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Statement of  
**ABBEY SETH MAYER**  
Director  
Office of Planning  
Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES**  
**AND**  
**HOUSE COMMITTEE ON AGRICULTURE**

Monday, February 23, 2009  
9:00 AM  
State Capitol, Conference Room 325

in consideration of  
**HB 1047**  
**RELATING TO IMPORTANT AGRICULTURAL LANDS**

Chairs Ito and Tsuji, Vice Chairs Har and Wooley, and Members of the House Committees on Water, Land, and Ocean Resources and Agriculture.

The Office of Planning strongly urges your support for HB1047, an Administration bill, Relating to Important Agricultural Lands. The bill makes housekeeping changes to the IAL designation and reclassification process passed last session in Act 233, SLH 2008, amending Chapter 205, HRS.

The bill amends §205-45(b)(1) to require the reclassification of agricultural lands to urban, rural or conservation be on the same island as the lands designated as important agricultural lands. This amendment preserves the legislative intent of keeping the 85/15 ratio of designated lands to reclassified lands for each land owner on the same island in the two multi-island Counties as well as the two single-island Counties.

The bill amends §205-45(e)(1) to ensure that lands proposed for reclassification by declaratory order are evaluated for suitability by the Land Use Commission using the same criteria and standards as lands be proposed for reclassification in a district boundary amendment (DBA).

The bill amends §205-45(e) to ensure that conditions imposed by the Land Use Commission in a reclassification by declaratory order run with the land the same as lands reclassified through a DBA.

Thank you for the opportunity to provide testimony on this bill. If there are any questions, I would be happy to respond.

**LINDA LINGLE**  
Governor



State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
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**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  
WATER, LAND, AND OCEAN RESOURCES  
AND**

**AGRICULTURE  
MONDAY, FEBRUARY 23, 2009  
9:00 a.m.  
Room 325**

**HOUSE BILL 1047  
RELATING TO IMPORTANT AGRICULTURAL LANDS**

Chairpersons Ito and Tsuji and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 1047 which is an Administration measure. The Department of Agriculture supports this measure that amends Section 205-45 (voluntary petition for Important Agricultural Land designation by farmer or landowner). These amendments appear to lead to better and more responsible land use management.

The first amendment is to limit to the same island, rather than county, the combined designation of Important Agricultural Lands (IAL) and reclassification of Agricultural District lands to other land use districts, commonly known as the "85-15" provision. The second amendment is to require the Land Use Commission (LUC) to consider Section 205-2 (districting and classification of lands) and Section 205-17 (Land Use Commission decision-making criteria) when evaluating reclassifications of Agricultural District lands via the Declaratory Order process. This amendment does not change the process of reclassification, which remains the Land Use Commission Declaratory Order, but increases the issues that the LUC must consider before reaching a final decision.

LINDA LINGLE  
Governor

JAMES R. AIONA, JR.  
Lieutenant Governor

THEODORE E. LIU  
Director

MARK K. ANDERSON  
Deputy Director



## LAND USE COMMISSION

Department of Business, Economic Development & Tourism  
State of Hawai'i

ORLANDO "DAN" DAVIDSON  
Executive Officer

BERT K. SARUWATARI  
Senior Planner

FRED A. TALON  
Drafting Technician

Statement of  
**ORLANDO DAVIDSON**  
Executive Officer  
Land Use Commission  
Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES**  
**AND**  
**HOUSE COMMITTEE ON AGRICULTURE**  
Monday, February 23, 2009  
9:00 AM  
State Capitol, Conference Room 325

in consideration of  
**HB 1047 RELATING TO IMPORTANT AGRICULTURAL LANDS**

Chairs Ito and Tsuji, Vice Chairs Har and Wooley, and Members of the House Committees on Water, Land, and Ocean Resources and Agriculture.

The Land Use Commission has not yet taken a position on HB1047. Speaking as the Executive Officer of the Land Use Commission, however, I concur with the support testimony submitted by the Office of Planning (OP) regarding House Bill 1047. The bill makes housekeeping changes to the IAL designation and reclassification process passed last session in Act 233, SLH 2008, amending Chapter 205, HRS. These process changes will assist the Land Use Commission.

The bill amends §205-45(b)(1) to require the reclassification of agricultural lands to urban, rural or conservation be on the same island as the lands designated as important agricultural lands.

The bill amends §205-45(e)(1) to ensure that lands proposed for reclassification by declaratory order are evaluated for suitability by the Land Use Commission using the same criteria and standards as lands be proposed for reclassification in a district boundary amendment (DBA).

The bill amends §205-45(e) to ensure that conditions imposed by the Land Use Commission in a reclassification by declaratory order run with the land the same as lands reclassified through a DBA.

Thank you for the opportunity to provide testimony on this bill. If there are any questions, I would be happy to respond.