

TESTIMONY
HB1436 HD1 SD1

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

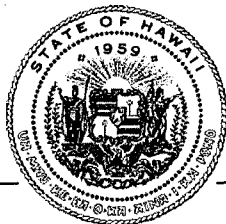
**TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON
WATER, LAND, AGRICULTURE AND HAWAIIAN AFFAIRS
WEDNESDAY, APRIL 1, 2009
2:45 p.m.
Room 229**

**HOUSE BILL NO. 1436, HOUSE DRAFT 1, SENATE DRAFT 1
RELATING TO AGRICULTURE**

Chairperson Hee and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1436, House Draft 1, Senate Draft 1. The Department of Agriculture supports this measure that amends Section 205-4.5 by adding as a permissible use, agricultural education programs that are accessory and secondary to farming operations as defined in Section 165-2, the Hawaii Right-to-Farm Law. "Farming operation" is defined as a commercial agricultural, silvicultural, or aquacultural facility or pursuit. We believe education about agricultural operations while at a farm provides a unique opportunity to increase the public interest in and awareness of issues and opportunities important to farmers as well as farmer education on agronomic and business practices.



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

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Statement of
ABBEY SETH MEYER
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEE ON WATER, LAND, AGRICULTURE,
AND HAWAIIAN AFFAIRS**
Wednesday, April 1, 2009
2:45 PM
State Capitol, Conference Room 229

in consideration of
HB 1436, HD 1, SD 1
RELATING TO AGRICULTURE.

Chair Hee, Vice Chair Tokuda and Members of the Senate Committee on Water, Land, Agriculture, and Hawaiian Affairs.

House Bill 1436, HD 1, SD 1 amends Section 205-4.5, Hawaii Revised Statutes to allow within the State Agricultural District, agricultural educational programs on a farming operation, provided that the agricultural education programs are accessory and secondary to the principal agricultural use of the parcels or lots, and do not interfere with the surrounding agricultural uses.

Our Office supports this bill as amended by SD 1. SD 1 incorporates amendments which were proposed by OP and the Department of Agriculture.

Thank you for the opportunity to testify.



Hawaii Agriculture Research Center

Administration: P.O. Box 100, Kunia, HI 96759

Ph: 808-621-1350/Fax: 808-621-1359

TESTIMONY BEFORE THE SENATE COMMITTEE ON WATER, LAND, AGRICULTURE AND HAWAIIAN AFFAIRS

HOUSE BILL 1436, HD1, SD1

Relating to Agriculture

April 1, 2009

Chair Hee and Vice Chair Tokuda and Members of the Committee:

My name is Stephanie Whalen. I am Executive Director of the Hawaii Agriculture Research Center (HARC). I am providing written testimony on behalf of the center and our research and support staff.

HARC strongly supports House Bill 1436 HD1, SD1.

This measure would allow educational facilities and buildings appurtenant to farming on lands within the agricultural districts. This will provide support to Hawaii agriculture and is in keeping with the intent of keeping agricultural areas for farming. HARC believes in the importance of educating school children about where their food comes from and fostering an appreciation for agriculture and the science involved in modern farming. We ourselves are looking forward to providing these types of educational opportunities at our Kunia facility and have designed our new facility to be able to do that.

Thank you for the opportunity to testify in support of Hawaii's agricultural needs.

From: penny levin [pennysfh@hawaii.rr.com]
Sent: Sunday, March 29, 2009 8:47 PM
To: WTLTestimony
Subject: testimony IN SUPPORT of ~~SCR38_S R22~~ and HB1436 HD1 SD1

Aloha Chair Hee and WTL Committee Members;

I am in SUPPORT of ~~SCR38 and SR22~~ which call for a plan to increase resources to organic farmers in the State of Hawaii. The HDOA, Hawaii Farm Bureau and the University of Hawaii have ignored or payed only peripheral lip service to organic farmers and small growers for far too long. All I can say is, it's about time! Please include an amendment to insure that this effort goes beyond the planning stage and resource allocation is actually implemented.

I also SUPPORT HB1436 HD1 SD1 which allows for education programs on agricultural lands provided that it is secondary to active agriculture activities on the land. One of the significant issues that must be resolved if we are to increase the use of agriculture lands for farming and become for food self-sufficient is to inspire more youth and adults to farming. The opportunity for agriculture education on-farm is an important part of engaging more people in farming and educating them about what it takes to be a farmer.

Please support these initiatives.

