

LINDA LINGLE
Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512

SANDRA LEE KUNIMOTO
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
AGRICULTURE
AND
WATER, LAND, OCEAN RESOURCES & HAWAIIAN AFFAIRS**

**WEDNESDAY, JANUARY 30, 2008
8:30 a.m.
Room 325**

**HOUSE BILL 2450
RELATING TO RENEWABLE ENERGY**

Chairpersons Tsuji and Ito and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2450 that seeks to establish a buffer zone of at least 300 feet separating Agricultural District land that has been reclassified to the Urban or Rural District from adjacent Agricultural District lands that have existing farming operations. Within the buffer zone, no residential, commercial or industrial uses or the development of infrastructure intended to service the same are allowed. The Department of Agriculture supports the protection of existing agricultural operations in the Agricultural District from nuisance complaints, however, we cannot support this measure which appears to take away without compensation the full use of 300 feet of property after Land Use Commission reclassification and/or county change of zone.

We would suggest that any reclassifying of lands next to the agricultural district carry with it full acknowledgement of agricultural activities to be expected and abidance of the Right to Farm Act.

HAWAII FARM BUREAU FEDERATION
2343 ROSE STREET
HONOLULU, HI 96819

JANUARY 30, 2008

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE AND
COMMITTEE ON WATER, LAND & HAWAIIAN AFFAIRS

TESTIMONY ON HB 2450
RELATING TO LAND USE

Chairs Tsuji and Ito and committee members:

My name is Alan Takemoto, Executive Director, of the Hawaii Farm Bureau Federation, which is the largest non-profit general agriculture organization representing approximately 1,600 farm and ranch family members statewide.

The Hawaii Farm Bureau Federation supports HB 2450. The intent of this measure is to address the ever increasing threat of urban encroachment to active farming operations by establishing a buffer area.

New housing developments and roadways near or abutting active agricultural areas have placed substantial pressure on farmers in that it forces them to change their normal farming practices. Although farmers are covered by the Hawaii Right to Farm Act, it does not stop neighbors from unwarranted complaints of noise, dust, odors that are associated with a normal farming operation.

This required buffer zone will provide some distance to hopefully protect existing farm operations from potential complaints from urban encroachment.

Thank you.



Maui County Farm Bureau

*An Affiliate of the American Farm Bureau Federation and Hawaii Farm Bureau Federation
Serving Maui's Farmers and Ranchers*

TESTIMONY

HB 2450

AGRICULTURAL BUFFER ZONE

HEARING BEFORE THE HOUSE COMMITTEE ON AGRICULTURE AND COMMITTEE ON WATER, LAND & HAWAIIAN AFFAIRS

Chair Tsuji and Ito and Committee Members:

My name is Warren Watanabe, Executive Director of the Maui County Farm Bureau, a non-profit general agriculture organization and an affiliate of the Hawaii Farm Bureau Federation.

MCFB on behalf of our member farmers, ranchers and agricultural organizations, supports with comments, HB2450, providing for buffer zones around agricultural districts

Conflicts between agricultural operations and their neighbors are occurring with increased frequency. This measure is introduced in reaction to these difficulties faced by our farmers and ranchers. MCFB agrees that measures need to be taken to protect the ability of our farmers and ranchers to continue with their generally accepted agricultural practices. Disputes occur because people who move into lands contiguous to farms and ranches have an unrealistic vision of what it means to live next to this working open space. The reality of dust, noise, chemicals, lights and odors are not part of their storybook image. At the same time, a buffer without clarification of what will happen in the buffer or who will maintain the buffer can be problematic. On Oahu, such a buffer was required and no one took care of the buffer. The buffer became an eyesore and a problem.

As is the case in many disputes, communication is important. Purchasers of the land should be required to have a meeting with the agricultural landowner of what will happen in the buffer. If agricultural activities are not occurring in the agriculturally zoned land at the time of the non agricultural purchase, the new landowner must be made aware that new agricultural activity on the contiguous parcel cannot be limited in the future. A statement should be included in the deed associated with the parcel that the lot is adjacent to agricultural lands which may have dust, noise, chemicals, lights and odors. When agricultural activity commences on the adjacent parcel, discussion of the buffer should occur.

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In certain cases, a suitable agricultural use of the buffer may be identified, with a win-win for both sides. Ultimately, it is important that the agricultural activity be protected.

We respectfully request your support towards the passage of this measure with amendments addressing maintenance of the buffer.

Respectfully submitted,

Warren K. Watanabe
Executive Director
MCFB

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**Hawaii
Crop
Improvement
Association**

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HB2450, Land Use
House AGR/WLH Committees
Wednesday, Jan. 30, 2008
Room 325: 8:30 am

Position: Support

Chairs Tsuji and Ito, and Members of the Hse AGR/WLH Committees:

My name is Adolph Helm. I am a Molokai resident, and Project Manager of Dow Agro-Science, an HCIA member company. The HCIA represents seed production and research facilities operating in Hawaii for nearly 40 years. The HCIA is comprised of five member companies that farm an estimated 8,000 acres on four islands, valued at \$97.6 million in operating budget (2006/2007 HASS). We are proud members of Hawaii's diversified agriculture and life sciences industries.

We appreciate this measure that would create buffer zones between farms and nonagricultural development. As the pressure for housing increases, it becomes more and more difficult to farm in Hawaii. Nonagricultural neighbors who are in close proximity to farms complain about noise, dust and smells associated with farming. This leads to problems and sometimes lawsuits.

Your support of this measure is appreciated. Thank you for the opportunity to testify.