

SB 2954

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 SENATE COMMITTEES ON
AGRICULTURE AND HAWAIIAN AFFAIRS
AND
WATER AND LAND
FEBRUARY 12, 2008
2:45 P.M.
Room 224

SENATE BILL NO. 2954
RELATING TO LAND USE

Chairpersons Tokuda and Hee and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No. 2954 which is an Administration measure. The Department of Agriculture strongly supports this measure that will prevent future development of "fake farms" or "gentlemen estates" on Hawaii's best agricultural lands. This measure provides the counties with clearer statutory guidance to ensure farm dwellings are built and used in direct connection with specified agricultural uses and requires applications for subdivisions of Hawaii's best agricultural lands to include demonstrable evidence that meaningful agriculture will be the primary activity undertaken on the land.

The negative impact of "fake farms" is substantial. The marketing and pricing of "gentlemen estate" lots and dwellings reflect rural-residential or urban uses and not their use in agricultural production. The magnitude of agricultural use of these lots and their contribution to fresh food production for Hawaii residents is, at best, token. A family whose primary income is from farming is unlikely to be able to afford "fake farm" lots. High lot prices drives up prices for other adjacent agricultural lands reducing their availability for farming, increases the property tax burden for bona fide farmers, and

may eventually cause the subdivision of additional agricultural lands adjacent to “gentlemen estates”. Finally, counties may experience reduced revenue generation if “fake farms” are allowed property tax breaks and agricultural water rates meant to benefit real farmers.

To ensure that future subdivisions of class “A” and “B” agricultural lands are primarily for agricultural activity and farm dwellings constructed on these lots are clearly in connection with an agricultural activity, this measure contains the following features:

1. Newly subdivided agricultural lands or where farm dwellings are proposed must be conducting agribusiness or subsistence farming activity.
Agribusiness is defined as a business licensed for the sale of products derived from certain agricultural uses defined in Section 205-4.5.
Subsistence farming is defined as the growing of food for consumption by the individual or family working the lot and where they are dependent on this food production to meet a significant portion of their needs, as defined by the counties. The other permissible uses in Section 205-4.5, such as wind energy facilities, roadside stands, and open area recreational uses remain permissible uses on subdivided lands.
2. Counties are to require applicants for subdivisions of agricultural land to demonstrate the feasibility of agribusiness or subsistence farming as the primary activity undertaken on the lots. Evidence of feasibility includes sufficient availability of irrigation water, agronomic suitability of proposed agricultural uses, potential income, realistic cost of production, informed market outlook, and an effective organization of lot owners and evidence of how it will optimize agribusiness or subsistence farming uses.
3. Approved subdivisions and farm dwellings must have deed restrictions that run with the land, to be enforced by the counties, that require lot owners or lessees to use the lot primarily for agribusiness or subsistence farming.
4. For farm dwelling building permits, the county shall require the applicant to demonstrate an established and substantial agribusiness or subsistence

farming activity. Evidence of an established and substantial agribusiness or subsistence farming activity shall include products grown on the lot for sale or personal consumption, annual income from farming, farm-related capital expenditures, and a farm plan demonstrating substantial progress in establishing a farm.

5. For subdivisions of agricultural land for which no dwellings are proposed, the use of the land is to be primarily in pursuit of an agricultural activity, agribusiness, or subsistence farming and recorded deed restrictions similar to item 3 are required.

This measure is not affected by nor affects important agricultural lands (Act 183, SLH 2005) and does not affect county general, development, or community plans.

Finally, this bill addresses four important issues that prevented the passage of a similar measure in the 2007 legislative session.

1. This bill shall apply to future agricultural subdivisions and farm dwellings which are defined as agricultural subdivisions and farm dwellings for which applications have been received by the counties **after the effective date** of this bill.
2. This bill shall not apply to subdivisions of agricultural land and building permits for farm dwellings for which applications have been received by the counties **prior to the effective date** of this bill.
3. This bill will not cause or confer non-conforming status on legal existing subdivisions of "A" and "B" agricultural land, farm dwellings, other improvements, and land uses that were approved, granted, or issued by the counties prior to the effective date of this bill. However, existing subdivisions, dwellings, improvements, and land uses that are already declared as non-conforming will remain non-conforming and subject to Section 205-8, Hawaii Revised Statutes (relating to non-conforming uses).
4. The counties may permit family subdivisions on parcels of less than 15 acres for the purpose of transferring title to the children of the landowner. Under certain conditions, the provisions of this measure do not apply to family subdivisions.



