[redacted]

From: Darrian Muraoka <mzdarrian@gmail.com>
Sent: Monday, October 26, 2026 5:45 PM
To: Council Testimony
Subject: Support Bill #3007

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Kaua'i County Councilmembers,

I am writing in strong support of Bill No. 3007 to protect West Kaua'i from the construction of another landfill.

West Kaua'i has carried the burden of being home to Kaua'i's only landfill for generations. Our community should not be expected to continue shouldering a disproportionate share of the island's waste. The people of Kekaha, Waimea, and the surrounding West Side deserve the same consideration, environmental protection, and quality of life as every other community on our island.

Our 'āina is more than a place to dispose of waste. It is our home, our source of food, our connection to our kūpuna, and what we hope to preserve for our keiki and future generations. The coastal environment, groundwater, agricultural lands, and surrounding ecosystems are too important to risk placing another landfill in an area that has already carried this responsibility for decades.

I believe waste management is a shared responsibility. The impacts of our islandwide waste should not fall disproportionately on one community simply because a landfill is already located there. Fairness means considering the health, safety, environmental concerns, and long-term well-being of all residents—not just the convenience of where waste can be placed.

I support Bill No. 3007 because it establishes an important boundary against placing another landfill near an existing or recently active landfill. I also encourage the County to continue exploring responsible alternatives, including waste reduction, recycling, composting, reuse, and other long-term waste management solutions that reduce our dependence on landfills.

We cannot change the decisions made in the past, but we can make better decisions for the future. West Kaua'i should not have to accept another landfill as the answer to Kaua'i's waste problem.

Please support Bill No. 3007 and help protect our 'āina, our communities, and the generations who will inherit this island after us.

Mahalo for your time, your consideration, and your service to the people of Kaua'i.

Respectfully submitted,

Darrian Skye Kāhealani Muraoka

[redacted]

From: Yulin Olliver <yulin@fubuagency.com>
Sent: Monday, October 26, 2026 5:59 PM
To: Council Testimony
Subject: In support of Bill No. 3008

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Dear Council,

I am a sport agent, and founder of a talent agency on the mainland. Many of our clients are professional surfers who call Kaua'i home, long-time Kaua'i families who trace their land back to before statehood in 1959. With surfing headlining as a favorite sport in the upcoming LA28 Olympics, I believe the county has a responsibility to take steps to protect long-time 'Ohana from being displaced by rising property values, and respective taxes. Families who have cared for the lands for generations as originally intended and agreed upon, and continue to contribute to the rich fabric of their community should have a path to remain on their lands. It benefits all to do so with multiple outcomes. And rising property taxes are making it harder to hold on to lands that have been in their families for generations.

Thank you, mahalo, for supporting the perpetuating of kuleana, ahupua'a-based natural resource management and connection to place through protection of cultural landscapes and family lands on Kaua'i.

Yulin Olliver

YULIN OLLIVER (she/her) MBA, Agent, President
m: (508) 868-2850

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[redacted]

From: Harley Broyles <hbroyles@earthjustice.org>
Sent: Monday, October 26, 2026 10:07 PM
To: Council Testimony
Cc: Kylie Wager Cruz; Julie Parks
Subject: Earthjustice Testimony RE Agenda Item M.5
Attachments: 2026-10-28 EJ Testimony Bill 3008_final.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha,

Please find attached Earthjustice's testimony in support of Agenda Item M.5, for the County Council's meeting this Wednesday, October 28, 2026.

