

STATE OF HAWAII
LAND USE COMMISSION
Meeting held on October 22, 2025
Commencing at 10:00 a.m.
Held at
Leiopapa A Kamehameha
State Office Tower
235 S Beretania Street, Room 405
Honolulu, Hawaii 96813

- I. Call to Order
- II. Informational Briefing: Simplifying Permitting for Enhanced Economic Development ("SPEED") Task Force
Presentation by Representative Greggor Ilagan on the SPEED Task Force, highlighting actions undertaken, challenges encountered, and legislative initiatives aimed at facilitating expediting, and coordinating state and intergovernmental development permitting processes.
The Task Force was established pursuant to Act 133 (<https://www.capitol.hawaii.gov/sessions/session2025/bills/GM1233.PDF>) and House Concurrent Resolution No. 157 (https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=HCR&billnumber=157&year=2025)

III. Informational Briefing: Supreme Court Opinion
in Honoipu Hideaway, LLC v. State of Hawai'i,
Land Use Commission ("LUC")

The Commission anticipates convening in Executive Session pursuant to Hawai'i Revised Statutes ("HRS") & 92-5(a)(4) to consult with its attorney regarding Case No. 3CCV-22-0000088 (LUC Docket No. DR21-73, Honoipu Hideaway, LLC). Discussion will focus on legal issues relating to the Commission's powers, duties, privileges, immunities, and potential liabilities.

Published Opinion: <https://files.hawaii.gov/luc/dockets/dr21-73/2022-appeal/2025-09-09-Opinion.pdf>

IV. Approval of Meeting Minutes for September 24-25, 2025. Meeting Minutes will be available at:
<https://luc.hawaii.gov/meetings/2020s>

V. Tentative Meeting Schedule

VI. Adjournment

BEFORE

PARTICIPANTS

LUC COMMISSIONERS

Brian Lee, Chairman

Ken Hayashida

Mel Kahele

Micheal Yamane

Bruce U'u

Nancy Carr Smith

LUC STAFF

Daniel Orodenker, Executive Officer

Scott Derrickson, Chief Planner

Martina Segura, Planner

Ariana Kwan, Chief Clerk

Miranda Steed, Esquire, Deputy Attorney General

GUEST SPEAKER

Representative Greggor Ilagan

OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT

("OPSD")

Mary Alice Evans, Director

1 COMMISSIONER LEE: Aloha kakou and good
2 morning everyone. This is the October 22, 2025 Land
3 Use Commission meeting. This is a hybrid meeting
4 which is physically being held at the Leiopapa A
5 Kamehameha, State Office Tower at 235 South
6 Beretania Street, Room 405, Honolulu, Hawaii, 96813.

7 This meeting is open to the public. For
8 all meeting participants, we would like to stress
9 the importance of speaking slowly, clearly, and
10 directly into your microphone. And before speaking,
11 please state your name and identify yourself for the
12 record.

13 This is a hybrid meeting, again, so please
14 be aware that all meeting participants are being
15 recorded on the digital record of this Zoom meeting,
16 which will be posted on YouTube and used for court
17 reporting purposes.

18 Your continued participation is your
19 implied consent to be part of the public record of
20 this event. So if you do not wish to be a part of
21 the public record, you should exit this meeting now.

22 Please note that the Q&A feature on Zoom
23 will only be monitored for signing up for public
24 testimony, and all other communications will not be
25 addressed or part of the meeting record.

1 Communications can be emailed to our office at
2 DBEDT.LUC.web@Hawaii.gov.

3 We will also share with all participants
4 that we will take breaks from time to time, probably
5 every hour. So for the commissioners participating
6 via Zoom, which there aren't any right now so we're
7 all here today, we don't have to ask anyone if
8 there's anyone else in the room with them.

9 Again, my name is Brian Lee, and it's my
10 privilege to serve as the Chair today. We currently
11 have nine seated commissioners but present with me
12 today are five commissioners. Actually, only -- oh,
13 good, Mel's here, okay. Five commissioners,
14 starting with Commissioner Mel Kahele and
15 Commissioner Ken Kayashida, both from Oahu. Also
16 Commissioner Bruce U'u from Maui, and Commissioner
17 Michael Yamane from Kauai, as well as Commissioner
18 Nancy Carr Smith from Hawaii Island.

19 Absent today are Commissioner Miles
20 Miyasato from Maui, Commissioner Dan Giovanni from
21 Kauai, and Commissioner Ku'ike Kamakea-Ohelo from
22 Oahu. As well in attendance with us is our LUC
23 Executive Officer Daniel Orodener, LUC Chief
24 Planner Scott Derrickson, LUC Staff Planner Martina
25 Segura, LUC Chief Clerk Ariana Kwan, and LUC Deputy

1 Attorney General Miranda Steed.

2 Again court reporting transcriptions are
3 being done from this Zoom recording.

4 So we're going to go to agenda Item number
5 2, informational briefing for the SPEED task force.
6 This is an informational presentation by House
7 Representative Greggor Ilagan on the SPEED task
8 force, and I'm sure he's going to tell us what SPEED
9 stands for, highlighting actions undertaken,
10 challenges encountered, and legislative initiatives
11 aimed at facilitating, expediting, and coordinating
12 state and intergovernmental development permitting
13 processes.

14 The task force was established pursuant to
15 Act 1333 -- I'm sorry -- 133, and House Concurred
16 Resolution number 157.

17 We're going to go into any public
18 testimony. We will now recognize the written public
19 testimony submitted in this matter.

20 Ms. Kwan, has there been any written
21 testimony submitted?

22 MS. KWAN: Yes, Mr. Chair. We received
23 two written testimonies that have been both posted
24 to the website.

25 COMMISSIONER LEE: Thank you very much.

1 Ms. Kwan, are there any members of the public that
2 wish to testify now on this matter?

3 MS. KWAN: Yes, Chair. I have one online,
4 Janice Palma-Glennie.

5 COMMISSIONER LEE: Okay, thank you. Will
6 the testifier please state your name and zip code
7 for the record and proceed with your testimony.

8 MS. KWAN: I need to promote her first, so
9 give me one second, Chair.

10 COMMISSIONER LEE: All right.

11 MS. KWAN: Can I get a mic check?

12 COMMISSIONER LEE: Hello, Ms. Glennie.

13 MS. PALMA-GLENNIE: Hello.

14 COMMISSIONER LEE: Can you do a mic check
15 for us?

16 MS. PALMA-GLENNIE: Can you hear me?

17 COMMISSIONER LEE: Yes, we can, very well.
18 Thank you. So before you state your name and zip
19 code, let me swear you in.

20 Ms. Glennie, do you swear or affirm that
21 the testimony that you're about to give is the
22 truth?

23 MS. PALMA-GLENNIE: Yes, I do.

24 COMMISSIONER LEE: Okay. You have two
25 minutes, so please start with stating your name and

1 zip code, and then please proceed.

2 MS. PALMA-GLENNIE: Okay, thank you. My
3 name is Janice Palma-Glennie, and my zip code is
4 96740, Kailua-Kona. Aloha Chair Members of the
5 commission.

6 Like the perennially suspect term fast-
7 tracking, hurried planning that diminishes
8 protections of natural, cultural, and social
9 resources without proper review, like SPEED
10 potentially will, should raise commissioner's
11 concerns.

