

LINDA LINGLE
Governor



SANDRA LEE KUNIMOTO
Chairperson, Board of Agriculture

DUANE K. OKAMOTO
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 Fax: (808) 973-9613

TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE

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

FRIDAY, FEBRUARY 5, 2010
11:00 A.M.
ROOM 325

HOUSE BILL NO. 2825
RELATING TO BUILDING PERMITS

Chairpersons Tsuji and Ito, and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2825. The purpose of this bill is to allow the construction of temporary or permanent, nonresidential structures on state lands and large privately-owned land parcels leased for agricultural or aquacultural operations without a building permit. The Department respectfully opposes this bill.

The Department recognizes that structures are an integral part of conducting agricultural business. We acknowledge that the county permit process may be cumbersome; however, this process creates a minimum standard that potential structures must meet for safety as well as public health reasons. Other than structural considerations, applicants must show that they are properly going to dispose of sewage, obtain potable water, meet the electrical and plumbing codes, the American Disabilities Act, etc. In many places, there is limited infrastructure available. The location may be below the "no pass" line for leaching fields and in most areas, cesspools are no longer allowed. Unmitigated grading of the land can lead to flooding issues of neighbors'

property or heavy sediment runoff from large rains that result in significant soil loss and possible reef damage. There may be a significant increase for the potential of fire and substandard building materials. This directly impacts the health and safety of the people working in the building, as well as visitors to the site. Regardless of liability waivers, the welfare and safety of human life needs to be paramount. The building permit process ensures that structures as a whole meet a minimum standard and if for some reason a member of the public enters one, they will remain reasonably safe.

LINDA LINGLE
Governor



ALFREDO A. LEE
Executive Director

STATE OF HAWAII
AGRIBUSINESS DEVELOPMENT CORPORATION
235 S. Beretania Street, Room 205
Honolulu, HI 96813
Phone: (808) 586-0186 Fax: (808) 586-0189

TESTIMONY OF ALFREDO LEE
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

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

Friday, February 5, 2010
11:00 am
Room 325

HOUSE BILL NO. 2825
RELATING TO BUILDING PERMITS

Chairpersons Tsuji, Ito and Members of the Committees:

Thank you for the opportunity to testify on House Bill 2825. The Agribusiness Development Corporation (ADC) has concerns and offers the following comments. We defer to the counties on the building permitting process.

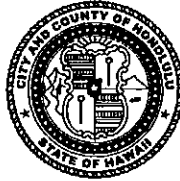
HB 2825 as written does not sufficiently address the type of temporary or permanent structures which are allowed. Further clarification is needed to avoid erection of structures that are easily susceptible to fire damage and deterioration, which affect human health and safety, as well as potentially negative impacts to the environment.

Safety and environmental concerns would normally be discovered and addressed while going through the existing county permitting process. At a minimum, inspections should still be required to insure safety and environmental standards are met.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
TELEPHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honolulu.gov • CITY WEB SITE: www.honolulu.gov

MUFI HANNEMANN
MAYOR



DAVID K. TANOUE
DIRECTOR

ROBERT M. SUMITOMO
DEPUTY DIRECTOR

February 5, 2010

The Honorable Cliff Tsuji, Chair
and Members of the Committee on Agriculture
The Honorable Ken Ito, Chair
and Members of the Committee on Water,
Land, & Ocean Resources
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Tsuji, Ito, and Members:

**Subject: House Bill No. 2825
Related to Agricultural Structures**

The Department of Planning and Permitting **opposes** this bill, which exempts agricultural structures from county building permits if located on State land or large privately-owned land.

While we support the economic health and preservation of our agricultural industry, we oppose this bill on the basis of homerule, and public health and safety.

Counties are clearly responsible for regulating construction and issuing building permits. This bill jeopardizes public safety by relieving all agencies from responsibility for enforcing applicable building codes. It creates long term questions about the legality of the structures. Projects may have difficulty with financing as financial institutions and others often rely on the documentation of a building permit to assure some government oversight on the improvements.

We have had some experience in exempting minor structures from the building permit process. It has resulted in zoning code violations, encroachments into adjacent properties, and a cumulative change in neighborhood character. Agricultural structures may not be minor, simple structures, but involve a sophisticated level of understanding

The Honorable Clift Tsuji, Chair
and Members of the Committee on Agriculture
The Honorable Ken Ito, Chair
and Members of the Committee on Water,
Land, & Ocean Resources
State House of Representatives
House Bill No. HB2825
February 5, 2010
Page 2

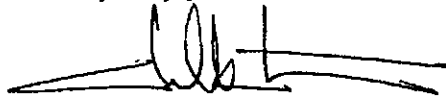
code requirements, making it unlikely that agricultural entities can "self-certify" their developments, as proposed by House Bill 2825.