Mahalo

Penny Levin
Wailuku, Maui



KAMEHAMEHA SCHOOLS

TESTIMONY TO THE SENATE COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Hearing Date: Wednesday, April 1, 2009
2:45 p.m., Conference Room 229

Dear Chair Hee, Vice Chair Tokuda and Committee Members:

RE: Testimony in Support of House Bill No. 1436 HD1 SD1 - Relating to Agriculture

I am Kapu C. Smith, Senior Land Asset Manager for Kamehameha Schools' Kawailoa Plantation in Waialua, Oahu. I am here to testify in support of HB 1436 HD1 SD1 because it will clearly give farmer's the ability to provide educational programs on farming as a permitted use within the State agricultural district. As it currently stands, there is no clear authorization for a farmer to do so. This means that the farmer's only option is to pursue a special use permit at either the county level and or state level.

We became aware of this problem when both current and new farmers asked to include planned educational facilities as part of their agricultural lease terms. Our review of the statutory language indicates that while there are potential arguments in favor of educational classes on farming as an activity or use related to farming, it can also be argued that the current language of the statute means only activities or uses associated with active farming. As such, until this clarification is made we are unable to allow our lessees to undertake planned educational facilities for farming without the completion of a special use permit.

In reality, a special use permit for most farmers is not an option because of the cost and time involved. As such, educational programs for farming on farms will not happen. We believe that HB 1436 HD1 SD1 will remedy this restraint and provide a valuable tool to increase Hawaii's food self sufficiency by supporting on farm educational programs which encourage career paths in agriculture, raise public awareness and increase demand. Providing an on farm experience is the best method of connecting people to farming and farmers.

I should also note that the Department of Agriculture (DOA) and Office of State Planning (OSP) had concerns regarding the language of HB1436 HD1. As a result, the SD1 from the Senate companion bill was added to HB1436 HD1. We concur with the proposed amendment because it addresses the needs of the farmer while addressing the concerns of DOA and OSP.

Thank you for the opportunity to testify in support of HB 1436 HD1 SD1.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 30, 2009 7:09 PM
To: WTLTestimony
Cc: tracey@kauaioutcallmassage.com
Subject: Testimony for HB1436 on 4/1/2009 2:45:00 PM

Testimony for WTL 4/1/2009 2:45:00 PM HB1436

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Tracey Schavone
Organization: Individual
Address: POBox 676 Anahola, HI
Phone: 808-822-4465
E-mail: tracey@kauaioutcallmassage.com
Submitted on: 3/30/2009

Comments:

Hawaii Farmers Union

www.hawaiifarmersunion.org

Eden M. Peart

P.O. Box 1863

Honokaa, HI. 96727

Wednesday, April 1, 2009 2:45 p.m.
Conference Room 229
State Capitol
415 South Beretania Street

THE SENATE
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009
COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS
Senator Clayton Hee, Chair
Senator Jill N. Tokuda, Vice Chair
Committee Members:
Senator Robert Bunda
Senator Carol Fukunaga
Senator Russell S. Kokubun
Senator Dwight Y. Takamine
Senator Fred Hemmings

TESTIMONY RE: ~~SCR 37, SR 21, SCR 38, SR 22~~, HB 1436, HD1, SD1

Aloha Senators,

Hawaii Farmers Union is the newest subdivision of the National Farmers Union. Established in 1902, NFU is the oldest general farming organization in the United States, representing nearly 300,000 family farmers, ranchers and fishers. Since our Charter meeting in November 2008, we have approximately 105 signed members on 4 islands with membership growing weekly.

We really look forward to working with legislators to create legislation that addresses our vision for a thriving agriculturally-based economy in Hawaii. Along with the strength and relevance of National Farmers Union grassroots driven policy, and authoritative role in federal policy, we anticipate utilizing the excellent models currently flowering such as Washington State's Local Farms-Healthy Kids Act which was signed into law in 2008. This act created a Farm-To-School program whose purpose is to help schools purchase local farm products. It is complementary to other programs which were designed to increase access to Washington-grown foods for vulnerable populations and encourage markets for farms in the state.

Incorporating these best ideas and practices with Hawaii Farmers Union members and affiliates' initiatives will result in a generative and economically resilient framework for establishing and nurturing the Hawaii-grown model of sustainability that is already emerging.

HFU listening and visioning sessions are planned for late spring 2009. We welcome the participation of Hawaii state and country lawmakers! At the federal level many congress members are NFU members, for example Representative Collin Peterson, Chair of the House Agriculture Committee. HFU extends a personal invitation to each of you to join us.

Concerning the specific legislation before you, HFU defers to the testimony of HOFA, with the additional suggested amendment of including Hawaii's newest (and USA's oldest!) general farming organization – Hawaii Farmers Union as a stakeholder in all pertinent agriculture-related policy and legislation.

Many thanks for your work.

Me ke aloha,

Eden M. Peart
Hawaii Farmers Union

TESTIMONY
HB1436 HD1 SD1
(END)