Mahalo nui,

Harley M. Broyles (*she/her*)
Associate Attorney
Earthjustice
850 Richards St., 4th Flr.
Honolulu, HI 96813
T: 808.599.2438
earthjustice.org

facebook.com/earthjustice
twitter.com/earthjustice

EARTHJUSTICE

Because the earth needs a good lawyer

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EARTHJUSTICE

Via Electronic Mail

Attn: Kaua'i County Council
councilltestimony@kauai.gov

COUNCIL MEMBER MEL RAPOZO, CHAIR
COUNCIL MEMBER KIPUKAI KUALI'I, VICE CHAIR
KAUA'I COUNTY COUNCIL

Agenda Item M.5
TESTIMONY IN **SUPPORT** OF PROPOSED DRAFT BILL (No. 3008)
A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, ARTICLE 9 OF THE KAUA'I COUNTY CODE 1987, RELATING TO REAL PROPERTY DEDICATED AS 'ĀINA KŪPUNA

October 28, 2026, 8:30 a.m.
Council Chambers, Historic County Building
4396 Rice Street, Suite 201
Līhu'e, Kaua'i, Hawai'i 96766

Chair Rapozo, Vice Chair Kuali'i, and Council Members,

Earthjustice submits this testimony in **support** of Proposed Draft Bill (No. 3008), a bill for an ordinance amending Chapter 5A, Article 9, Kaua'i County Code 1987, as amended, to create an 'Āina Kūpuna dedication in Kaua'i County's real property tax law, allowing local families living on intergenerational lands to pay minimum real property tax, and making it easier for local families to remain in Hawai'i.

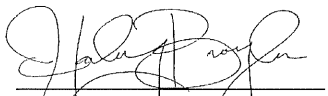
Hawai'i has suffered a long history of land dispossession and displacement, which has forced Native Hawaiians off their ancestral lands and local families to move away from lands they've called home for generations. And over time, with increasing cost burdens and the influx of luxury and second-home buyers, it has been harder for those born and raised in Hawai'i to stay in Hawai'i. Maui and Hawai'i counties have recognized this issue plaguing all of the Hawaiian Islands by passing similar measures, including tax exemptions and relief to reduce cost burdens for local families. Kaua'i should do the same.

This bill would help Kaua'i's local families, including Native Hawaiian families, cope with the rising cost of living in Hawai'i, allow lands to remain in the hands of families who have served as its caretakers for generations, and thereby preserve Kaua'i's cultural and historical heritage.

MID-PACIFIC 850 RICHARDS STREET, SUITE 400 HONOLULU, HI 96813
T: 808.599.2436 MPOFFICE@EARTHJUSTICE.ORG WWW.EARTHJUSTICE.ORG

Mahalo nui for the opportunity to submit testimony.

Respectfully submitted,



Harley M. Broyles
Kylie Wager Cruz
EARTHJUSTICE

[redacted]

From: Cheree Rapozo <cheree@chereerapozo.com>
Sent: Monday, October 26, 2026 11:56 PM
To: Council Testimony
Subject: Hearing Date 10/28/26 Agenda Item No. M(4)
Attachments: Kekaha Landfill.pdf

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To: counciltestimony@kauai.gov

Aloha Chair Rapozo, Vice-Chair Kuali'i, and Council Members,

My name is Cheree Rapozo. I live in Lāwa'i and have also called Pākalā and Kalāheo home. I am writing in strong support of Bill 3007.

Growing up on west Kaua'i, it always broke my heart to see the Kekaha Landfill continue to expand. West side residents have lived with the burden of Kaua'i's only landfill for decades. It sits near our coastline, where tsunamis and coastal flooding are real concerns. Residents also live with the noise and traffic from trucks hauling the island's rubbish to Kekaha. The older Phase I section is unlined, which makes continued environmental monitoring especially important.

The County has expanded the landfill time and again to buy more time. Now it is proposing another vertical expansion, including placing new waste above the older, unlined Phase I area with a proposed overliner between them. Enough is enough. West Kaua'i residents deserve a firm commitment that another *new* landfill will not be built near the one they have lived with for so long.

Bill 3007 would make that commitment specific: the County could not construct a new landfill within six miles of an active landfill or one that accepted waste during the preceding 30 years. The bill would still allow the County to modify the existing Kekaha Landfill if needed to maintain disposal capacity. It also states that the County should move quickly to site a new landfill at Ma'alo Road. I support that direction and urge the County to move the new facility forward so Kekaha can close as soon as it is ready.