Legislative Testimony
SB 2954, RELATING TO LAND USE
Senate Committees on Agriculture and Hawaiian Affairs &
Water and Land

February 12, 2008
Room: 224

2:45 p.m.

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB 2954, which would impose new requirements for subdivision on agricultural lands and building permits for farm dwellings, thereby ensuring meaningful agricultural use.

This bill seeks to increase the proper use of agricultural land by promoting and increasing the agricultural use of suitable lands. The intent of this legislation is to deter the use of prime agricultural lands into "fake farms" being disguised as residential uses rather than agricultural uses. The community has consistently spoken out on the development of "gentlemen estates" in the agricultural districts, which are intended for the rich and often non-resident buyers.

This bill would strengthen the requirements of existing Hawaii Revised Statutes (HRS) by providing increased requirements and restrictions toward the development of farm dwellings associated with agricultural activity, agribusiness, and subsistence farming in the State of Hawai'i. The intent of the bill would also provide for increased protection and production of the prime agricultural lands.

The State Land Use Law, HRS Chapter 205, has provided the State with the necessary guidance for growth since Statehood. The first land use law in the United States, HRS Chapter 205 is clear on the intent of permissible uses in the agricultural district. This legislation would strengthen that intent by further guiding the State on appropriate and sustainable uses within that district, including analysis of the productivity of agricultural land.

OHA, the sole public agency responsible to assess the policies and practices of other agencies impacting on Native Hawaiians, supports this bill because it would strengthen Hawai'i's statutory mandates to bring them closer in line to our constitutional mandates to protect and perpetuate appropriate agricultural uses, by providing stronger guidance on

permissible uses of agricultural lands. This bill would also enhance the protection of agricultural lands, open space, and the cultural and rural landscapes, which are important in preserving the landscape of Hawai'i.

For the above reasons, OHA urges the Committees to PASS SB 2954 in an effort to stop further, unconstitutional encroachment on Hawai'i's agricultural lands. Thank you for the opportunity to testify.



Hawaii Agriculture Research Center

99-193 Aiea Heights Drive, Suite 300

Aiea, Hawaii 96701

Ph: 808-487-5561/Fax: 808-486-5020

**TESTIMONY BEFORE THE SENATE
COMMITTEES
ON
AGRICULTURE AND HAWAIIAN AFFAIRS
AND WATER AND LAND**

**SB2954
RELATING TO LAND USE**

February 12, 2008

Chairs Tokuda and Hee and Members of your Committees:

My name is Stephanie Whalen. I am President and Research Director of the Hawaii Agriculture Research Center (HARC). I am testifying today on behalf of the center, our research and support staff, and our members and clients.

HARC **strongly supports SB 2954** Relating to Land Use and would like the committee to consider an amendment to section 205-4.5 (12) pertaining to plantation subdivisions.

A significant opportunity has been provided to HARC regarding the Del Monte village which includes agricultural worker rental housing and industrial facilities. (see attached map) on over 100 acres of land. However, it appears that the existing permissible uses in the state's agricultural district regarding plantation subdivisions is limited to employees or former employees with a property interest in the land.

HARC would like you to consider adding an amendment on page 27 line 7 to the ending of Sec 205-4.5 (12)

“Plantation community subdivisions, which as used in this ~~paragraph~~ chapter means [a] an established subdivision or cluster of employee housing, community buildings, and [acreage] agricultural support buildings [established] on land currently or formerly owned, leased, or operated by a sugar or pineapple plantation[; and in residential use] where the existing structures are used or rehabilitated for use as provided herein:

- (A) The employee housing is occupied by employees or former employees of the plantation[; provided that] and the employees or former employees shall have a property interest in the land;
- (B) The employee housing units shall be rented or leased at affordable rates for agricultural workers; or
- (C) The agricultural support buildings shall be rented or leased to agricultural operators or agricultural support services;”

When these activities were conducted by DelMonte they were permissible under 205-4.5

(4) Farm dwellings . . . used in connection with a farm,

(10) Buildings and uses, including but not limited to mills, storage and processing facilities, maintenance facilities, and vehicle and equipment storage areas that are normally considered directly accessory to the above mentioned uses and are permitted under section 205-2(d);

With the departure of DelMonte the same land uses, agricultural worker rentals and agricultural support services, may no longer be permissible because they are not connected to a single farming operation nor will they provide a property interest in the land for employees or former employees. They will be used for multiple farming operations not a single one and not within 1 mile as provided for in the proposed language.

