

From: [Lichun Huang](#)
To: [Planning WPC Testimony](#)
Subject: Special Permit Application (PL-SPP-2024-000075) Teppy Mountain
Date: Monday, May 11, 2026 11:52:02 AM

Written Testimony

Special Permit Application (PL-SPP-2024-000075)

Applicant: Teppy Mountain, LLC

Request: To Allow an Annual, Multi-Day Festival Event with
Camping for up to 500 Attendees and to Legitimize the
Storage of Commercial Vehicles

Tax Map Key: (3) 2-7-007:001 (por.), Pāpaʻikou, South Hilo, Hawaii

Position: oppose

I am a cacao farmer who performs fermentation and open-air drying on my property. My concern is not opposition to agriculture or neighbors, but whether intensified commercial uses are compatible with agricultural operations that depend on quiet conditions, safe access, and stable infrastructure.

I. Environmental Review Deficiencies

The Environmental Impact Assessment contains the statement:

“No professional surveys were conducted of the flora/fauna resources on the property, and there are no known endangered or listed plant species on the property.”

This conclusion is concerning.

No biological survey was conducted. From my experience farming in this area, we regularly observe native Hawaiian damselflies, breeding pairs of io (Hawaiian hawk) and seasonal kolea on our farm (former sugarcane plantation). A conclusion of “no known species” appears to result from not looking.

Similarly, conclusions regarding “no possible adverse effect or impairment of valued resources” lack an evidentiary foundation if no qualified ecological survey has been performed.

The Commission should clarify:

- What biological or habitat surveys were conducted?
- Whether qualified professionals evaluated the site;
- What evidence supports the conclusion of no impact?

II. Road Capacity and Public Safety Not Adequately Addressed

The application does not adequately evaluate transportation safety impacts.

Indian Tree Road is:

- approximately 12–16 feet wide,
- a single-lane access road,
- currently degraded from former pavement to unstable gravel,
- containing deep potholes in multiple sections.

The assessment does not address whether the road can safely accommodate:

- outbound event traffic,
- inbound emergency vehicles simultaneously,
- heavy equipment hauling operations,
- increased annual festival attendance.

Additionally, the adequacy of State Highway 19 in the vicinity of the Indian Tree Road intersection, flanked by narrow bridge approaches, has not been evaluated for cumulative traffic impacts.

The approval recommendation is made with a promise of a traffic plan without a comprehensive traffic and emergency access analysis.

III. Segmentation of Permit Review and Cumulative Impact Concerns

The heavy equipment rental base yard appears to be a convenient two-for-one add-on from the festival permit review and without equivalent scrutiny under the Hamakua Development Plan. Justification for the heavy equipment base yard is either completely missing or unclear.

IV. Agricultural Tax Classification and Use Intensity Mismatch

The subject property benefits from a low agricultural property tax classification, intended to support lands in dedicated agricultural production.

However, the proposed and existing uses appear to include a combination of:

- commercial event activities, and
- heavy equipment rental / industrial-scale operations.

This creates a use-intensity mismatch between the agricultural tax classification basis and the actual operational footprint.

While the County of Hawai'i currently lacks a clear mechanism to adjust tax classification dynamically based on mixed or intensified use, the absence of such a mechanism raises a policy equity concern:

Larger agricultural parcels may retain agricultural tax benefits while simultaneously supporting higher-intensity commercial uses, without proportional alignment between tax

classification intent and actual land use impacts.

This may result in an uneven policy outcome where:

- agricultural tax status is retained, while
- infrastructure burdens (traffic, road degradation, environmental impact) are externalized to surrounding landowners and public infrastructure.

The Commission should consider whether the proposed use remains consistent with the intent of the agricultural classification policy and whether mixed-use intensity should be evaluated more rigorously in permitting decisions.

V. Conditions Dependent on Complaints Rather Than Verifiable Standards

These recommended conditions rely heavily on post-approval, complaint-driven enforcement rather than pre-approval verification or measurable compliance thresholds. This shifts regulatory oversight from objective confirmation to reactive enforcement.

Because violations may be difficult or impossible to verify, these conditions risk functioning as de facto unconditional approval.

Event Attendance Limits

The condition limiting festivals to 500 attendees may be ineffective if supporting crews, contractors, vendors, and operational staff are not consistently counted. Clear definitions of “attendee” are necessary.

Heavy Equipment Limitations

The limitation of six pieces of commercial rental equipment requires:

- a specific inventory list,
- equipment identification tracking,
- clear separation of agricultural vs commercial use.

Without this, enforcement is not verifiable.

Traffic Management and Road Improvements

The requirement for traffic management plans and installation of paved pullouts acknowledges that current road conditions may be insufficient for proposed use levels. However, there is no justification for whether three pullouts are sufficient, nor analysis of appropriate siting locations.

This supports the need for a full evaluation of whether intensified use is compatible with existing infrastructure based on baseline capacity analysis.

Road Maintenance Condition

Road impacts must be considered in relation to broader easement use, not solely festival

events. This condition also does not address the approval of heavy equipment operations that allow heavy vehicles to travel on the road on an ongoing basis.

This creates overlapping sources of roadway stress that are not separately analyzed within the proposed conditions.

Safety Plans and Neighbor Impacts

Emergency, fire, and traffic safety plans directly affect servient estate landowners and should be made available to impacted servient property owners prior to approval.

VI. Enforcement and Monitoring Limitations

Several conditions rely on complaint-driven enforcement rather than independent verification.

Effective permitting should include:

- objective monitoring mechanisms,
- clear reporting requirements,
- defined enforcement triggers,
- independent compliance verification.

Without these, enforcement becomes reactive and uncertain.

VII. Evidence of Potential Overburden of Access Infrastructure

The requirement for:

- roadway upgrades,
- traffic management plans,
- annual maintenance funding,
- fire access improvements,

collectively suggests that existing infrastructure may be insufficient for the proposed level of use and jeopardize the safety of both event participants and neighbors who rely on the same road for daily access.

VIII. Requested Clarifications

The following should be clarified before approval:

1. Environmental survey methodology and supporting data;
2. Integrated traffic and emergency access analysis;
3. Combined evaluation of festival and heavy equipment operations;

Verifiable equipment inventory and classification system;

- 4.
5. Clear attendee counting methodology;
6. Independent compliance verification mechanisms;
7. Distribution of safety plans to impacted servient landowners;
8. Evaluation of cumulative impacts on private easement infrastructure.

I appreciate your consideration of my concerns. Because of the topological layout of my farm relative to the access easement, increased traffic — particularly commercial heavy equipment use — will negatively affect my fermentation and drying capacity and could effectively extinguish my value-added cacao business. I ask the Commission to consider whether this project supports or undermines the future of agriculture in Hamakua.

Sincerely,
Lichun Huang
Pinapinao Farm