12 As of four decades Hawaii advocate for
13 community-based land use planning, I see the red
14 flags. In fact, LUC commissioners whose job it is
15 to protect and uphold our state constitution's
16 tenets should be as concerned as I and many other
17 stakeholders are.

18 Instead of the SPEED acronym, how about
19 III, infrastructure, infrastructure, infrastructure.
20 I don't know about every county in our state, but I
21 know that Hawaii County where I reside has been
22 underserved and underplanned, including allowing
23 critical wastewater treatment plans to run below
24 legal EPA standards for years, if not decades, and
25 that's not all.

1 Lack of concurrently developed other
2 infrastructure affects everyone who drives a car,
3 goes to school, or needs affordable, not junk,
4 misplaced, unplanned housing. And more luxury
5 housing, which is all we seem to get, doesn't fill
6 the bill.

7 Despite individuals in groups advocating
8 for development permitting that fits with sensible,
9 protective, and legal county standards, development
10 permitting in Hawaii County continues to issue --
11 issue building permits that don't comply with State
12 Supreme Court rulings, State land use law, and
13 Hawaii County code that relate to dwellings and
14 state land use agricultural districts, to name one
15 example.

16 Meanwhile the State Land Use Commission
17 lacks necessary enforcement authority except when
18 declaratory orders are -- can be enforced.

19 I can't speak to the cultural disregard of
20 the development happening proposed in our county and
21 state, but I was directly involved in large land use
22 cases on Hawaii Island, including the past Supreme
23 Court ruling. I hope that others with cultural
24 expertise will add to the many reasons why the SPEED
25 initiative runs contrary to our state's

1 constitution.

2 In closing, at a time when the federal
3 government is running roughshod over human rights,
4 it's the kuleana of you and other state and county
5 leaders to protect our residents, our natural and
6 cultural resources, and our collective futures by
7 not allowing the likes of potentially devastating
8 initiatives jauntily named SPEED to move forward in
9 a race to allow development that appears likely to
10 be at odds with the best long term interests of our
11 island residents.

12 Mahalo for your volunteer service, and for
13 using your integrity to vote against the SPEED
14 initiative as proposed.

15 COMMISSIONER LEE: Thank you, Ms. Glennie.
16 Are there any questions for the testifier?

17 Okay, seeing none, thank you for your
18 testimony, Ms. Glennie.

19 MS. PALMA-GLENNIE: Thank you very much.

20 COMMISSIONER LEE: Appreciate it.

21 MS. PALMA-GLENNIE: Aloha.

22 COMMISSIONER LEE: Thank you.

23 Ms. Kwan, are there any other testifiers?

24 MS. KWAN: Seeing none in the Q&A feature,
25 Chair.

1 COMMISSIONER LEE: Thank you, Ms. Kwan.
2 So now we're going to go to Representative
3 Ilagan. Good morning. Please introduce yourself,
4 and please provide an estimated duration for your
5 presentation.

6 MS. KWAN: Chair, I think we lost the rep.
7 He froze and jumped off, so I am assuming he's doing
8 a reboot.

9 COMMISSIONER LEE: Okay.

10 MS. KWAN: Mr. Wong is calling his office
11 right now.

12 COMMISSIONER LEE: All right.

13 COMMISSIONER WONG: Chair, this is Arnold.
14 Right now I tried to call his office, no one
15 answered the phone, so I'll try again.

16 COMMISSIONER LEE: Okay. Shall we take a
17 recess then? All right.

18 MS. KWAN: Yes, please.

19 COMMISSIONER LEE: Let's take a five-
20 minute recess. Thank you.

21 (WHEREUPON, a recess was taken.)

22 COMMISSIONER LEE: We're back from recess,
23 and I understand that there is another person who
24 wishes to testify online.

25 MS. KWAN: Yes, Mr. Chair. I have Charles

1 Flaherty online. I'm going to promote him to
2 panelist now.

3 COMMISSIONER LEE: Okay. Mr. Flaherty,
4 are you there?

5 MR. FLAHERTY: Yes, Mr. Chair. Thank you.

6 COMMISSIONER LEE: I'm going to swear you
7 in, and then you will have two minutes, and then
8 please state your name and zip code for the record
9 before you proceed.

10 Mr. Flaherty, do you swear or affirm that
11 the testimony that you're about to give is the
12 truth?

13 MR. FLAHERTY: To the best of my
14 knowledge, yes.

15 COMMISSIONER LEE: Thank you. Please
16 proceed.

17 MR. FLAHERTY: Thank you. My name is
18 Chuck Flaherty, and I live in Captain Cook. Is that
19 what was required?

20 COMMISSIONER LEE: Zip code.

21 MR. FLAHERTY: Oh, zip code 96704, e kala
22 mai. I'm also -- this is testimony on behalf of the
23 Sierra Club of Hawaii, the Hawaii Island group with
24 regard to agenda item 2, simplifying permitting for
25 enhanced economic development, the SPEED task force.

1 At a time when federal funding and support
2 to states is being greatly reduced, and when
3 acknowledged issues with state and county
4 administrative agencies' inability to regulate and
5 enforce existing state and county laws, rules, and
6 regulations, the Hawaii Island group of the Sierra
7 Club of Hawaii believes the assumptions upon which
8 the SPEED task force is based is deeply flawed.

9 The three bricks that are referred to, the
10 problem is that the three bricks have serious
11 compliance flaws with existing laws, rules, and
12 regulations. We had submitted testimony in writing,
13 which you can read specifically the testimony, but
14 with regard to building permitting we are
15 discovering on Hawaii Island that the planning
16 department is approving dwellings that are not in
17 compliance with the state land use law.

18 And they are saying they do not have the
19 staff to enforce that. The LUC itself does not as
20 well, so that's creating an issue with regard to
21 compromising the state land use agricultural
22 district.

23 The second is with regard to the second
24 brick, the State Historic Preservation Division
25 which is -- has been broken for decades and is

1 unable to retain dedicated, qualified staffing
2 because of systemic ongoing dysfunction, that no
3 director to date has been able and/or willing to
4 address. This is leading to and has led to
5 irreparable harm to the state's historic and
6 constitutionally protected resources.

7 Finally, the County of Hawaii has entered
8 into three administrative orders of consents with
9 the US EPA related to wastewater treatment. The
10 fact that the county is facing approximately a
11 billion dollars in order to comply with these has
12 been ignored, and the fact that the county itself is
13 not in compliance with the Clean Water Act, yet
14 we're talking about speeding up approvals is
15 problematic.

16 We urge the state legislature, the LUC,
17 and the administration to fix existing problems
18 before putting the pedal to the metal and causing
19 more harm.

20 Thank you very much for this opportunity
21 to testify, and for your volunteer work.

22 COMMISSIONER LEE: Thank you, Mr.
23 Flaherty.

24 Commissioners, are there any questions for
25 the testifier? Okay, seeing none, thank you, Mr.

1 Flaherty, for your testimony.

2 All right. And then I believe we have
3 Representative Ilagan back. So Representative,
4 please introduce yourself and provide an estimated
5 duration for your presentation.

6 REPRESENTATIVE ILAGAN: Thank you, Chair
7 Lee. I estimate that this presentation will be 45
8 minutes. Is -- is that okay for everyone?

