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Statement of  
**ABBEY SETH MEYER**  
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**

Friday, February 13, 2009  
9:00 AM

State Capitol, Conference Room 325

in consideration of  
**HB 1436**  
**RELATING TO AGRICULTURE.**

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

House Bill 1436 amends Section 205-4.5, Hawaii Revised Statutes to allow within the State Agricultural District, educational facilities, as well as buildings that are appurtenances of operations for the cultivation of crops, game and fish propagation, and raising livestock. Our Office opposes educational facilities within the Agricultural District without a Special Permit, but we support the revisions to allow buildings necessary for the operations of farming, game and fish propagation and raising livestock.

Under the current statute, schools require a Special Permit in the State Agricultural District. The Special Permit process allows consideration of "unusual and reasonable" uses proposed in either the State Agricultural or Rural District. The Special Permit is the most appropriate mechanism where a proposed use that might directly conflict with existing or potential agricultural activity can be allowed through a public process. The allowance of educational facilities, such as schools, within the Agricultural District is better undertaken via a Special Permit, because the impacts to the neighborhood can be very significant. For example, the Kamehameha School in Keeau, on the Big Island was the result of a Special Permit. This project has been complete for many years, but its effects on traffic and drainage are still being resolved.

The Special Permit process allows decision-makers and the public the opportunity to scrutinize proposed activities and would minimize the adverse impacts to the State Agricultural District.

Thank you for the opportunity to testify.

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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MUFI HANNEMANN  
MAYOR



DAVID K. TANOUE  
ACTING DIRECTOR  
ROBERT M. SUMITOMO  
DEPUTY DIRECTOR

February 13, 2009

The Honorable Ken Ito, Chair  
and Members of the Committee on Water,  
Land & Ocean Resources

The Honorable Clift Tsuji, Chair  
and Members of the Committee on Agriculture  
State House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chairs Ito, Tsuji and Members:

**Subject: House Bill 1436  
Relating to Agriculture (Agricultural District;  
Permitted Uses)**

The Department of Planning and Permitting (DPP) has **comments** relating to House Bill No. 1436. This measure would permit educational facilities on lands within the state agricultural district, with soils classified by the land study bureau as overall (master) productivity rating A or B. The bill also makes a slight change by allowing public institutions, education facilities and buildings on these lands only as appurtenances of crop, game, fish and livestock production, rather than as "necessary for agricultural practices".

We believe that the proposed reference to "appurtenances" provides more flexibility. However, it would be helpful to define "appurtenances" as it is defined under subsections 205-4.5(a)(15) and (16) for biofuel processing facilities and agricultural-energy facilities.

Thank you for the opportunity to testify.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David K. Tanoue", is written over a horizontal line.

David K. Tanoue, Acting Director  
Department of Planning and Permitting

DKT: jmf  
hb1436-kst.doc



## Hawaii Agriculture Research Center

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

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**TESTIMONY BEFORE THE HOUSE COMMITTEES  
ON  
WATER, LAND, AND OCEAN RESOURCES  
AND  
AGRICULTURE**

**HOUSE BILL 1436**

**Relating to Agriculture**

**February 13, 2009**

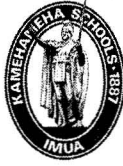
Chairmen Ito and Tsuji, Vice Chairs Har and Wooley, and Members of the Committees:

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

**HARC strongly supports House Bill 1436.**

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.

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



## KAMEHAMEHA SCHOOLS

TESTIMONY TO THE HOUSE COMMITTEE ON WATER, LAND, & OCEAN RESOURCES  
AND THE COMMITTEE ON AGRICULTURE

By

Kapu C. Smith, Senior Land Asset Manager  
Endowment/ Land Assets Division  
Kamehameha Schools

Hearing Date: Friday, February 13, 2009  
9:00 a.m., Conference Room 325

The Honorable Ken Ito, Chair, and Members  
House Committee on Water, Land and Ocean Resources  
The Honorable Clift Tsuji, Chair and Members  
House Committee on Agriculture  
The House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chairs Ito, Chair Tsuji and Committee Members:

**RE: Testimony in Support of House Bill No. 1436 Relating to Land Use**

I am Kapu C. Smith, Senior Land Asset Manager for Kamehameha Schools' Kawaihoa Plantation in Waialua, Oahu. I am here to testify in support of H.B. 1436 because it will allow educational facilities as a permitted use within the agricultural district under Section 205-4.5(a) (5) of the Hawaii Revised Statutes. As it currently stands, there is no clear authorization for planned educational activities in conjunction with active farming. We believe that it is essential to allow on farm training for students of all ages in order to provide continuing education for existing farmers, encourage new farmers, increase community awareness and support everyone's' efforts to grow agriculture.

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*Founded and Endowed by the Legacy of Princess Bernice Pauahi Bishop*

Thank you for the opportunity to testify in support of H.B. 1436.

February 13, 2008

The Honorable Ken Ito, Chair, and Members

House Committee on Water, Land and Ocean Resources

The Honorable Clift Tsuji, Chair and Members

House Committee on Agriculture

The House of Representatives

Hawaii State Capitol

415 South Beretania Street, Room 325

Honolulu, Hawaii 96813

Dear Chairs Ito, Chair Tsuji and Committee Members:

Testimony in Support of House Bill No. 1436 Relating to Land Use

I am Mary Elizabeth Amos, Executive Director of Ipu Lani, Inc. (parent organization of the Hawaii Gourd Society) and a tenant of Kamehameha Schools in Honaunau, Hawaii. I am here to testify in support of H.B. 1436 because it will allow educational facilities as a permitted use within the agricultural district under Section 205-4.5(a)(5) of the Hawaii Revised Statutes. As it currently stands, there is no clear authorization for planned educational activities in conjunction with active farming. We believe that it is essential to allow on farm training for students of all ages in order to provide continuing education for existing farmers, encourage new farmers, increase community awareness and support everyone's efforts to grow agriculture.

Thank you for the opportunity to testify in support of H.B. 1436.