If agricultural structures can be exempted from building permit review without sacrificing public safety and other public concerns, this determination should be made by the counties. For example, the City offers the optional Third Party Review program. Building permits for agricultural structures can be processed using this process which expedites the review process, assures compliance with codes, and maintains clear lines of liability.

Thus, please file this bill.

Thank you for the opportunity to testify.

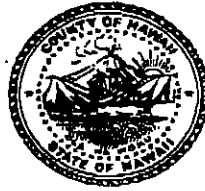
Very truly yours,

A handwritten signature in black ink, appearing to read 'David K. Tanoue', with a horizontal line underneath.

David K. Tanoue, Director
Department of Planning and Permitting

DKT: jmf
hb2825-ks.doc

William P. Kenoi
Mayor



Nancy E. Crawford
Director

Deanna S. Salco
Deputy Director

County of Hawaii

Finance Department

25 Aupuni Street, Suite 2103 • Hilo, Hawaii 96720
(808) 961-8234 • Fax (808) 961-8248

February 3, 2010

The Honorable Clift Tsuji, Chair
and Members of the House Committee on Agriculture
The Honorable Ken Ito, Chair
and Members of the House Committee on Water,
Land & Ocean Resources
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Chairs Tsuji and Ito and Members of the Committees:

RE: Testimony in Opposition to H.B. 2825, Relating to Building Permits
Hearing Friday, February 5, 2010, at 11:00 a.m., Conference Room 325

The Finance Department opposes H.B. 2825, which seeks to exempt certain parties from obtaining building permits for structures used for agricultural or aquacultural operations. The Real Property Tax Division is required to assess all improvements to real property. Removal of the requirement that a building permit be obtained for the construction of these facilities would severely limit the Division's ability to assess the improvements. The Division relies on building permit data to know that structures have been built or modified. Without such data, it will be impossible for real property tax appraisers to locate and appraise the buildings.

This legislation will negatively impact Hawai'i County, as it would result in a reduction of real property tax revenue, our primary source of revenue for government operations.

Thank you for your attention to our concerns. We urge you to file H.B. 2825.

Sincerely,

Handwritten signature of Nancy E. Crawford in black ink.

Nancy Crawford
Director of Finance

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

February 4, 2010

The Honorable Clift Tsuji, Chair
and Members of the Committee on Agriculture
The Honorable Ken Ito, Chair
and Members of the Committee on Water, Land & Ocean Resources
House of Representatives
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Chair Tsuji, Chair Ito and Committee Members:

**Re: Testimony in Opposition to House Bill 2825, Relating To Building Permits
Hearing Friday, February 5, 2010, 11:00 a.m., Conference Room 325
B. J. Leithead Todd, Director, Hawaii County Planning Department**

The Planning Department **opposes** this bill, which exempts agricultural structures from county building permits if located on State land or large privately-owned land.

While we support the agricultural industry, we join in the City and County's opposition of this bill on the basis of home rule, and public health and safety.

The authority to oversee and regulate construction and issue building permits is provided to the counties through Chapter 46 of the Hawaii Revised Statutes. This bill potentially jeopardizes public safety, could create questions about the legality of the structures and lead to disputes between neighbors over the size and use of such structures. The county regularly receives complaints about perceived non-agricultural uses of structures, infringement on required setbacks and other purported violations of our zoning codes which we have to investigate. Without information in our data bases about legally permitted buildings on agricultural lands, such investigations will be more difficult and time-consuming.

The Honorable Clift Tsuji, Chair
and Members of the Committee on Agriculture
The Honorable Ken Ito, Chair
and Members of the Committee on Water, Land & Ocean Resources
House of Representatives
Page 2
February 4, 2010

We are also concerned that such structures may require after the fact permits and inspections in order to allow buildings to qualify for mortgages or other financing. We have had many illegal structures built on the island which have eventually needed to become legal in order to sell the property or get financing. Inspection of already built buildings can be significantly more costly to the property owner than doing it when actual construction is done.

We ask that this bill be filed.

Thank you for the opportunity to testify.