Closing Kekaha will not end the County's responsibility there. Decades of waste will remain, including waste in the unlined Phase I area. The County must continue monitoring groundwater and the surrounding environment after closure, share the results with residents, and address any problems the monitoring reveals.

Please support Bill 3007. West Kaua'i has carried this burden long enough, and residents deserve both a clear path to a new landfill and a long-term commitment to care for the Kekaha site.

Mahalo for the opportunity to testify.

Cheree Rapozo

Cheree Rapozo
Lāwa'i, Kaua'i

[redacted]

From: Chipper Wichman <chipperwichman@gmail.com>
Sent: Tuesday, October 27, 2026 8:19 AM
To: Council Testimony
Subject: testimony in support of Bill 3008
Attachments: C.Wichman testimony Bill 3008_26-10-27.pdf

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Please see attached written testimony. I will not be able to be there in person or via zoom due to meetings in HNL on Wednesday.

Aloha Chipper
Chipper Wichman
(808) 651-4266 (mobile phone)

CHIPPER & HAU'OLI WICHMAN
PO BOX 753
HANALEI, HI 96714

26 OCTOBER 2026

Mr. Mel Rapozo, Chair – via email to: counciltestimony@kauai.gov
Kaua'i County Council

SUBJECT: Testimony in support of the Kaua'i 'Āina Kūpuna Bill 3008

Aloha Chair Rapozo and members of the Kauai County Council,

We are testifying today in strong support of Bill 3008 known as the Kaua'i 'Āina Kūpuna bill. This bill is long overdue and many of our 'ohana on Kaua'i have suffered for years from the tax burden placed on them when all they are trying to do is keep their precious homesteads in their family ownership.

This bill really hits home for us since in 2023 we nearly lost our family home in Hā'ena due to the 300% increase in property tax that year. Although three successive generations of our family have lived there consistently since 1946, and our property has never been rented or used for commercial purposes, we were subject to escalating tax rates driven by excessive property valuations in the Hā'ena area – something we had no control over. We eventually succeeded in obtaining a historic home exemption for our homestead which has allowed us to be able to keep the property in our 'ohana so future generations can live there. In fact, our daughter who was born and raised on this property, moved home in August and now lives there with her husband and two young daughters! These keiki will be the 4th generation to live at Waimakua the name of our 'ohana's homestead.

To us the County has an obligation to protect 'ohana like ours from being displaced from their generational homes due to escalating property taxes. Not all generational homes will qualify for kuleana or historic home exemptions. That is why we need Bill 3008!!! Keeping our people on their family lands is a benefit for our entire island community as it helps to preserve the history and cultural that makes Kaua'i so special!!!

We are am sorry that we can't be there to testify in person on Wednesday, however we strongly encourage you to vote yes on Bill 3008. You have the power to make our Kaua'i 'Āina Kūpuna bill a reality for the people of Kaua'i!

Me ke aloha,

Chipper & Hau'oli Wichman

[redacted]

From: Rachel Ferguson <raferguson808@gmail.com>
Sent: Tuesday, October 27, 2026 9:10 AM
To: Council Testimony
Subject: In Support Of Bill 3007

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Aloha,

I support Bill 3007 on behalf of the westside community, and as a resident of Kekaha.
This community has held the burden of waste from all areas of the island for decades. The dump trucks and residents of the island drive to Kekaha every day with tons of rubbish, and the highways are littered with trash. The smell when these trucks pass by on the highways will blow through our neighborhoods every day, along with the smell from the sewage treatment plant in Waimea, and the asphalt producer. This is a burden on our communities and environment. Our government has yet to find a solution to a landfill that can no longer fully fill the needs of this community. The answer has been to expand up to buy some time, and now inland in precious wetlands and the mana area.
Please listen to our community members, look outside the box to what other countries, and island communities are doing with their successful waste programs.
Educate in the schools, and communities to recycle everything we possible can and how to do it properly.
Thank you.