9 COMMISSIONER LEE: Yes, thank you very
10 much. You may begin your presentation.

11 REPRESENTATIVE ILAGAN: Well, thank you so
12 much, Chair Lee, and esteemed members.

13 I want to start off with addressing the
14 testimony. I want you all to know that we are
15 considering all the environmental implications, and
16 we're not trying to circumvent any of that process.

17 We're taking into consideration not only
18 the environment, but as well as safety and
19 affordability, and to us that means that these
20 values are also important in looking through the
21 process.

22 So thank you for those who testified, and
23 I understand that you have concerns and I want to
24 make sure that your concerns are addressed in the
25 process. Thank you.

1 This presentation has been modified. It's
2 actually Version 2. It's Version 2 because we had
3 our first meeting on September 11, and I felt it was
4 time to update some of the slides. So what you are
5 seeing is the SPEED task force orientation. And
6 SPEED stands for Simplifying Permitting for Enhanced
7 Economic Development.

8 Going on with my slide, actually before I
9 go on with my slide I want to address the current
10 SPEED task force members in the room. I believe we
11 have Chair. We also have Dan and Mary Alice as well
12 as Seiji.

13 Is there any other members in the SPEED
14 task force that I did not identify? And the reason
15 why is because in my Sunshine -- in our Sunshine
16 regulations, our Sunshine regulations that we have
17 to follow, I have to make sure I report back to the
18 task force the members that are currently in this
19 meeting.

20 COMMISSIONER LEE: There is no one else
21 here in the room.

22 REPRESENTATIVE ILAGAN: Perfect. Thank
23 you, Chair. All right, moving on to our
24 presentation.

25 What are we doing? Well, we're changing

1 the way Hawaii does permitting. And the reason why
2 we're saying that is because do we want to be the
3 last place on how to be the most burdensome
4 regulatory state in the whole entire nation? Do we
5 want to stay there, or do we want to change it and
6 move up?

7 So we're trying to change the way Hawaii
8 does permitting because we no longer want to be in
9 the last place when it comes to doing business or
10 just being able to have your application go through
11 the process.

12 And the reason why I say that is because
13 CNBC, according to their ranking and their very
14 credible ranking throughout the nation, is that
15 Hawaii is the 50th place on cost of doing business,
16 as well overall we're on 49.

17 We also have some issues with business
18 friendliness as well as technology innovation and
19 infrastructure. And these are the things that
20 permitting placed into effect of these rankings.

21 So the problem begins when we look at
22 permitting only at the county level. And that would
23 be good if businesses only have to deal with
24 different counties at a county level, but what we
25 realize is that not only businesses, but different

1 residents live in different parts of the state.

2 And what we really need to start doing is
3 breaking these silos. And instead of addressing
4 permitting just at a level in the county, we are now
5 addressing permitting statewide. So when we start
6 working together with the state agencies and the
7 county agencies, imagine what we could do with our
8 permitting system.

9 So how are we going to do it? Well, we
10 need to understand that there's so many different
11 permitting processes out there. And with the LUC,
12 if you're dealing with entitlements and we need to
13 look into all those different approvals and
14 permitting process, however it's very hard to look
15 at them all at once.

16 So this statement, you build a house with
17 one brick at a time, means we're going to prioritize
18 three key areas in the permitting process. And we
19 are looking into three sets of three priorities.
20 And I'll explain to you the different sets and the
21 time schedule of what we're trying to do on
22 achieving that.

23 But first, let's look at the first three
24 priorities that we want to focus on from September
25 to January.

1 So the first brick is the Building Permit.
2 When you -- when I've been asking individuals what
3 should I do to help with economic development, the
4 first thing they tell me is the permitting process.
5 So I wanted to make sure that we addressed
6 permitting and try our best to simplify the process.

7 So these are goals that we have for our
8 task force, and really these goals are to make a
9 complex problem more simple as well as to enable
10 tracking because if you know where you are in the
11 process, you're able to make better decisions on
12 your projects.

13 So Kauai County was the first one to go
14 into the digital platform in 2013 with Click2Gov and
15 ePlan. Then Hawaii County followed suit with EPIC.
16 They went from a three-permit process to a one-
17 permit process.

18 And while Honolulu City and County is
19 going through with HNL Build, County of Hawaii was
20 also going through in 2021. This transition of
21 going from more of a manual process to more a
22 digital process. County of Maui did the same thing
23 with MAPPS in 2022, and now they have more of a
24 public-facing process.

25 The City and County as you know launched

1 in August, and they replaced a 26-year-old software
2 system, and is going through this transition. And
3 the unique thing about the City and County of
4 Honolulu is that they were able to utilize recovery
5 funds of 5.6 million. That is unique, because the
6 other counties had to self-fund their permitting
7 process.

8 So imagine knowing some of the things that
9 other counties are doing that maybe we can try to
10 implement in other counties to be able to bolster
11 their systems and improve their processes.

12 So those were the Building Permit, and as
13 you all know that the counties are in charge of
14 those processes.

15 The second brick is the Chapter 6E which
16 is the Historic Preservation Compliance, and they're
17 an agency that goes through part of the permitting
18 process when it comes to historic preservation. And
19 they use HICRIS as their software to be able to
20 manage their projects.

21 And what I discovered during our
22 permitting groups is that each applicant has to now
23 input all of their information into the HICRIS when
24 it gets triggered with a Chapter 6E. Can you
25 imagine having more of an integration where you have

1 not only the permitting process with the county,
2 where you have one application.

3 Now those information goes to the
4 different software and permitting software that each
5 of these agencies are using, so then there's no
6 having to repeat the input process. That will cut
7 off some time and save everybody time in the
8 permitting process.

9 So that's what we're looking into is
10 figuring out how to integrate some of these software
11 and make it more seamless of a process.

12 So as you are well aware that we're
13 looking through some of these reviews, actually all
14 of the reviews, that SHPD is going through.

15 And then the third brick is the Individual
16 Wastewater System with DOH, and they currently use a
17 one-stop system. It's an application that doesn't
18 have any public facing features, to handle their
19 application. And so this is the IWS system, and you
20 know what that looks like.

21 So when it comes to all these different
22 priorities, we're not trying to replace the existing
23 permitting platform like EPIC or MAPPS because we
24 already know there's a lot of money going into it,
25 millions of dollars.

1 And what we really want to figure out is
2 how to integrate all those different software. And
3 so we have, just like when you order something from
4 Amazon or something from any sort of mail, there's a
5 tracking system and you know where your package is.
6 We would like to see that in the permitting process.

7 So how are we going to make sure we keep
8 all the different values in mind, is we have to keep
9 the people in mind. And we have four set of users
10 that we have integrated into the task force.
11 They're the new homeowner, the family business, the
12 residential developer, and the commercial developer.

13 The reasons are because they're the ones
14 who actually use the permitting process, and they're
15 the ones who go from application to final approval.

16 We also need to think about the different
17 scenarios that they would have to go through. If
18 you're a new homeowner, you're going to have --
19 you're going to go through a new construction to
20 build out your home. If you're going to build out
21 your deck, you're going to have to renovate. And
22 then if you purchase a commercial property, then you
23 have to convert it to residential.

24 So these are three scenarios that we want
25 to look at some similarities and differences in

1 going through the process.

