

Honolulu, Hawaii

Feb 2, 2006

RE: H.B. No. 2145  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and  
Agriculture, to which was referred H.B. No. 2145 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL TOURISM,"

beg leave to report as follows:

The purpose of this bill is to promote agricultural tourism  
by:

- (1) Making qualifying agricultural tourism a permitted use  
in the agricultural district;
- (2) Allowing the counties to regulate agricultural tourism  
by ordinance, including the provision of overnight  
accommodations; and
- (3) Exempting permitted uses, including agricultural  
tourism, in the agricultural district from the  
requirement of an environmental assessment.

Kamehameha Schools, the Land Use Research Foundation of  
Hawaii, Hawaii Agriculture Research Center, and Gay & Robinson  
Tours LLC, testified in support of this bill. The Department of  
Agriculture, Office of Planning, Hawaii Tourism Authority,  
University of Hawaii College of Tropical Agriculture and Human  
Resources, and Hawaii Farm Bureau Federation supported this  
measure with amendments. The Sierra Club, Hawaii Chapter, opposed



this measure. The County of Hawaii Planning Department provided comments.

Your Committees note that questions and recommendations arose in decision-making regarding the counties' purported existing authority to permit eco-tourism, and whether the provisions of this measure should be made applicable only to those counties that have rules or ordinances in place that would enable appropriate regulation of agricultural tourism. Because representatives from county governments were not present at the hearing to meaningfully discuss these issues, your Committees will pursue this matter and ensure that these questions will be addressed by the Committee on Tourism & Culture.

Your Committees have amended this bill by:

- (1) Removing overnight accommodations from the list of accessory facilities the counties would be authorized to regulate;
- (2) Deleting the section that would have exempted permissible agricultural activities, including agricultural tourism, from the environment assessment requirements under Chapter 343, Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2145, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2145, H.D. 1, and be referred to the Committee on Tourism & Culture.



Respectfully submitted on  
behalf of the members of the  
Committees on Water, Land, &  
Ocean Resources and  
Agriculture,

*Felipe P. Abinsay, Jr.*

FELIPE P. ABINSAY, JR., Chair

*Ezra R. KanoHo*

EZRA R. KANOHO, Chair