My Best,
Rachel

Rachel Ferguson RS-82002
Coldwell Banker Island Properties, Inc.
2360 Kiahuna Plantation Drive Suite C-10
808-346-0859
Email: raferguson808@gmail.com
rferguson.islandproperties.com
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[redacted]

From: Kalena Estrella <kalenae@gmail.com>
Sent: Tuesday, October 27, 2026 10:41 AM
To: Council Testimony
Subject: Testimony Bill#3008

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Aloha,

My name is Kalena Estrella Pacheco and I'm a lifelong resident born from a sugar cane workers family from Portugal that landed and worked in Makaweli. I was raised in Kalihiwai and currently live in Kīlauea.

- I support proposed bill no. 3008 because it will help long-time Native Hawaiian and kamaʻāina ʻohana keep their ancestral lands. Rising property taxes are making it harder to hold onto lands that have been in their families for generations. I've seen too many ʻohana that cannot afford rising property taxes be displaced from Hawaiʻi and I'm so thankful there is a path to relief with this bill.
- I also support proposed bill no. 3008 because I believe the County has a responsibility to take steps to protect long-time ʻohana from being displaced by rising property values and taxes. Families who have cared for their lands for generations and contributed to the rich fabric of our community should have a path to remain on their lands.

  This bill will create a pathway for longtime ʻohanas and Native Hawaiians who have ZERO plans to sell their land preserve it for future generations. Residents who are preserving ʻĀina for ʻohana should NOT be taxed the same as a Property Investor with rising tax costs that become more exorbitant with the years and rising cost reliant on if their neighbor chooses to sell.

  These are two completely distinct types of people and I believe they should be treated as such,

  Mahalo nui,
  Kalena Estrella Pacheco

Sent from my iPhone

[redacted]

From: Pam Murphy <pamedgehill@me.com>
Sent: Tuesday, October 27, 2026 10:41 AM
To: Council Testimony
Subject: Soport for Bill No. 3008

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I support Bill 3008 because Native Hawaiians and other Kama aina ohana should not be foreced to choose between selling their family lads or paying tax assesments they can no longer afford.

[redacted]

From: Chandler Forrest <attaforrest47@gmail.com>
Sent: Tuesday, October 27, 2026 10:56 AM
To: Council Testimony
Subject: Bill No. 3008

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Aloha, my name is Chandler Forrest and I support Bill No. 3008. I am born and raised here on Kaua'i, and have seen my grandparents and parents struggle with paying land taxes and have to sell land. I believe Bill 3008 will help keep 'Ohana on their land and help relieve the financial burden. Please support Bill 3008.
Mahalo,
Chandler Forrest
Sent from my iPhone

[redacted]

From: Brysone Nishimoto <brysonenishimoto@gmail.com>
Sent: Tuesday, October 27, 2026 11:10 AM
To: Council Testimony
Subject: BILL No. 3008

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

I fully support bill no. 3008 before you today.

Native Hawaiians and Kama'aina ***should not*** be forced to sell their family lands to pay tax assessments that has skyrocketed because outside money continues to inflate "values".
*I am not opposed to paying my share of taxes.

However when my FY 26-27 bill jumps from 11K to 21K, it precipitates me to start the selling process.

** And yes, that increase went on the credit card.

Brysone Nishimoto
Wainiha Powerhouse Rd
808.652.3232

[redacted]

From: Benny Broyles <barnonebenny@gmail.com>
Sent: Tuesday, October 27, 2026 11:53 AM
To: Council Testimony
Subject: Testimony
Attachments: Aloha Chair Rapozo, Vice-Chair Kuali'i, and Council Members, (1).pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Chair Rapozo, Vice-Chair Kualiʻi, and Council Members,

My name is Benson Broyles, born and raised in Kekaha. I am writing to submit my strong testimony in support of Bill 3007 to ensure Kauaʻi County finally ends the systemic practice of citing the island's waste infrastructure strictly on the Westside.