2 So why are we doing it? Well, 632 days to
3 permit a state project in Honolulu is way too long.
4 \$258.7 million was the estimated cost in Honolulu
5 permitting delays, and that's a combined year from
6 2022 and 2023. That's a quarter billion dollars for
7 an estimated cost of these delays. And these are
8 all backed by DBEDT as well.

9 These are reports from DBEDT, and then is
10 from UHERO, that Hawaii tops out of -- out of all
11 the 50 states, it's the 50th most burdensome housing
12 regulations and permitting processes throughout the
13 nation. I mean, to be last place out of all 50
14 states is not the best place to be, especially when
15 we have a housing crisis in our state.

16 We also saw from DBEDT that in 2005 it
17 took 86 days to process a non-solar permit. And in
18 2024 it took 268 days. That's a 217 percent
19 increase. So you can see the reasons why we need to
20 do something with permitting.

21 So I want to do this exercise with you.
22 And I know everybody here has a cell phone, so do me
23 a favor, grab your cell phone. I'm taking out mine
24 right now, and click your camera app. Zoom up to
25 this QR code, and it's going to get you to a form

1 that allows you to share why you think delays
2 happen.

3 And take a moment to put in your reason
4 why permitting has these delays. And I'm going to
5 take a moment and drink some water and get hydrated.

6 Once you submit your comment, it's going
7 to take you to a screen that says something about
8 voting. Do me a favor, put your phone aside when
9 you reach that. We'll go back to that screen once I
10 share with you some of the feedbacks that I've
11 received on why they believe delays happen.

12 All right. So I'm going to go through
13 some of these reasons and share that with you. It
14 looks like not enough land in the State of Hawaii.
15 At LUC level, bad quality filings. Oh, couldn't
16 finish the sentence. Lack of staff to process and
17 review permits, and bad permit processing software.
18 The process is overlapping. Too many projects
19 requiring permits. Small renovations and tenant
20 improvements do not need permits. State project
21 review their own for every county. Outdated
22 technology.

23 So you can see some of those. There's
24 been 120 different feedback that I've collected
25 going through these orientations. So I'm just going

1 to group these comments, and you can see that 40 of
2 those responses are under regulatory complexity.
3 Staff shortages, we have 33 responses. Poor
4 communication, political will, lack of political
5 will. So under the regulatory complexity, overly
6 burdensome regulations, bureaucracy, different
7 interpretation of plan checking.

8 We also have staff shortages,
9 understaffing at permitting departments. They need
10 more staff. Lack of staff to process applications
11 and non-streamlined processes that could be
12 automated. Poor communication. Not enough pizza, I
13 don't know why that's there. Lack of understanding
14 of how delays impact community. Outdated software
15 system.

16 So you can see some of these things, and
17 we're going to now go to voting. I see that there's
18 a good amount of people here, so let's just get to
19 52 votes. And I can show you those voting results.

20 The unique thing about doing this survey
21 with people is that there's different perspectives.
22 And when I was looking at it, I realized the
23 perspectives of the public is definitely different
24 from the perspective of those agencies that's
25 implementing these changes.

1 And so I'll go over -- I'll go over that
2 and show you how much of a difference it is and why
3 it's different. So do me a favor, grab your phone,
4 go back to your voting and just vote on some things.
5 And submit your vote, and let's just get to 52
6 people. Right now there's 49, so all I need is
7 three of you to submit it, and we can move forward
8 with the slide.

9 I only have 45 minutes estimated for this
10 presentation, so I need your speedy cooperation on
11 this vote.

12 COMMISSIONER LEE: Apologize. Our
13 reception here isn't much better than yours, so
14 we're doing the best we can.

15 REPRESENTATIVE ILAGAN: Don't tell me
16 that. I live in Puna. My reception is really bad.
17 It needs -- I need a task force for just broadband
18 infrastructure for the Puna region.

19 So we have 51, we just need two more and
20 we should be good to go. And I'll show you the --
21 all right, one more, there we go, 53. I'll show you
22 the voting results. All right. You can see that
23 most of the votes is under regulatory complexity
24 compared to staff shortages and poor communication,
25 political will.

1 And that's very interesting, because I've
2 had many different presentations, many different
3 groups, and this is the formation of their -- their
4 vote. And why I'm sharing that is because when it
5 comes to the public, they see the problem of the
6 permitting process as the problem of complexity.

7 However, when you talk to the different
8 agencies, they are more into staff shortages or
9 staffing, or the actual implementation of that
10 process. So when you read that the department is
11 having a hard time filling in vacancies because they
12 can't find an expert to get them hired to that
13 position, that's the problem with the different
14 departments.

15 And when the public sees and read that on
16 the paper, they don't really comprehend how much of
17 a problem staffing really is, but to the department
18 it's the problem. And so trying to figure out what
19 all these different perceptions and perspectives and
20 actually figuring out how to make the process
21 better, has been a challenging problem. And it's
22 also interesting to see where everybody's viewpoint
23 is.

24 So my point is going to be applicants
25 often blame the government. Government often

1 struggle with incomplete application, and the truth
2 is it's a two-way street. Applicant and government,
3 we both need to work together.

4 We need SPEED because it requires clarity,
5 completeness, and communication on both sides. And
6 these are examples of responsibilities that if the
7 applicant doesn't do it, then it will cause delays.
8 If the government doesn't do these responsibilities,
9 then these will cause delays.

10 So the balance we need is to educate
11 applicants on how to be permit ready and to equip
12 government with digital tools and staff support. We
13 also need to set the expectations and benchmarks on
14 both sides.

15 So a better permitting experience requires
16 shared responsibility, and the SPEED task force
17 formation was established through Bill 1406, and now
18 it's Act 133, and also House Concurrent Resolution
19 157. And we're going through the Sunshine process
20 because we strongly believe in transparency, and we
21 want to make sure that our process is also
22 transparent.

23 And we will have a report at the end of
24 the work that we do, and that will be our package of
25 recommendations.

1 So here are the task force members.
2 There's 34 of them, but I'm going to give you a
3 different look at how this all looks through our
4 actual SPEED task force website. And this gives you
5 an understanding of the makeup of the task force and
6 how we're conducting ourselves and what we're trying
7 to do.

8 So if you go to the capitol website, all
9 you have to do is type in Capitol.Hawaii.gov and
10 click Legislature, click House, and under House,
11 there is the Simplified Permitting for Enhanced
12 Economic Development Task force, and you click that,
13 and you can see the members of the task force as
14 well as our meetings and our board packet, and so
15 on.

16 So this is our members of the task force,
17 and from all the way to the top we have the House,
18 the Senate, the governor's office, and all the way
19 here are all different state agencies, including the
20 LUC, and DBEDT and OPSD, and so on.

21 We also have the four different permitting
22 agencies in the county. We also have the four
23 county council, because what I have stressed to
24 everyone is that our recommendations are three types
25 of recommendations.

1 One, it can be policy. The department can
2 take what they learn and bring it back to the
3 department and implement those changes. Second is
4 county level. If the county wants to implement a
5 change only for their particular county, then we
6 have the council members to be able to advocate for
7 those change.

8 And if it takes a statewide initiative,
9 then we have our state legislatures and our
10 different state agencies to help move that forward.

