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DEPARTMENT OF AGRICULTURE
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Chairperson, Board of Agriculture

DUANE K. OKAMOTO
Deputy to the Chairperson

**TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEES ON WATER, LAND, OCEAN RESOURCES,
AND HAWAIIAN AFFAIRS, AND AGRICULTURE
FRIDAY, FEBRUARY 1, 2008
8:30 a.m.
Room 325**

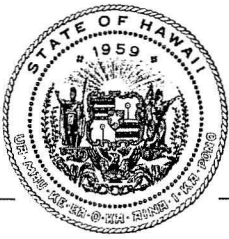
**HOUSE BILL 2361
RELATING TO AGRICULTURE**

Chairpersons Ito and Tsuji and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2361. This measure authorizes the State Land Use Commission to designate all State-owned lands within the Agricultural District as Important Agricultural Land (IAL), without conforming to the provisions for designating IAL found in Section 205-49(a), HRS which include county mapping of potential IAL, a three-year waiting period after legislative acceptance of IAL incentives, and landowner position statements. The intent of this mass reclassification is to urge private landowners to voluntarily offer their qualified agricultural lands for IAL designation. The Department of Agriculture offers the following comments:

1. State-owned land in the Agricultural District should be screened with at least one of the IAL criteria from Section 205-44, such as "(3) Land identified under agricultural productivity rating systems, such as the agricultural lands of importance to the State of Hawaii (ALISH) system adopted by the board of agriculture on January 28, 1977".
2. The Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and other departments and programs with land management responsibilities should be consulted as to the inclusion of their lands under this bill.

3. While IAL incentive such as tax credits and income exemptions would benefit State agricultural land farmer lessees, the State should be made exempt from any provisions of the IAL Act that adversely affect the State's agricultural land and water management programs, particularly those managed by the Department of Agriculture for bona fide agricultural production. For instance, the allowable uses on designated IAL are the same as found in Sections 205-2 and -4.5. Telecommunications facilities, outdoor recreation, public institutions, agricultural tourism, and farm dwellings are among the permitted uses. Some of these uses may not be compatible with the State Agricultural Park Program in general or in specific agricultural parks.



**DEPARTMENT OF BUSINESS,
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Statement of
MARY LOU KOBAYASHI
Planning Program Administrator, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**HOUSE COMMITTEE ON WATER, LAND, OCEAN RESOURCES AND
HAWAIIAN AFFAIRS
AND
HOUSE COMMITTEE ON AGRICULTURE**

Friday, February 1, 2008

8:30 AM

State Capitol, Conference Room 325

in consideration of

HB 2361

RELATING TO AGRICULTURE.

Chairs Ito and Tsuji, Vice Chairs Karamatsu and Brower, and Members of the House Committees on Water, Land, Ocean Resources, and Hawaiian Affairs and Agriculture.

The Office of Planning (OP) supports the intent of HB 2361, but does not support the bill, which would amend Chapter 205, Hawaii Revised Statutes, to designate all State-owned lands in the State Agricultural Land Use District as important agricultural lands upon enactment of the bill. OP believes that HB 2231 offers a better vehicle for the identification of State lands to be designated as important agricultural lands. HB 2231 allows the Department of Land and Natural Resources and the Department of Agriculture to collaboratively identify which lands should be preserved for agricultural use and those lands that have resource values other than agriculture or have already been developed under prior or existing leases.

Thank you for the opportunity to offer these comments.

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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Conservation and Resources Enforcement
Engineering
Forestry and Wildlife
Historic Preservation
Kahoowale Island Reserve Commission
Land
State Parks

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

ON

House Bill 2361- RELATING TO AGRICULTURE

**BEFORE THE HOUSE COMMITTEES ON
WATER, LAND, OCEAN RESOURCES, AND HAWAIIAN AFFAIRS
AND
AGRICULTURE**

February 1, 2008

House Bill 2361 defines state agricultural lands and designates state agricultural lands as important agricultural lands. While the Department of Land and Natural Resources (Department) supports the intent of this bill, a better mechanism would be House Bill 2231 that provides for Department and the Department of Agriculture to identify important agriculture lands. This process would provide for a review process by agricultural experts instead of arbitrarily designing all state agriculture lands as important agricultural lands.

The State has been involved in long-standing discussions with stakeholders regarding the State's duty to identify and designate important agricultural lands. One of the most prevalent critiques of the current agricultural land classification regime commonly held by most of the stakeholders is the arbitrary inclusion of lands of marginal or no agricultural value. Designating important agricultural lands according to the method proposed by this bill would perpetuate that imprudent past practice and defeat the intent of the constitutional mandate.