I believe the opportunity presented to HARC to save the DelMonte village and supporting agricultural facilities will be lost if additional change as suggested in this testimony is not incorporated.

HARC is very supportive the effort in this proposed measure to tighten up the statutory language to prevent inappropriate subdivisions from being placed on agricultural lands.

Thank you for this opportunity to provide SUPPORT for SB2954 preventing 'fake farms'.



**The Chamber of
Commerce of Hawaii**
Since 1850

TESTIMONY TO THE SENATE COMMITTEE ON AGRICULTURE AND HAWAIIAN
AFFAIRS AND WATER AND LAND
TUESDAY, FEBRUARY 12, 2008, AT 2:45 P.M.
ROOM 224, STATE CAPITOL

RE: S.B. 2954 Relating to Land Use

Chair Tokuda and Hee, Vice Chairs English and Kokubun, and Members of the Committees:

My name is Christine H. Camp, Chair of The Chamber of Commerce of Hawaii, Land Use and Transportation Committee. The Chamber of Commerce of Hawaii is opposed to S.B. No. 2954.

The Chamber is the largest business organization in Hawaii, representing over 1100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. The organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

S.B. No. 2954 purposes to comply with the requirements of article XI, section 3, to protect the State's agricultural land with the highest productivity potential and ensure their use in agribusiness, subsistence farming, and other permissible uses on "real farms".

This bill attempts to address the recurring challenges of defining or redefining appropriate uses within the States' agricultural district. However, we believe that this situation is a symptom of the larger problem of having lands that should be classified as rural in the agricultural district.

Currently, approximately 1.9 million acres is classified Agriculture; 1.9 million acres is classified Conservation; 200,000 acres is classified Urban; and 10,000 acres is classified Rural. The Legislature, Land Use Commission and Counties have overlapping jurisdiction over the Agricultural and Rural Districts, while the Counties have sole jurisdiction over the Urban District, and State (DLNR) has sole jurisdiction over the Conservation District.

The Counties expertise, and rightfully so, is in municipal/urban planning. Roads, water, sewer, solid waste, police, fire, emergency services, etc., are all municipal or county services. The Counties currently lack the experience and expertise to manage the various uses in the agricultural district. The Counties are experienced at processing "agricultural subdivisions" but not "agricultural uses." Our experience with the Counties on how to assess real property values for agricultural lands illustrates that the Counties have no department or agency that is familiar with agriculture.

In comparison, the Counties currently have no jurisdiction in the Conservation district. The Conservation

Page 2
The Chamber of Commerce of Hawaii Testimony on SB 2954
February 12, 2008

district is managed by the DLNR, which has natural resource managers to oversee the programs as well as manage the land uses in the Conservation District.

The current situation where the DOA is responsible for "agricultural uses" and the Counties are responsible for managing "agricultural zoned lands" is unacceptable. It is time to give the counties sole jurisdiction over the rural district.

The Counties would have full zoning power over the Rural District. The concept would essentially allow the Counties to determine the permissible uses in the Rural District. A one-time reclassification of lands from the Agricultural to the Rural District would be required.

The legislature started this process in 2005 when it passed both Act 183, on Important Agricultural Lands and Act 205, on the Rural District. It seemed that the legislature was attempting to approach the problem from two perspectives in setting up a process to identify Important Agricultural Lands and a process to identify which lands should be in rural.

Act 205 allowed the counties to work with the executive officer of the land use commission to develop policy and recommend boundary amendments to expand and enhance the use of rural districts. It would appear that an update of Act 205 would be appropriate rather than attempts to redefine uses within the agricultural district.

Thank you for this opportunity to express our views.