11 We also have Jill Tokuda on the federal
12 side, because we know there is federal permits and
13 we need to make sure that that information, if we
14 need to get it from the federal side, we have Jill
15 to help out with that process.

16 We also have two unions here, because when
17 it comes to civil service we need to have these
18 discussions with HGEA, and HGEA is going to be a big
19 part of those reforms.

20 We also have the users who I shared with
21 you, and these are the two new homeowners. These
22 are the family business. These are the residential
23 developer, and these are the commercial developer.

24 So these are 34 members of the SPEED task
25 force convening to figure out how to simplify our

1 permitting process.

2 We also established three PIGs on our
3 September 11 meeting. And if you want to check out
4 that meeting, you can click the Agenda Notice here,
5 and then also click the YouTube to watch the five-
6 hour meeting that your Chair had to go through as
7 well as Seiji and Mary Alice.

8 And we have the three PIGs that's
9 established right now that's currently doing their
10 work. We have the Building Permit PIG, the Chapter
11 6E PIG, as well as the Individual Wastewater System
12 PIG. Representative Mike Lee is leading that
13 charge. Representative Tyson Miyake is leading the
14 Chapter 6E. And then Chair Keohokapu-Lee Loy is
15 also leading the Building Permit PIG.

16 Now, you know that this is how the task
17 force was formed. And if you have any questions and
18 want to reach out to the task force, feel free to
19 use this email and send us an email and reach out to
20 us.

21 Now, these are the board packets, and this
22 board understands what this is. This is all the
23 materials that was talked about in our meeting.
24 These are different PowerPoints that the different
25 agencies presented, and I want to highlight one

1 thing that's very important, and this is the
2 Recommendation Form.

3 I know you're all eager to get involved
4 and want to be part of it, and you can. Because you
5 go here, click the recommendation form. You fill
6 out this recommendation form, and you can submit
7 your recommendation to the staff at
8 Capitol.Hawaii.gov. You write down your
9 recommendation, whatever it is, and then do a SWOT
10 analysis so we understand both sides of that
11 recommendation.

12 And the best part about this is that
13 there's no field to tell you who did it. It's
14 anonymous, so that means all the recommendations,
15 the merit rises to the top. It's not a certain
16 organization or a certain individual who has
17 influence or credibility. It doesn't matter who you
18 are, you can submit your recommendation on how to
19 improve the process, and we will initiate those
20 conversations.

21 Here's the instruction of how to fill it
22 out. So you can simply get that form by going to
23 our website and clicking this recommendation form.

24 Now, going back to our presentation, these
25 are links to what I showed you. You can click this,

1 and it will go straight to the website. You can
2 click this, and it will go to the House website.

3 This link, and this link is available on
4 your website or the LUC website on this
5 presentation, is actually the list of
6 recommendations that has come to the task force.
7 And you can see that there are over -- there are
8 over 57 recommendations submitted already.

9 And when you just click any one of them,
10 you can see how they have filled out the
11 recommendation. They have filled out the SWOT
12 analysis, and you can see that every single one is
13 different because different people filled it out.
14 And we are reviewing them and taking them into
15 consideration.

16 And as soon as we have our next meeting,
17 which is going to be December 15, I'm going to be
18 putting it up on the website, and so you will have
19 access and the public will have access to the list
20 of recommendations that was submitted, so that way
21 everybody can see those recommendations.

22 Hold on while I switch back to the
23 PowerPoint. So here's our schedule. We're almost
24 there. We have three different sets of priorities.
25 The first priority, what I've shared with you is the

1 Building Permit, the Chapter 6E, and the IWS. We're
2 looking to have those recommendations submitted by
3 the PIGs on December 15.

4 And then we're going to discuss and debate
5 and vote on those recommendations on January 6,
6 which allows us to get ready for the legislative
7 session and not miss that opportunity.

8 In May of 2026, we're going to look into
9 the building codes, the Land Use District boundary
10 amendments which is the LUC, and we're going to need
11 your help and collaboration. And the Water Resource
12 Management with CWRM. So in May through August
13 we're going to be looking in depth with those
14 priorities and figure out some recommendations
15 there.

16 The third set from September to December
17 in 2026, we're still open to what those priorities
18 are. One idea is SMA. The other one is the
19 Conservation Use District. There's many different
20 areas that we want to look into, but we haven't
21 figured out exactly what they are at the moment.

22 So that's the three different set of
23 priorities and the schedule for the different sets
24 and how we're trying to present the process that out
25 those recommendations, and then adopt and vote, and

1 move forward with those recommendations.

2 So here is the structure of those
3 recommendations. Department agency policy change,
4 county ordinance changes, and statewide legislative
5 change, as I've shared with you before.

6 And this is very important. So when it's
7 time to adopt these recommendations, this is how
8 we're going to present them. So unanimous
9 recommendation means all members, all 34 members
10 voted on that recommendation. That shows a lot of
11 weight, that from all these different agencies and
12 all these different members, all 34 agree with that
13 recommendation.

14 Super majority, at least two-thirds of the
15 members voted in favor. Majority, 50 percent, which
16 is at least 18 members voted in favor of that
17 recommendation. And a failed recommendation, a not-
18 voted-on recommendation.

19 It's not possible to go through all the
20 recommendations, so there are going to be
21 recommendations that are not voted, but we're going
22 to give every member an opportunity to push a
23 recommendation that they see fit. And that's where
24 we are able to vote on those recommendations.

25 This is also very important. "No" votes

1 may submit a letter, which means going through the
2 deliberation process, we may not have enough data or
3 time to vote no -- or not to vote no -- to really
4 articulate our reason of no. So being able to
5 submit a letter after the fact on why you voted no
6 ensures that the report will have your reason of why
7 you voted no.

8 This will allow any decision maker who was
9 curious why this particular member voted no, has the
10 justification and has the reasoning, and that member
11 is able to give their perspective.

12 Because all the recommendations that are
13 going to come before are going to move forward in a
14 positive direction, compared to not voting on it.
15 So having a letter explaining why you voted no is
16 definitely very important in this process.

17 So finally, once the task force is over,
18 we're going to have a SPEED summit in January 2027,
19 and in that summit is where we're going to invite
20 all four mayors, the governor, the lieutenant
21 governor, the senate president, the speaker, to
22 support our package and to lead the work that we're
23 trying to do, and also explain why we're doing these
24 priorities, and why this is very important.

25 And here are some of those

1 recommendations, so we come together before the
2 start of the 2027 legislative session, and we would
3 be united in that effort.

4 So in closing, Hawaii is surrounded by the
5 SEA, guided by the SEA, Safety, Environment, and
6 Affordability. These values are very important, and
7 they anchor us in our work. We need to take in
8 consideration that all of these values are the
9 values that are shown in the recommendations that we
10 push forward.

11 And if you have any feedback, feel free to
12 take out your phone, scan your QR code, and share
13 what those feedbacks are to me. And if you want to
14 reach out to me, my phone number is here as well as
15 my email. Feel free to reach out.

16 And that is my presentation. Hopefully I
17 didn't go over my estimated time.

18 COMMISSIONER LEE: Thank you very much,
19 Representative Ilagan. You did come in on time, so
20 that bodes well for your predictions for the future.

21 And then for the public, please note that
22 Representative Ilagan's presentation can also be
23 located where it's posted, besides on his committee
24 page, it's also on the Land Use Commission home page
25 website right now at LUC.Hawaii.gov.