Sincerely,



BJ LEITHEAD TODD
Planning Director

P:\wpwin60\2010 Legislative Session\HB2825 Relating to Building Permits-BJLT.doc

cc: Mayor William P. Kenoi
Mr. Kevin Dayton, Executive Assistant
Mr. Warren Lee, Director of Public Works, COH

HB 2825
2 of 2



COUNTY OF MAUI
DEPARTMENT OF FINANCE
REAL PROPERTY TAX DIVISION

70 E. KAAHUMANU AVENUE, SUITE A-16, KAHULUI, MAUI, HAWAII 96732
Assessment: (808) 270-7297 | Billing and Collection: (808) 270-7697 | Fax: (808) 270-7884
www.mauipropertytax.com

SCOTT K. TERUYA
Administrator

GERY MADRIAGA
Assistant Administrator

February 4, 2010

COMMITTEE ON WATER, LAND & OCEAN RESOURCES

Honorable Representative Ken Ito, Chair

COMMITTEE ON AGRICULTURE

Honorable Representative Clift Tsuji, Chair

County of Maui, Department of Finance, Real Property Tax Division
Friday, February 5, 2010

Opposition to HB 2825, Relating to Building Permits

The County of Maui, Real Property Tax Division (RPTD) is in strong opposition to HB 2825, Relating to Building Permits, which exempts agricultural structures from county building permits if located on State land or on a privately owned parcel of 200 or more acres.

Every year the RPTD values all taxable real property within the county. As far as possible, assessments must be uniform and equalized. Currently, building permits along with building plans are provided to the RPTD by the Planning Department. The permits are used to notify the Division of new construction. Without this notification, the RPTD probably will not assess these buildings because they would not know that they exist. This would be unfair to other owners who are required to submit permits and will be assessed. This bill will also adversely affect the County of Maui's ability to collect revenue from these buildings if they are not assessed. Real property taxes are the County's largest source of revenue. Also, the building plans provided to the RPTD during the permit process are crucial to the fair and equitable valuation of buildings. These plans provide measurements and construction details that are valuable in the assessment process.

We ask that this bill be filed. Thank you for the opportunity to testify on this matter.

Sincerely,

Scott K. Teruya
Real Property Tax Division Administrator



Hawaii Farm Bureau
F E D E R A T I O N

2343 Rose Street, Honolulu, HI 96819

Phone: (808) 848-2074; Neighbor Islands: 1-800-482-1272

Fax: (808) 848-1921; e-mail: info@hfbf.org

TESTIMONY

HB 2825 RELATING TO BUILDING PERMITS

Chair Tsuji, Chair Ito and Members of the Committees:

Hawaii Farm Bureau Federation on behalf of our farmer and ranch families and organizations **supports with comment** HB 2825 exempting building permit requirements for certain structures on agricultural or aquacultural lands.

Temporary structures for storage of supplies and agricultural products is a necessity on farms. These are simple buildings not meant for habitation. Yet, our farmers find themselves having to go through costly permitting processes to construct. This measure seeks to provide relief on agricultural and aquacultural leased lands.

However, it is not clear why the terms of this bill apply just to leased lands. There are large active, privately owned agricultural lands that have a similar need. Also farms in Hawaii range from the very large of hundreds of acres to successful specialty farmers with viable operations on 10 acres. We recommend amending this measure to provide this exemption to all commercial agricultural or aquaculture lands. Landowners could sign a waiver as required for leasees in the current proposal

HFBF strongly requests your support of this measure with the suggested amendments to bring reduce cost within the agricultural industry. If there are any questions, please contact Luella Costales at 848 2074. Thank you

Hawaii Oceanic Technology, Inc.

Clean, responsible, next-generation open ocean aquaculture technologies

February 4, 2010

TO: COMMITTEE ON AGRICULTURE, Rep. Cliff Tsuji, Chair, Rep. Jessica Wooley, Vice Chair
COMMITTEE ON WATER, LAND, & OCEAN RESOURCES, Rep. Ken Ito, Chair,
Representative Sharon E. Har, Vice Chair

RE: Testimony In Strong Support of HB2825 - Friday, February 5, 2010, 11:00am

Hawaii Oceanic Technology, Inc. strongly supports the intent of HB2825 because it allows agricultural and aquaculture operations to set-up or construct nonresidential temporary structures or permanent structures designed and engineered according to the stringent International Building Code in support of their approved farming operations. However, we would request two changes:

1. Line 6. insert appropriate language to include privately owned land for agricultural or aquacultural operations, i.e., some farmers are lucky enough to own their lands and should be covered by the wording of this bill, not just farmers on leased lands
2. Line 7. reduce "200 or more acres" to "2 or more acres" as some intensive farming operations exist on small farm lots and almost all are on lots smaller than 200 acres, and should have the same benefits as farms on large properties.

The present building permit system has been tried for decades and has served as a major impediment to economically viable and globally competitive commercial agriculture and aquaculture in Hawaii. It is time to amend current laws to be more favorable and supportive of agriculture and aquaculture ventures in Hawaii.