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

February 12, 2008

COMMITTEES ON WATER AND LAND AND AGRICULTURE AND HAWAIIAN AFFAIRS

Room 224

The Honorable Senators Clayton Hee and Jill Tokuda Chairs and Members
Committee on Water and Land
Committee on Agriculture and Hawaiian Affairs
State Senate, Room 224
Honolulu, Hawaii 96813

Dear Chairs Hee and Tokuda, and Members:

Subject: Senate Bill No. SB 2954 Relating to Land Use

I am Karen Nakamura, Chief Executive Officer of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii is opposed to S.B. No. 2954.

S.B. No. 2954 proposes to comply with the requirements of article XI, section 3, to protect the State's agricultural land with the highest productivity potential and ensure their use in agribusiness, subsistence farming, and other permissible uses on "real farms".

This bill attempts to address the recurring challenges of defining or redefining appropriate uses within the States' agricultural district. However, we believe that this situation is a symptom of the larger problem of having lands that should be classified as rural in the agricultural district.

Currently, approximately 1.9 million acres is classified Agriculture; 1.9 million acres is classified Conservation; 200,000 acres is classified Urban; and 10,000 acres is classified Rural. The Legislature, Land Use Commission and Counties have overlapping jurisdiction over the Agricultural and Rural Districts, while the Counties have sole jurisdiction over the Urban District, and State (DLNR) has sole jurisdiction over the Conservation District.

The Counties expertise, and rightfully so, is in municipal/urban planning. Roads, water, sewer, solid waste, police, fire, emergency services, etc., are all municipal or county services. The Counties currently lack the experience and expertise to manage the various uses in the agricultural district. The Counties are experienced at processing "agricultural subdivisions" but not "agricultural uses." Our experience with the Counties on how to assess real property values for agricultural lands illustrates that the Counties have no department or agency that is familiar with agriculture.

In comparison, the Counties currently have no jurisdiction in the Conservation district. The Conservation district is managed by the DLNR, which has natural resource managers to oversee the programs as well as manage the land uses in the Conservation District.

The current situation where the DOA is responsible for “agricultural uses” and the Counties are responsible for managing “agricultural zoned lands” is unacceptable. It is time to give the counties sole jurisdiction over the rural district.

The Counties would have full zoning power over the Rural District. The concept would essentially allow the Counties to determine the permissible uses in the Rural District. A one-time reclassification of lands from the Agricultural to the Rural District would be required.

The legislature started this process in 2005 when it passed both Act 183, on Important Agricultural Lands and Act 205, on the Rural District. It seemed that the legislature was attempting to approach the problem from two perspectives in setting up a process to identify Important Agricultural Lands and a process to identify which lands should be in rural.

Act 205 allowed the counties to work with the executive officer of the land use commission to develop policy and recommend boundary amendments to expand and enhance the use of rural districts. It would appear that an update of Act 205 would be appropriate rather than attempts to redefine uses within the agricultural district.

Thank you for this opportunity to express our views.

Karen J. Nakamura



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.537.9019 hawaii.chapter@sierraclub.org

LATE

SENATE COMMITTEE ON AGRICULTURE AND HAWAIIAN AFFAIRS SENATE COMMITTEE ON WATER AND LAND

February 12th, 2008, 2:45 P.M.

(Testimony is 3 pages long)

TESTIMONY IN SUPPORT OF SB 2954

Chairs Tokuda and Hee and members of the committees:

The Sierra Club, Hawai'i Chapter, with over 5500 dues paying members statewide, supports the intent of SB 2954, providing the counties with further clarity on the allowable types of farm dwellings on agricultural lands. We believe, however, that this clarification needs to be applied to all farmlands, not just those of a particular soil classification.

The proposed changes in SB 2954—should they be applied to all lands in the state agriculture district—will help protect true agricultural enterprises, prevent “fake” farm developments, and uphold the constitutional mandate to protect agricultural land by clarifying that the county must adhere to the guidelines of the state land use law when permitting agricultural developments. Regrettably, the Constitution and the Legislature’s intent to protect agricultural lands have been frustrated. Adoption of the proposed bill would help to better protect agricultural land, natural beauty and natural resources.

