.

The Department supports the second amendment (page 3, lines 13-17) that offers the counties the opportunity to require county approval of a subdivision of agricultural land greater than ten acres prior to the effective date of the CPR. This may result in the establishment of feasible agricultural use within the agricultural subdivision and be in conformance with applicable State and county laws and regulations.

Thank you for the opportunity to testify on this measure.



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

February 12, 2026

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS

TESTIMONY ON SB 3231
RELATING TO AGRICULTURAL DISTRICTS

Conference Room 224 & Videoconference
3:10 PM

Aloha Chairs Gabbard and Wakai, Vice-Chairs Richards 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 supports the intent of SB 3231, which requires condominium maps for lands within an agricultural district to include a letter signed by an appropriate county official or agency certifying that the condominium property regime will conform to county zoning laws and authorizes counties to require the county's approval of the subdivision of parcels of land larger than ten acres prior to the effective date of the condominium property regime.

HFB has consistently supported efforts to protect agricultural lands from fragmentation and misuse. Land in the Agricultural District should remain available and viable for bona fide agricultural production. Strengthening oversight to prevent the use of condominium property regimes as a substitute for subdivision review aligns with the goal of preserving the integrity of agricultural lands.

However, HFB has concerns about the provision that authorizes counties to require subdivision approval for projects involving parcels larger than 10 acres prior to the effective date of a condominium property regime.

Acreage alone does not distinguish between residential estate development and legitimate agricultural operations. Many viable agricultural operations in Hawai'i exceed ten acres and may utilize condominium regimes for operational, financing, succession planning, or shared infrastructure purposes. Allowing subdivision requirements to be

triggered solely by parcel size could unintentionally impose significant cost, delay, and infrastructure obligations on bona fide agricultural projects that are not seeking to circumvent zoning requirements.

HFB respectfully suggests that subdivision authority be more clearly tied to findings of non-agricultural use or demonstrable attempts to avoid existing land use controls, rather than to a fixed acreage threshold. State and county processes should retain the flexibility to distinguish between misuse of the Agricultural District and legitimate agricultural business structuring.

As this measure moves forward, we respectfully encourage continued attention to implementation that avoids unnecessary delays or barriers to legitimate agricultural operations. Farmers and ranchers depend on predictable land use rules to secure financing, invest in infrastructure, and maintain long-term agricultural viability.

HFB remains committed to preserving agricultural lands for agricultural production and supports thoughtful refinement of this measure to ensure it targets abuse without impairing viable farming operations.

Thank you for the opportunity to provide testimony.



02/11/2026

Subject: **SB3231**, Relating to Agricultural Districts

Aloha Chair Gabbard, Chair Wakai, Vice Chair Richards, Vice Chair Chang, the Senate Committee on Agriculture and Environment, and the Senate Committee on Energy and Intergovernmental Affairs.,

We are writing in **support** of **SB3231**. This bill takes a much needed step in preserving and protecting our agricultural lands to ensure they stay productive for generations to come. In our deepening importation reliance crisis, any weakening of support for our farmers is a weakening support to safeguard our future against logistic catastrophe.

As it pertains specifically to this bill, raising accountability on land developers in creating and managing condominium projects within agricultural districts is vital. This is because our finite agricultural land must, in order to stay productive, not be subjected to potential land usage violations that could be addressed by thorough communication between developers and state/county officials. Ensuring that zoning laws are being respected also ensures that residents of these condominiums are not exposed to agricultural byproducts and pesticides which can be detrimental to human health.

This bill as aforementioned is key in its support of our farmers. Agricultural lands subjected to Condominium Property Regimes are at risk of facing rising land prices, soil degradation, watershed variability, and other strenuous environmental impacts that make farming more difficult. In the profession of farming within Hawaii, we've already seen a mass exodus of expertise. Making their farmer's lives harder will make all of our lives harder.

We are in a crisis. Our land is finite, every piece must be cared for in the process of stewardship. Any misuse of land, especially of which is meant to feed our community, cannot go unregulated. This bill takes upon an active stance that ensures accountability, addresses farmer retention, and protects neighboring communities.

For these reasons, we humbly ask you to vote yes on SB3231. Support for SB3231 is virtualized support for the just work our farmers do everyday. We thank you for the opportunity to testify on SB3231.

Mahalo,
Food+ Policy Team
#fixourfoodsystem

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2026, the cohort of interns are undergraduate and graduate students and young professionals working in the food system. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.