1 And we should probably also note that
2 State Representative Ilagan also serves as Chair of
3 the State House Economic Development and Technology
4 Committee.

5 So now commissioners, do you have any
6 questions for Representative Ilagan? Commissioner
7 U'u.

8 COMMISSIONER U'U: Yes. I just wanted to
9 say thank you for what you are doing. As we know,
10 I'm from Maui, just FYI, and I wish something was
11 thought about this pre-fire, to the point that the
12 process on Maui is lengthy also. And as we all
13 know, being last place out of 50 is last place, and
14 we feel that need.

15 So our county utilized a third party
16 review for the permits in Lahaina. And if we need
17 to go to that measure to build back an entire
18 community, it's needed what you're doing. If that
19 doesn't say it, nothing will.

20 When we've got to rely on a third party
21 separate from the county to help the processes just
22 to go back, and it's not flawless, but it is needed.

23 And if the process was fixed, we really
24 need something like this to process the build back
25 of Lahaina, in a time where we were already in a

1 crisis, right. On Maui I think we're short like
2 16,000 homes pre-fire, to my understanding, if my
3 calculations is correct. And then we lost over 2100
4 units, so now we're back even more so.

5 So thank you for making up for that with
6 trying to do what you can do on your guys' end, and
7 hopefully it trickles to the county side.

8 I think what's missing is, nothing's
9 missing, I just, your 45 minutes were incredible. I
10 think in a time years ago the permit process of Maui
11 was 10 percent of the general operating budget for
12 Maui County. And what you see over the past maybe
13 15 years is that people has begun to build illegally
14 because of this process.

15 So we're losing out on the environmental
16 processes that, that there is none when you go
17 illegal. And you're missing it out on the low
18 hanging fruit, which is the permit fees. So if you
19 traverse your car and you drive to Hana and Haiku,
20 you will see a bunch of unpermitted projects. That
21 doesn't help in managing our environment. Thank
22 you.

23 REPRESENTATIVE ILAGAN: Thank you,
24 Commissioner.

25 COMMISSIONER LEE: Thank you, Commissioner

1 U'u.

2 Is there any other commissioner with
3 questions for the representative? Commissioner
4 Nancy Carr Smith.

5 COMMISSIONER CARR SMITH: Thank you,
6 Chair. Hi Greggor.

7 REPRESENTATIVE ILAGAN: Hey, Commissioner.

8 COMMISSIONER CARR SMITH: I was just
9 wondering, this is quite an undertaking, and thank
10 you for trying to solve some problems. I'm just
11 wondering what that summit in 2027 looks like to
12 you. So in a perfect world, everything comes
13 together, what's the end look like?

14 I'm trying to understand how all the
15 counties and the state are all going to collaborate,
16 when they all are doing different things.

17 REPRESENTATIVE ILAGAN: So the end goal
18 looks very complex, because one, these
19 recommendations are not just state recommendations
20 with the legislative session. They are also policy
21 and county. So we hope that during the funding that
22 we receive for the SPEED task force, we're able to
23 pre-arrange possible flights for expert testimony to
24 the county level, so they're able to provide the
25 testimony of why we're trying to push something at

1 that county.

2 So there's many -- there's many platforms,
3 many spaces that we need to make sure that depending
4 on the recommendation, we follow up on. And with
5 the commitment at the highest level, whether you're
6 a mayor, governor, or you're an elected official, if
7 we get that unified buy-in and they are all for it,
8 then it's going to be much -- a better collaboration
9 with the different agencies and departments to be
10 able to implement those changes.

11 And ultimately, let's say we are able to
12 make those changes. Other states are watching
13 Hawaii, and when they're talking with their
14 businesses and they want to invest in Hawaii,
15 they're going to say, Hawaii has improved their
16 processes.

17 They're still respecting their
18 environment. They're still respecting the safety,
19 but it's a process that they can track their permit
20 now. They know where their permit is. It's fair.
21 It's simple, and they want to do business in Hawaii.

22 And we're also able to push state projects
23 on a timely basis. We're able to add more housing
24 where we need to. That's the end goal. But this is
25 where we're starting off, and we're starting off

1 from the work that other agencies have already done.

2 For example, in Maui, 4LEAF, with the
3 third party review, great example that we're looking
4 into how other counties can also utilize. We
5 understood that there was -- I'm not sure of the
6 depth, maybe it was five inches or five feet, but
7 there was some sort of -- FEMA already disturbed the
8 land, and 4LEAF was able to do that processes.

9 So because this area was already reviewed
10 and disturbed, the agency didn't have to send it out
11 to SHPD, and they could review the process
12 themselves and bypassing a more comprehensive look.
13 And that was allowable because all the agencies felt
14 it was sufficient on the environmental compliance.

15 So understanding that how they did it and
16 why they did it, and try to figure out on other
17 counties, and realizing that county may not have the
18 staffing to actually review those environmental
19 impacts, so then they're missing extra staffing so
20 they can't do a third party because they don't have
21 the funding for that extra staffing.

22 And so we're understanding why they can't
23 do it, but at least we know why -- what processes
24 has happened in other counties and try to figure out
25 what we can implement in the future.

1 So this has been very helpful, but the end
2 goal, we would like to see Hawaii be better at
3 permitting, and hopefully maybe this is a fantasy or
4 a dream, but be the example for all the other
5 states.

6 COMMISSIONER CARR SMITH: Thank you very
7 much. Chair, my only other comment is that I
8 wouldn't mind hearing from you other committee
9 members, if you have anything to add to the
10 conversation.

11 COMMISSIONER LEE: Well, it sounds like
12 this question is directed to Planning Director Mary
13 Alice Evans.

14 REPRESENTATIVE ILAGAN: Actually, Chair,
15 if you don't mind, could we start off with Seiji?
16 The reason why is Seiji has actually been in the
17 different PIGs, and he has some wealth of knowledge
18 from the conversations that's already happening in
19 the PIGs.

20 Mind you, he did miss one of the PIGs
21 because he had to be here at this important meeting.

22 COMMISSIONER LEE: Well, thank you.
23 Unfortunately Mr. Ogawa has conveniently left the
24 room, so I'd ask Director Mary Alice Evans if she
25 would like to comment, if that's okay.

1 MS. EVANS: Thank you, Chair, and
2 commissioners. Thank you Representative Ilagan.

3 Actually, we have gained a lot in helping
4 to staff the SPEED task force per Act 133, and I
5 think this is going to help the Office of Planning
6 and Sustainable Development as it also looks at how
7 to make up for the shortage of housing on all four
8 counties.

9 So I want to thank you for this effort,
10 and we'll be learning as we go along, I think as all
11 the other members will as well. So it's something
12 that we're committed to. Thank you, Representative.
13 Thank you, Chair.

14 COMMISSIONER LEE: Thank you.

15 REPRESENTATIVE ILAGAN: Thank you,
16 Director. Appreciate it.

17 COMMISSIONER LEE: Any other commissioners
18 that would like to have any questions for
19 Representative Ilagan? Okay. Seeing none, we will
20 now accept a second round of public testimony on
21 this agenda item.

22 So once again, if there are any members of
23 the public who wish to provide new or additional
24 testimony on this matter, please let the chief clerk
25 know in the chat box.