Senate Bill 2954 is the appropriate land use policy change to help prevent future debacles like the recent “Hokulia” issue. While we believe existing statutes and rules—and case law—make it fairly clear what is an allowed use in the state agricultural district, SB 2954 further strengthens protection of Hawaii’s farmlands while providing certainty to developers and those who seek to engage in certain activities on farmland. By providing clear direction to the counties on what constitutes an agribusiness operation or subsistence farming, luxury, non-farm estates like those proposed at the Hokulia development and others will be explicitly prohibited.

Hawaii’s Land Use Law protects agriculturally designated land for more than agricultural values; it also serves to protect natural beauty and natural resources, to prevent scattered and premature development, to limit land speculation of urban areas. (1961 House Journal 855; 1961 Sess. Laws 299; See also, HRS § 226-104.) As the Hawai'i Supreme Court noted:

In sum, the overarching purpose of the state land use law is to “protect and conserve” natural resources and foster “intelligent,” “effective,” and “orderly” land allocation and development. See 1961 Haw. Sess. L. Act 187 § 1 at 299 (“[I]n order to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited for the public welfare . . . , the power to zone should be exercised by the State.”) See also Pearl Ridge Estates Community Ass’n v. Lear Siegler, Inc., 65 Haw. 133, 144 n.9, 648 P.2d 702, 709 n.9 (Nakamura, J., concurring)(“Thus,

conservation lands must be reserved if practicable, agricultural lands should be protected, and urban lands should be developed in orderly fashion.”
Curtis v. Board of Appeals, County of Hawai`i, 90 Haw. 384, 396 (1999), 978 P. 2d 822, 834.

The Hawai`i Supreme Court has long observed that the emphasis of the Land Use Law is on controlling growth and protecting resources:

By enacting HRS ch. 205 in 1961, the legislature intended, inter alia, to “[s]tage the allocation of land for development in an orderly plan,” H.Stand.Comm.Rep. No. 395, 1st Haw.Leg., 2d Sess., reprinted House Journal 855-56, and to redress the problem of “inadequate controls [which] have caused many of Hawaii’s limited and valuable lands to be used for purposes that may have a short-term gain to a few but result in long-term loss to the income and growth potential of our economy. Act 187, 1961 Haw.Sess. Laws 299.
Neighborhood Board v. State Land Use Commission, 64 Haw. 265, 272-3, 639 P.2d 1097 (1982).

Hawaii’s Land Use Law was enacted in an effort to manage growth on islands of limited resources:

Scattered subdivisions with expensive, yet reduced public services; the shifting of prime agricultural lands into non-revenue producing residential uses when other lands are available that could serve adequately urban needs . . . these are evidences of the need for public concern and action.
Act 187, 1961 Haw Sess. Laws 299.

When developers circumvent the Land Use Law with urban type residential communities in the guise of agricultural subdivisions, the Land Use Commission is unable to fulfill its constitutional obligations or further the objectives of the Land Use Law. Fake-farm development projects on agricultural lands avoid LUC review of the projects’ impacts on native Hawaiian gathering rights, historic sites, burials and constitutionally protected natural resources. Fake-farm developments:

- undermine the integrity, affordability and productivity of agricultural land;
- frustrate the ability of government to foster “intelligent,” “effective,” and “orderly” land allocation, protect open space and prevent scattered premature development; and
- jeopardize constitutionally protected native Hawaiian rights, natural beauty, and natural resources.

In addition to making the farm dwelling requirements in SB 2954 applicable to all agricultural lands, we respectfully ask the committees to amend SB 2954 to include the two additional farmland protection elements from last session’s (2007) HB 1496.

The first amendment to HRS 46-4 would make clear that the counties cannot allow developments that are violate Hawaii’s Land Use Law:

(h) Anything to the contrary notwithstanding, no county, by ordinance or private agreement, may permit any use in the agricultural district, as described in section 205-2, other than a permissible use pursuant to section 205-4.5.”

The second amendment to HRS 205-6 clearly prohibits activities that are golf course and resort-like in nature—activities that are not part of a true farm operation:

Agricultural districts shall not include golf courses [and], golf driving ranges, golf-related facilities, private membership facilities, or other resort facilities, including hotels and resort-related commercial uses, time share facilities, and commercial vacation facilities or homes, except as provided in section 205-4.5(d). Agricultural districts include areas that are not used for, or that are not suited to, agricultural and ancillary activities by reason of topography, soils, and other related characteristics.