For generations, our Kekaha community has carried the total burden of Kauaʻi's municipal solid waste. The reality on the ground in our neighborhood reflects years of environmental inequity and short-term planning:

- Environmental Degradation: Phase I, was constructed prior to modern containment standards leaving it completely unlined, contaminating underlying groundwater aquifers, and threatening adjacent marine ecosystems.
- Reactive Expansion: Phase II, exceeded projected capacity early following Hurricane Iniki, prompting fast-tracked expansions rather than a balanced, island-wide waste management plan.
- Ecological Vulnerability: The facility remains exposed along a coastline highly susceptible to tsunamis, severe hurricane surges, and sea-level rise.
- Community Burden: Day in and day out, our local roads handle heavy diesel truck traffic, dust, and noise pollution as waste from across the entire island is hauled straight through our rural backyards.

Bill 3007 establishes a firm, equitable framework: it honors the County's duty to protect the Westside while expediting the process to identify and construct a modern waste facility elsewhere. In the wake of Hurricane Lowell, as Kauaʻi confronts immediate disaster debris challenges, clear policy direction on sustainable waste citing is more critical than ever.

As a proud Kekaha resident, I am asking for long-overdue certainty, not just lip service that our community will no longer serve as the island's single dumping ground.

I, Benson Broyles, strongly support Bill 3007 and urge the Council to pass this measure, secure an alternative site, and move forward with closing the Kekaha Landfill.

Mahalo for your leadership and for the opportunity to testify.

Sincerely,

Benson Broyles

Kekaha Resident

[redacted]

From: Lawai'a Naihe <lawaia@hoakeolapono.org>
Sent: Tuesday, October 27, 2026 2:18 PM
To: Council Testimony
Subject: Testimony in Support – Proposed Draft Bill No. 3008 (Kaua'i 'Āina Kūpuna)

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

TO: Council Chair Rapozo and Members of the Kaua'i County Council
FROM: Lawai'a Naihe, Līhu'e, Kaua'i (testifying as an individual)
RE: Proposed Draft Bill No. 3008, Kaua'i 'Āina Kūpuna
HEARING: Wednesday, October 28, 2026, 8:30 a.m., Council Chambers
POSITION: SUPPORT

Aloha Chair Rapozo and Members of the Council,

My name is Lawai'a Naihe, and I live in Līhu'e. I am testifying as an individual; my title is for identification only. I strongly support Proposed Draft Bill No. 3008.

In 2021 I founded Ho'ākeolapono Trades Academy and Institute (HTAI), a workforce development organization and tuition-free construction academy on Kaua'i. We are one of the only construction academies in the country that operates under its own contractor's license, so our students learn on real job sites and our contracting work pays for their training. Our goal is to give local young people good careers so they can afford to stay home.

Through this work I see the same thing again and again: our people work hard, but the cost of staying here keeps climbing. For 'ohana who have held the same small piece of land since before statehood, rising assessments can mean property taxes they cannot keep up with. No family should have to choose between selling generational land and paying a tax bill they can no longer afford.

Bill No. 3008 is targeted and fair. It covers only parcels of five acres or less, held by descendants of owners from before August 21, 1959, with at least one owner living in Kaua'i County, and allows one dedication per family. It bars vacation rentals, bed-and-breakfasts and sale outside the family, while still allowing agriculture. It also clears the back penalties and interest that can be the difference between a family catching up and losing its land.

Keeping 'ohana on their 'āina keeps our history, culture and community alive. These are the families whose young people HTAI trains. When they stay rooted here, Kaua'i stays Kaua'i. I respectfully urge you to pass Bill No. 3008.