1 Ms. Kwan, are there any members of the
2 public who wish to provide new testimony on this
3 matter

4 MS. KWAN: Yes, we have Chuck Flaherty,
5 who I will promote to panelist now.

6 COMMISSIONER LEE: Okay, thank you.

7 Mr. Flaherty, you are still under oath,
8 and you have two minutes for your testimony.

9 Mr. Flaherty, please proceed --

10 MR. FLAHERTY: It just -- I'm sorry, it
11 was -- I had the circle going on here. Yes, my name
12 is Chuck Flaherty, Captain Cook. The question -- I
13 listened to the -- most of the presentation, and my
14 testimony is basically questions of concern.

15 The first one is if comments are
16 anonymous, what is to prevent special interests from
17 stacking comments in their favor? I really think
18 the fact that comments are anonymous is problematic.

19 In addition, why are the Office of
20 Hawaiian Affairs, Native Hawaii organizations, and
21 environmental groups not members of the SPEED task
22 force?

23 Also, how is this task force going to
24 preserve Home Rule? Why is the protections and
25 interests for traditionally customary practices not

1 a primary feature of this task force?

2 And does the -- and how does the fact that
3 the State of Hawaii consists of separate island
4 factor into these delays? Does this fact make
5 comparison to other states on the mainland and other
6 counties on the mainland irrelevant? How do you
7 compare an island state with states that are
8 contiguous and adjacent to one another, as well as
9 counties that are island versus contiguous within a
10 state?

11 And why are existing residents not listed
12 as a group, as well as Kanaka Maoli lineal and
13 cultural descendants, as well?

14 So those are just some of the questions
15 that came up for me while listening to the
16 presentation. I don't know how, given the inability
17 of different information systems, having been a
18 previous auditor of information systems, I don't see
19 how this can be accomplished on the scale and to the
20 detail, large scale and then down to the detail that
21 is being proposed.

22 So it's going to be a very interesting
23 process, but I have some initial concerns about the
24 initial assumptions that are being made and the
25 initial processes that have been put into place, and

1 representation that's been put into place by this
2 task force.

3 Thank you.

4 COMMISSIONER LEE: Thank you for your
5 testimony, Mr. Flaherty.

6 Representative Ilagan, do you have any
7 comments that you would like to share?

8 REPRESENTATIVE ILAGAN: Yes. Thank you,
9 Chair. Thank you for the testimony. I want to
10 first state, I think Esther Kia'aina would be very
11 disappointed to not be a Kanaka or a native who sits
12 on a task force.

13 So I just want to say that Hawaiians are
14 represented in the task force. Every viewpoint is
15 being represented in the task force regarding
16 permitting, and we're doing our best to manage a 34-
17 member board. That's quite a large board. Any more
18 members, I think it's getting to be too large to
19 even move forward.

20 So I just want to point out that we're
21 managing with as many different experts and
22 stakeholders in the task force. We can also consult
23 with the different agencies and the different permit
24 interaction groups are able to do that throughout
25 the process, and bring those recommendations

1 forward.

2 Regarding the recommendations, I want to
3 point out that the task force comments are not
4 anonymous in the sense of, we have Sunshine that we
5 follow, and we make sure that every testimony has a
6 name. And they can also comment anonymously if they
7 want, but they typically share their name.

8 So all those processes are transparent.
9 We are following Sunshine to the tee, so there is no
10 hidden thing that we're doing.

11 When it comes to the recommendations, the
12 reason why it's submitted in an anonymous way is
13 because, if you're worried about stacking, I would
14 recommend you actually submit your stacking
15 recommendation.

16 If you want to submit a bunch of
17 recommendations that are the same thing, it must be
18 very important for you, and we will definitely look
19 into why those recommendations are repeated, and
20 really investigate how important that recommendation
21 is.

22 And that's the part of the process where,
23 when the name is not highlighted, it means the
24 recommendation of the idea and the merit really
25 shows and shine. So if there was a recommendation

1 of the same thing presented 150 times, we already
2 know what the recommendation is. It's not going to
3 sway if it was sent 150 times because we know what
4 it is, and we'll have that discussion.

5 But we don't -- we're not basing it by who
6 submitted it. We're just wanting to understand what
7 the recommendation and how to move forward.

8 The other thing that was mentioned is that
9 Hawaii is different from other states. And yes,
10 Hawaii is different. There are also states who have
11 islands that we can learn from. And we also
12 understand, Virginia has a software called PEEPs,
13 that they have some success in their permitting
14 process.

15 California has a permitting process that
16 they took some county ability and created a state
17 department to expedite that permitting process.

18 So even though we can learn from these
19 different states, that doesn't mean it's going to be
20 what we're trying to push out for our state. That's
21 why we're going to review and investigate all the
22 different ideas, and go through the process of
23 voting and actually understand what's a
24 recommendation that we can properly implement in our
25 state, even though we're different from all the

1 other states.

2 I hope that answers the testifier's
3 questions.

4 COMMISSIONER LEE: Thank you,
5 Representative Ilagan.

6 Ms. Kwan, are there any other members of
7 the public who wish to provide new testimony?

8 MS. KWAN: Seeing none using the Q&A
9 feature, Chair. And staff would just like to remind
10 all participants that the Q&A feature is only to
11 sign up for testimony. No comments will be
12 acknowledged.

13 COMMISSIONER LEE: Thank you, Ms. Kwan,
14 and thank you Representative Ilagan, for taking on
15 this very important task. We will all be following
16 your SPEED task force with much interest, and
17 appreciate everything that you're doing.

18 REPRESENTATIVE ILAGAN: Thank you, Chair.
19 And I hope you attend, because we need quorum and
20 your presence is greatly appreciated and needed.

21 Thank you members, have a great day.
22 Aloha.

23 COMMISSIONER LEE: Thank you. Aloha.

24 We will now take a 10-minute recess before
25 we move on to our next agenda item. Thank you very

1 much.

2 (WHEREUPON, a recess was taken.)

3 COMMISSIONER LEE: All right, everybody.

4 We're back from recess. And we're going to take
5 agenda item number 4 out of order. That is for the
6 adoption of the minutes of the September 24th and
7 25th, 2025, minutes.

8 Ms. Kwan, has there been any written
9 testimony submitted about the minutes?

10 MS. KWAN: No, Mr. Chair.

11 COMMISSIONER LEE: Are there any members
12 of the public who signed up to testify on the
13 adoption of the September 24th and 25th minutes?

14 MS. KWAN: Seeing none in the Q&A feature,
15 Chair.

16 COMMISSIONER LEE: Thank you, Ms. Kwan.

17 Commissioners, are there any corrections
18 or comments on those minutes? If not, is there now
19 a motion to adopt those minutes?

20 COMMISSIONER KAHELE: Sure. There is no
21 correction. I want to make a motion that we adopt
22 September 24th and 25th minutes.

23 COMMISSIONER LEE: Thank you, Commissioner
24 Kahele. Commissioner Kahele has moved to adopt the
25 minutes. Is there a second?

COMMISSIONER U'U: Second.

COMMISSIONER LEE: It's seconded by
Commissioner U'u. All in favor of the adoption of
the September 24th and 25th minutes, please say aye.
All right. Any opposed? Seeing none, the minutes -
- oh, okay. Since this is the first vote, Executive
Officer Orodenger, please conduct the roll call
vote.

