

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 COMMITTEE ON ENERGY AND ENVIRONMENTAL
PROTECTION
TUESDAY, FEBRUARY 5, 2008
8:45 a.m.
Room 312

HOUSE BILL 2503
RELATING TO AGRICULTURAL LANDS

Chairperson Morita, Vice Chair Carroll, and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2503 that proposes to establish "agricultural-energy facilities" operated by "agricultural-energy enterprises" as a permissible use in the Agricultural District with the condition that "...the total acreage devoted to agricultural activity by an agricultural-energy enterprise shall not be less than ninety per cent of the total acreage owned, leased, licensed, or operated by the agricultural-energy enterprise." An agricultural-energy enterprise is defined as a business that "...integrally incorporates an agricultural activity with an agricultural-energy facility." An "agricultural-energy facility" is defined as a facility that generates, stores or distributes renewable energy or fuel derived from products of agricultural activities from agricultural lands located in Hawaii. The "agricultural activity" can be located anywhere in the State and is limited to:

- "(1) Cultivation of crops, including but not limited to crops for bioenergy, flowers, vegetables, foliage, fruits, forage, and timber;
- (2) Game and fish propagation;
- (3) Raising of livestock, including but not limited to poultry, bees, fish, or other animal or aquatic life that are propagated for economic or personal use;"

The Department of Agriculture supports the intent of efforts to increase the development and use of agriculture-based renewable energy resources in as broad a manner as possible. The bill to its credit causes agricultural production to be the primary use of qualified agricultural land. However, because the bill requires a tight organizational linkage between the facility, the operator of the facility, and the minimum area to be put into feedstock production, this may have the effect of inadvertently excluding similar but not the same agriculture-based renewable energy concepts from consideration as permissible uses. We believe this bill should cast a wider net to encompass these similar uses in order to allow and encourage more agriculture-based renewable energy alternatives. Finally, this bill and other similar vehicles must recognize and establish a balance between the desire to increase Hawaii's agriculture-based renewable energy resources and other agricultural production needs such as food production.



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 2503

RELATING TO AGRICULTURAL LANDS

HEARING BEFORE THE HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Chair Morita 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.

Maui County Farm Bureau, on behalf of its member farmers, ranchers and agricultural organizations **strongly supports HB 2503** defining permissible uses of agricultural energy on agricultural lands.

The introduction of this Bill is timely, with the increase interest in installation of renewable energy facilities on agricultural lands. While small infrastructures associated with individual farms will positively impact agriculture, location of large renewable energy facilities, with no association to agriculture can have a negative impact on our operations.

Solar facilities located to active farms may find dust from the farms a nuisance, resulting in reduced energy production. Who will be asked to change their practice? Will the solar energy producer be willing to have a lower level of production or will the agricultural producer be asked to change his practices to eliminate the dust?

There have been many studies that indicate that as society's affluence increases, they tend to take food for granted. Expansion of local food production must not be lost in our quest to increase renewable energy production.

We respectfully request your support of this Bill to clarify use of agricultural lands. At the same time, we request your opposition of Bills that recognize non-ag renewable energy facilities on agricultural lands without regard to adjacent agricultural operations or agricultural operations that may occur in the future.

Thank you.

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The Department of Agriculture supports efforts to increase the development and use of agriculture-based renewable energy resources. This bill requires linkage between the facility, the operator of the facility, and the agricultural lands where the growth of the feedstock for the facility will occur. Agricultural production is the primary use of the land. This bill appears to avoid causing inadvertent dislocation or replacement of other agricultural activities such as production of food crops resulting from farmers and landowners switching to cultivation of energy crops. The Department hopes that the Legislature considers developing a comprehensive energy and land use policy and guidance that provides for the desire to increase Hawaii's agriculture-based renewable energy resources in balance with other agricultural production needs.

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