Mahalo nui loa,

Lawai'a Naihe
Founder, Ho'ākeolapono Trades Academy and Institute (for identification only)
lawaia@hoakeolapono.org | (808) 652-4208

Mahalo NUI,

Lawai'a Naihe
Ho'ākeolapono Trades Academy and Institute
lawaia@hoakeolapono.org
(808) 652-4208
3-2600 Kauamuali'i Hwy, Suite 1300 #349
Lihue, HI 96766

HO'ĀKEOLAPONO
TRADES ACADEMY & INSTITUTE

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RECEIVED
26 OCT 27 P2:20
OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUA'I

Written testimony for Bill #2991

To Whom It May Concern:

On June 9, 2025, at the age of 66, I finally became a home owner, and if not for receiving my portion of my parents' inheritance, I would probably not be able to afford to buy a home. To my surprise and utter amazement, I found out that I had to pay a higher tax rate even though I was now an owner/occupant and would not qualify for the owner/occupant rate for another whole year. I was flabbergasted and was told by a clerk at the county property assessment office that this was due to something about the county fiscal year. This made no sense and totally illogical, in my opinion. The whole purpose of the different tax rates was to aid new and existing home owners like me and even if I qualify, I now have to wait a whole year before my actual tax rate kicks in? Absurd! It seems like it's the county's problem to figure it out and should not be placed on the owner/occupant as their problem.

I also asked the clerk, what if it was switched around and it was an owner/occupant who decided to now rent out his/her home, would they have a whole year of the lower owner/occupant tax rate before it gets hiked up to that of a rental rate? The clerk said no, they would charge the higher rental rate tax. So apparently the "fiscal" rule is not based on the schedule of the county's fiscal budget.

So I would like a refund on the difference on what I paid for my property taxes as compared to what my taxes should have been as an owner/occupant.

Also, I sent out an email explaining my situation and problem to all the council members and only 2 responded and one stopped responding after a couple of communications. Mel was the only one who continued and saw this thing through. As council members , you work for me and the other people of Kaua'i and it's discouraging not to hear a word from you since listening and responding to the people of Kaua'i was part of your campaign. I don't know how long this illegal and illogical rule has been in effect and how many others have had to pay an incorrect tax but I hope this bill passes and everyone who experienced what I experienced can be made whole again.

Thank you,

David Yukimura
3226 Uluhui St
Lihue, HI 96766

[redacted]

From:	Joell Edwards <joellmedwards@gmail.com>
Sent:	Tuesday, October 27, 2026 2:46 PM
To:	Council Testimony
Cc:	J Wichman
Subject:	HWHCA-County Council re Bill 3008- Aina Kupuna Property-102726
Attachments:	HWHCA-County Council re Bill 3008- Aina Kupuna Property-102726.pdf

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Hanalei-Wainiha-Hā'ena Community Association
Post Office Box 1072
Hanalei, Hawaii 96714

October 27, 2026

Kaua'i County Council
4396 Rice Street
Lihue, HI 96766

Re: Bill 3008 (Property Tax on Property Dedicated as 'Aina Kupuna)

Aloha Councilmembers,

The Board of Directors of the Hanalei-Wainiha-Ha'ena Community Association strongly supports Bill 3008.

Our association represents communities that are home to many ohana whose ties to the 'aina go back generations. These families carry the history, culture, 'ike, and character of Hanalei, Wainiha, and Ha'ena.

As property values and assessments climb, longtime families face growing financial pressure. This happens not because of anything they have done, but because the land around them has become more valuable. Many ohana in our North Shore communities may qualify for this program. Giving them a way to stay on their lands protects our whole community.

When generational families are displaced, we lose more than longtime residents. We lose 'ike, stewardship, relationships, history, and connection to place that took generations to build and can not be replaced.

Keeping ohana lands in ohana hands helps preserve the cultural fabric and continuity of Hanalei, Wainiha, Ha'ena, and all of Kaua'i.

We urge the Council to pass Bill 3008 and help qualifying ohana remain on the lands their families have cared for across generations.

Jonny Wichman, on behalf of the Board of Directors
Hanalei-Wainiha-Ha'ena Community Association