These two amendments—in addition to the two changes proposed in SB 2954—would help achieve the original intent of Hawaii's Land Use Law. This would help protect Hawaii's agricultural lands and decrease in real estate speculation on farmlands.

Thank you for the opportunity to testify.

testimony

From: Jeannine Johnson [jeannine@hawaii.rr.com]
Sent: Sunday, February 10, 2008 6:03 PM
To: testimony
Cc: Rep. Barbara Marumoto; Rep. Lyla B. Berg; Rep. Gene Ward; Sen. Fred Hemmings; Sen. Sam Slom; 'Donna Wong HTF'; JOSHBBMI@cs.com
Subject: Testimony in Strong Support of SB2954 (ag land)

COMMITTEE ON AGRICULTURE AND HAWAIIAN AFFAIRS

Senator Jill N. Tokuda, Chair
 Senator J. Kalani English, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Clayton Hee, Chair
 Senator Russell S. Kokubun, Vice Chair

SB 2954 RELATING TO LAND USE

DATE: Tuesday, February 12, 2008
TIME: 2:45 PM
PLACE: Conference Room 224

Aloha kākou,

I **strongly** support SB2954 to protect and promote the proper use of Hawaii's best agricultural lands by requiring conditions of approval for subdivisions of agricultural land into smaller lots and farm dwellings, thereby ensuring meaningful agricultural use.

Hawai'i's resources are being pulled into the second-home market of highly affluent people from elsewhere. On September 22, 2007, the state's fourth-largest private landowner, Alexander & Baldwin Inc., revealed its plans to intensify efforts to sell its agricultural property as estates for wealthy individuals even as demands to build affordable housing has risen to new heights of intensity.

On a personal note, my 'ohana is now fighting an agricultural subdivision abutting our ahupua'a in Omoka'a, near Miloli'i, the last traditional fishing village of Hawai'i, on the southern Kona coast of the Big Island. Miloli'i was the first to earn designation through legislation as a Community-Based Subsistence Fishing Area. Omoka'a is the ahupua'a directly south of Miloli'i. As you may know, the area from Hawai'i Volcanoes National Park to Miloli'i (80 miles) is largely pristine, unspoiled, uninhabited, and undeveloped. Separated from the main highway by five miles of winding road, Miloli'i's isolation may be why it has maintained many aspects of its traditional culture. The area is a source for recreation, livelihood and subsistence for Native Hawaiians and critical to the identity and customs of the people of Miloli'i as the foundation upon which their culture and community depends. It is also said to be the likely landing point of the first Polynesians to reach Hawai'i and well-preserved cultural and historic sites still dominate these beautiful shores. The encroachment of urban development on the pristine lands in Omoka'a will have devastating socioeconomic, environmental and cultural effects. Approval of subdivisions of agricultural lands must require that agricultural land be used for agricultural activities or subsistence farming, not for "fake farms " and second homes for the rich.

Mahalo for your support.

2/10/2008

Jeannine

Jeannine Johnson

5648 Pia Street

Honolulu, Hawai'i 96821

Ph: 373-2874 / 523-5030 (w)

Email: jeannine@hawaii.rr.com

"PUPUKAHI I HOLOMUA"

(Unite in Order to Progress)

testimony

From: KHS, Inc. & Kauai Kunana [kunana@juno.com]
Sent: Monday, February 11, 2008 7:15 PM
To: testimony
Subject: SB 2954

LATE

Dear Senators,

As usual, I hear about the bills that are of interest to my family a day late. Unfortunately, farmers have little time to sit at the computer and sift through e-mails and notices. Since we are in kidding season (no kidding) at our farm, the baby goats are arriving spontaneously and we are at their command.

This particular piece of legislation is near and dear to our hearts as farmers on Kauai. We feel that protecting agricultural lands from being chopped up by realtors eager to cash in on the attraction of the islands is of paramount concern.

We support this bill and hope you will, also.

Aloha ka kou,

Bob and Louisa Wooton
Ryan and Sarah Wooton
B. Troy Wooton
Kauai Kunana Dairy