Thank you for the opportunity to testify on this important bill.

Sincerely,
/s/

Bill Spencer
President/CEO



Hawaii Aquaculture Association

THE HOUSE
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2010

COMMITTEE ON AGRICULTURE
Rep. Clift Tsuji, Chair
Rep. Jessica Wooley, Vice Chair

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES
Rep. Ken Ito, Chair
Representative Sharon E. Har, Vice Chair

DATE: Friday, February 5, 2010

TIME: 11:00am

PLACE: Conference Room 325, State Capitol
415 South Beretania Street

RE: Testimony In Strong Support of HB2825 - Relating to Building Permits

Aloha Chairs Tsuji and Ito, Vice Chairs Wooley and Har, and Committee Members,

The Hawaii Aquaculture Association strongly supports the intent of HB2825 because it allows agricultural and aquacultural operations to set-up or construct nonresidential temporary structures or permanent structures designed and engineered according to the stringent International Building Code in support of their approved farming operations. However, we would request two changes:

1. Line 6. insert appropriate language to include privately owned land for agricultural or aquacultural operations, i.e., some farmers are lucky enough to own their lands and should be covered by the wording of this bill, not just farmers on leased lands
2. Line 7. reduce "200 or more acres" to "2 or more acres" as some intensive farming operations exist on small farm lots and almost all are on lots smaller than 200 acres, and should have the same benefits as farms on large properties.

At present, in the City and County of Honolulu, all agricultural and aquacultural structures 100 square feet (10ft x 10ft) or larger are deemed commercial structures and

must go through the same commercial review and can be held to the same commercial standards as a public shopping center or hotel. Also, metal structures 18 inches or higher must be locally engineered and constructed, although recycled ocean shipping containers and other temporary metal structures such as storage sheds are ubiquitous in the islands, as are temporary cold frames widely used in the agriculture and aquaculture industries. Although other Counties may recognize agricultural structures as distinct from other commercial structures, compliance to the stringent building permit requirements are still a major obstacle to competitive farming efforts in Hawaii in this global economy.

Issues of sewage disposal, potable water, "no pass" lines, grading, and flooding can be addressed by other existing regulations. Most leased and privately owned farms are already cooperators of the USDA Natural Resource Conservation Service (NCRS) which assists farms in developing conservation plans incorporating appropriate land use measures, and this could be an added requirement by the leasing agency or landowner. Likewise, any electrical and/or plumbing installations in such structures could also continue to be required to meet code and be installed by licensed electricians and plumbers. In many instances, however, such structures would not require either potable water or electrical service, and in fact, such utilities are often unavailable at farm sites.

The present building permit system has been tried for decades and has served as a major impediment to economically viable and globally competitive commercial agriculture and aquaculture in Hawaii. It is time to amend current laws to be more favorable and supportive of agriculture and aquaculture ventures in Hawaii.

Thank you for the opportunity to testify on this important bill.

Sincerely,

Ronald P Weidenbach
HAA President

MOKULEIA AQUAFARM
QUALITY FARM RAISED AQUACULTURED PRODUCTS

THE HOUSE
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2010

COMMITTEE ON AGRICULTURE
Rep. Clift Tsuji, Chair
Rep. Jessica Wooley, Vice Chair

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES
Rep. Ken Ito, Chair
Representative Sharon E. Har, Vice Chair

DATE: Friday, February 5, 2010
TIME: 11:00am
PLACE: Conference Room 325, State Capitol
415 South Beretania Street

RE: Testimony In Strong Support of HB2825 - Relating to Building Permits

Aloha Chairs Tsuji and Ito, Vice Chairs Wooley and Har, and Committee Members,

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Issues of sewage disposal, potable water, "no pass" lines, grading, and flooding can be addressed by other existing regulations. Likewise, any electrical and/or plumbing installations in such structures could also continue to meet required codes and be installed by licensed electricians and plumbers. In many instances, however, such structures would not require either potable water or electrical service, and in fact, such utilities are often unavailable at farm sites.

In a climate where State financial resources are stretched to their limits, this is a very effective and cost free way to encourage the sustainability and growth of an industry that is as vital to Hawaii as feeding its own people. It is time to amend current laws to be more favorable and supportive of agriculture and aquaculture ventures in Hawaii.

Thank you for the opportunity to testify on this important bill.

Respectfully Submitted,

Jeffrey A. Koch
Mokuleia Aquafarm

WAIMEA HAWAIIAN HOMESTEADERS' ASSOCIATION, INC.