MR. ORODENER: Thank you, Mr. Chair. The
motion is to adopt the minutes.

Commissioner Kahele.

COMMISSIONER KAHELE: Here. Yes.

MR. ORODENER: Commissioner U'u.

COMMISSIONER U'U: Aye.

MR. ORODENER: Commissioner Yamane.

COMMISSIONER YAMANE: Aye.

MR. ORODENER: Commissioner Carr Smith.

COMMISSIONER CARR SMITH: Aye.

MR. ORODENER: Chair Lee.

COMMISSIONER LEE: Aye.

MR. ORODENER: Thank you, Mr. Chair. The
minutes are adopted unanimously.

COMMISSIONER LEE: Thank you, Executive
Officer Orodenger.

We'll now proceed to agenda item number 3,

1 the informational briefing for the Honoipu Hideaway
2 versus State Land Use Commission. This agenda item
3 is to consult with the commission's attorney
4 regarding a Supreme Court opinion on case number
5 3CCV-22-0000088. This is in reference to LUC docket
6 number DR21-73, Honoipu Hideaway LLC.

7 Our discussion will focus on legal issues
8 relating to the commission's, powers, duties,
9 privileges, immunities, and potential liabilities.

10 We will now recognize any public written
11 testimony submitted in this matter.

12 Ms. Kwan, has there been any written
13 testimony on this matter?

14 MS. KWAN: Yes, Mr. Chair. We received
15 one testimony yesterday that has been posted to the
16 website.

17 COMMISSIONER LEE: Thank you, Ms. Kwan.

18 Are there any members of the public that
19 wish to testify on this matter at this time?

20 MS. KWAN: Seeing none using the Q&A
21 feature, Chair.

22 COMMISSIONER LEE: Thank you. Is there
23 now a motion to enter into Executive Session and to
24 allow LUC staff to remain in the room for this
25 discussion?

1 COMMISSIONER U'U: I'll make a motion to
2 go into Executive Session.

3 COMMISSIONER LEE: Thank you.
4 Commissioner U'u has moved to enter Executive
5 Session. Is there a second?

6 COMMISSIONER CARR SMITH: Second.

7 COMMISSIONER LEE: It's been seconded by
8 Commissioner Carr Smith. Can I get a motion to exit
9 -- oh, no, that's it. We're going to go into
10 Executive Session at this time.

11 (LUC Commission entered Executive
12 Session.)

13 COMMISSIONER LEE: Okay, thank you
14 everybody. We have exited Executive Session, and we
15 return to regular session. In Executive Session, we
16 discussed with our attorney the implications of the
17 Supreme Court decision regarding Honoipu. Okay,
18 thank you.

19 All right. Once again, are there any
20 members of the public who wish to provide new or
21 additional testimony on this matter, Ms. Kwan?

22 MS. KWAN: I'm giving it a minute to see
23 if anyone uses the Q&A feature, but I don't see any
24 yet, Chair.

25 COMMISSIONER LEE: Okay.

1 MS. KWAN: Seeing none.

2 COMMISSIONER LEE: Thank you, Ms. Kwan.

3 We're now going to jump to, since we took
4 care of agenda item number 4, we're going to go to
5 agenda item number 5, tentative meetings scheduled.
6 The next agenda item.

7 MR. ORODENKER: Thank you, Mr. Chair.

8 COMMISSIONER LEE: Go ahead.

9 MR. ORODENKER: Our next meeting will be
10 on November 19th on Maui with the Ho'onani
11 Development LLC matter. After that we will have a
12 meeting on December 3rd in Kona with the University
13 of the Nations status review. And takes us through
14 the end of the year.

15 We currently don't have anything scheduled
16 for January or February.

17 COMMISSIONER LEE: Okay, thank you.

18 COMMISSIONER KAHELE: (Inaudible).

19 MR. ORODENKER: November 19th.

20 COMMISSIONER LEE: Yes, Commissioner
21 Kahele, the next Land Use Commission meeting is
22 scheduled for November 19, 2025, and will be held on
23 Maui. And due to the remote location of the meeting
24 facilities and the demanding schedule required to
25 complete LUC business, we'd like to request that

1 meals be provided as a working lunch as an integral
2 part the meeting.

3 So Mr. Orodenger, would LUC staff please
4 make the necessary arrangements for this working
5 lunch?

6 MR. ORODENER: Yes, Mr. Chair. We will
7 do so.

8 COMMISSIONER LEE: All right. Now, the
9 last agenda item is number 6, for adjournment. And
10 if there is no further business, this meeting is --
11 oh, I see some --

12 COMMISSIONER CARR SMITH: Chair?

13 COMMISSIONER LEE: Yes, Commissioner Carr
14 Smith.

15 COMMISSIONER CARR SMITH: Thank you. I
16 wanted to broach the subject again of putting an
17 agenda item, a standing agenda item on the agenda
18 going forward called the report -- Report of the
19 Executive Director, or something to that effect.

20 I easily found four other agencies under
21 DBEDT that all have that, Hawaii Housing Finance and
22 Development Corp. has Report by the Executive
23 Director. Hawaii Community Development Authority
24 has Report of the Executive Director. NELHA has
25 Executive Director's Informational Status Report.

1 And Agribusiness Development Corp. has Executive
2 Director's Report including an update.

3 And so I would like to see that general
4 agenda item always on the agenda. And then we can
5 specify specific things that we would like, whatever
6 commission member would like to discuss that might
7 fall under that.

8 COMMISSIONER LEE: Is this something that
9 we can work on, Ms. Deputy AG?

10 MS. STEED: So Chair, you have discretion
11 to set the agenda how you see fit. So you can put
12 whatever agenda items you think should be on the
13 agenda, and you can discuss as you always do with
14 your Deputy Attorney General whether or not it
15 complies with Sunshine law, but it's your
16 discretion.

17 COMMISSIONER LEE: Thank you.

18 I think that's a good idea, and so we will
19 ask that the Executive Officer and the Deputy AG
20 work to make it in compliance with our requirements.

21 COMMISSIONER CARR SMITH: Thank you,
22 Chair.

23 COMMISSIONER LEE: Thank you.

24 Is there any other further business to
25 discuss? Yes, Commissioner U'u.

1 COMMISSIONER U'U: Just a reminder. The
2 last time we was at the MAC, we couldn't have lunch
3 at the MAC, so FYI we've got to prepare for that.

4 COMMISSIONER LEE: Are you volunteering to
5 cook then, or --

6 Okay, thank you.

7 Any other further business? Okay.
8 Hearing none, this meeting is now adjourned. Thank
9 you, everyone, for your attention.

10 (WHEREUPON, the Hawaii Land Use Commission
11 Meeting adjourned.)
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CERTIFICATE

1
2 I, Michelle Breezee, do hereby certify that
3 the proceeding named herein was professionally
4 transcribed on the date set forth in the certificate
5 herein; that I transcribed all testimony adduced and
6 other oral proceedings had in the foregoing matter;
7 and that the foregoing transcript pages constitute a
8 full, true, and correct record of such testimony
9 adduced and oral proceeding had and of the whole
10 thereof.

11
12 IN WITNESS HEREOF, I have hereunto set my hand
13 this 25th day of November, 2025.

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19 Michelle Breezee
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