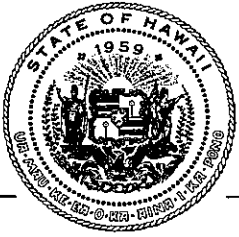


SCR 144/SR

76



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
DEPUTY DIRECTOR
ABBEY SETH MAYER
INTERIM DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824

Statement of
ABBEY SETH MAYER
Interim Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEE ON AGRICULTURE & HAWAIIAN AFFAIRS
AND
SENATE COMMITTEE ON WATER & LAND
AND
SENATE COMMITTEE ON INTERGOVERNMENTAL & MILITARY AFFAIRS
Monday, March 31, 2008
2:45 PM
State Capitol, Conference Room 414

in consideration of
SCR 144 / SR 76
**URGING THE DEPARTMENT OF AGRICULTURE, OFFICE OF PLANNING,
LAND USE COMMISSION, HONOLULU CITY COUNCIL, AND CITY AND
COUNTY OF HONOLULU TO SUPPORT AND FURTHER THE DESIGNATION
OF GALBRAITH LANDS AS IMPORTANT AGRICULTURAL LANDS, AND
PRESERVE AND PERPETUATE THEM AS AGRICULTURAL LANDS.**

Chairs Tokuda, Hee, and Inouye, Vice Chairs English, Kokubun, and Tsutsui, and Members of the Senate Committees on Agriculture and Hawaiian Affairs, Water and Land, and Intergovernmental and Military Affairs.

SCR 144 and SR 76 urges the City and County of Honolulu to initiate the process to identify the Galbraith lands for designation as important agricultural lands (IAL), and urges the City Council, the Department of Agriculture, the Office of Planning (OP), and the Land Use Commission (LUC) to support the delineation of these lands as IAL. The resolutions further request the LUC and the City and County of Honolulu to restrict use of the land to facilitate the long-term dedication of the Galbraith lands as agricultural lands.

OP supports the intent of the resolutions, since the Galbraith lands meet many of the criteria in Section 205-44, HRS, for the identification of important agricultural lands. However, we note there are several obstacles to the achievement of the objectives of SCR 144 and SR 76.

Under current law, the LUC cannot designate IAL based on county-approved maps until three years after the enactment of the agricultural incentives. Thus, the passage of agricultural incentives legislation this year is critical to the eventual designation of Galbraith and other lands as IAL.

Even so, current law (paragraph 205-49(a)(3)) bars the designation of more than a majority of Galbraith lands as IAL, unless the landowner files a voluntary petition under Section 205-45 to designate more of their land as IAL. This provision is a significant impediment to designating all of the Galbraith lands as IAL.

While IAL is a first and necessary step in the protection of landmark agricultural land like the Galbraith lands, it is important to recognize the limitations of the current law in ensuring long-term dedication of the lands to agricultural use. Chapter 205, HRS, lacks use and density standards for IAL that would restrict the lands to purely agricultural use with strict farm dwelling limitations.

In closing, it will be difficult to secure the long-term dedication of the Galbraith lands as agricultural lands without enacting legislation that: (1) establishes restrictive permissible uses and development standards for IAL; and (2) establishes State programs for the transfer of development rights or purchase of development rights, and funding, that would enable land to be protected for agricultural use in perpetuity.

Thank you for the opportunity to testify.

Kawaihapai Ohana
c/o Thomas T Shirai Jr
P O Box 601
Waiāluā, HI 96791
email: Kawaihapai@hawaii.rr.com

Hearing Notice
Monday, March 31, 2008
2:45PM
State Capitol Conference Room 414

Senate Committee on Agriculture & Hawaiian Affairs
Senator Jill Tokuda, *Chair*

Senate Committee on Water & Land
Senator Clayton Heu, *Chair*

Senate Committee on Intergovernmental & Military Affairs
Senator Lorraine Inouye, *Chair*

RE: Testimony Supporting SCR 144 & SR 76 (Urging The Department of Agriculture, Office of Planning, Land Use Commission, Honolulu City Council, And City & County of Honolulu To Support And Further The Designation Of Galbraith Lands As Important Agricultural Lands, And Preserve And Perpetuate Them As Agricultural Lands)

Aloha Chairs Tokuda, Heu Inouye & Committee Members,

The *Kawaihapai Ohana* supports SCR 144 & SR 76. Designation of the former lands of the Galbraith Estate for Agricultural Use and Zoning needs to be perpetuated for farmers seeking agricultural venues and prohibiting gentlemen farms. It further offers these applicants an opportunity for long term leases (55 year).

Part of the mission statement of the *Kawaihapai Ohana* is protection and preservation of Hawaiian Cultural and Historical sites within *Waiāluā Moku*. One such *wahi pūana* referred as *The Piko of Oahu is Kūkūniloko: Birthplace of Ali'i*. Increasing the buffer zone is needed and highly deserving. Reference below is from www.huapuna.org:

Kaleka Kai chuut composed by King Kamehameha II (Liholiho) in 1820:
Ba'ina 'ia mai ana kapuana - Tell the refrain
O ka lua o na lani e o mai - The graves of the chiefs, they call

Thank you for the opportunity to provide testimony supporting SCR 144 & SR 76.
Malama Kūkūniloko. Malama Iwi Kūpuna.

Thomas T Shirai
Kawaihapai Ohana - Po'o

Thomas T Shirai Jr
P O Box 601
Waiialua, HI 96791
email: Kawaihapu@hawaii.rr.com

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Senate Committee on Agriculture & Hawaiian Affairs
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RE: Testimony Supporting SCR 144 & SR 76 (Urging The Department Of Agriculture, Office of Planning, Land Use Commission, Honolulu City Council, And City & County of Honolulu To Support And Further The Designation Of Galbraith Lands As Important Agricultural Lands, And Preserve And Perpetuate Them As Agricultural Lands.)

Aloha Chair's Tokuda, Hee, Inouye & Committee Members.

I support SCR 144 & SR 76. Designation of former lands of the Galbraith Estate for Agricultural Use and Zoning needs to be perpetuated for farmers seeking agricultural venues and prohibiting gentlemen farms. It also allows farmers an opportunity of obtaining long term leases (55 years).

On the cultural concerns, I'd like to see that the buffer zone for *Kukaniloko Birth Stones* be increased for further protection. As you know *Kukaniloko* is known as the *Piko of Oahu* and this suggestion for expanding the buffer zone for further protecting this *wahi pama* is highly deserving. My *Kupuna* were cultural informants of *Waiialua Moku* for Bishop Museum and featured in their publication entitled *Archeology of Oahu - Bulletin 104 (McAllister 1933)* where they shared information about *Kukaniloko*. They also had a special relationship with *Fitzabeth Lahilahi Webb* who was also the historian of *The Daughters of Hawaii* which was formed at *Dillingham Ranch* in *Mokulei'a*.

Thank you for the opportunity to provide testimony supporting SCR 144 & SR 76.
Malama Aina.

Thomas T Shirai Jr