P. O. Box 6753

Kamuela, Hawaii 96743

February 4, 2010

M KANANI KAPUNIAI
Pu'ukapu-Pastoral '90+
Director- **President**

BETTY LAU
Kuhio Village
Director – **Vice-President**

MAXINE KAHAULELIO
Pu'u Pulehu
Director – **Secretary**

A HOPPY BROWN
Pu'ukapu Pastoral '90+
Director – **Treasurer**

Kamoku/Waikoloa Nienie
Director

Pauahi
Director

ROBERT TERUKINA
Kuhio Village
Director

BERNARD ALANI, JR
Pu'ukapu-Farm >'85
Director

JOSEPH KEALOHA
Pu'ukapu-Farm '85+
Director

HENRY "SOLI" NIHEU
Pu'ukapu-Farm '85+
Director

TIARE FLORES
Pu'ukapu-Pastoral <90
Director

TO: Representative Cliff Tsuji, Chair
Representative Jessica Wooley, Vice Chair
Committee on Agriculture
Representative Ken Ito, Chair
Representative Sharon E. Har, Vice Chair
Committee/ Water, Land & Ocean Resources

FROM: M Kapuniai, President

RE: **HB2825**
RELATING TO BUIDING PERMITS

Exempts from the county building permit requirement construction of nonresidential agricultural or aquacultural structures on state lands and large privately-owned land parcels leased for agricultural or aquacultural operations.

Date/Time: Friday, February 5, 2010 11:00 a.m.
Place: Conference Room 325
State Capitol, 15 South Beretania Street

We **SUPPORT** this bill. This will greatly enhance agricultural activity which will promote self-sufficiency for our "island economies", by 1) exempting unnecessary requirements on simple temporary structures, and 2) exempting unnecessary compliance issues – get down in the dirt and bring forth abundance.

We recommend that the bill be amended to **reflect "including all beneficiary agricultural (farm and pastoral) leases executed by the Department of Hawaiian Home Lands"**. (at Section 1. line 7)

We further recommend that the bill be amended to **instruct the Department of Hawaiian Home Lands to amend HAWAII ADMINISTRATIVE RULES TITLE 10 DEPARTMENT OF HAWAIIAN HOME LANDS CHAPTER 3 and the Hawaiian Homes Commission Act, if necessary, to reflect these changes.**

Because amending the Admin Rules will be a formality, we expect that HHL agricultural and pastoral lessees will be able to benefit from this bill, as stated in SECTION 5. "This Act shall take effect upon its approval." and not wait years for the above-mentioned documents to be amended.

We express appreciation to the drafters and introducers of this bill and appreciate the opportunity to participate in this process.

Phone: (808) 890-2311 (Res) 936-0157(Cell)
Email: duke@sandwichisles.net

A member of the Sovereign Councils of Hawaiian Homelands Assembly

HISTORIC HAWAII FOUNDATION

VIA WEB: <http://www.capitol.hawaii.gov/emailtestimony>

To: Rep. Clift Tsuji, Chair
Rep. Jessica Wooley, Vice Chair
Committee on Hawaiian Affairs

Rep. Ken Ito, Chair
Rep. Sharon E. Har, Vice Chair
Committee on Water, Land & Ocean Resources

From: Kiersten Faulkner
Executive Director, Historic Hawai'i Foundation

Committee Date: Friday, February 5, 2010
11:00 am
Conference Room 325

Subject: **HB2825, Relating to Building Permits**

On behalf of Historic Hawai'i Foundation (HHF), I am writing in opposition to HB2825, which exempts from the county building permit requirement construction of nonresidential agricultural and aquacultural structures on state lands and large privately-owned land parcels leased for agricultural or aquacultural operations.

Land parcels that are likely to be affected by HB 2825 are also likely to contain archaeological, cultural or other historic sites associated with one of the major eras in Hawai'i's history, either pre-contact Native Hawaiian or more recent plantation-era development. The investigation and research that results in identification and inventory of historic sites is often triggered by a development proposal, frequently tied to the application for a permit. While some of these historic sites would be identified at an earlier stage than building permit application, and consequently have appropriate protective measures, many of the sites could be unmarked or unprotected up until the time of permitting.

Because building permits are integrally aligned with the State's historic preservation processes, exempting new development from the permitting procedures would have the additional consequence of eliminating historic preservation reviews. It would be unfortunate if, in the pursuit of support for agriculture, a new law had the unintended consequence of destroying portions of the state's historic and cultural resources.

Therefore, Historic Hawai'i Foundation opposes HB2825.

Historic Hawai'i Foundation

680 Iwilei Road, Suite 690 • Honolulu, HI 96817 • Tel: 808-523-2900 • FAX: 808-523-0800 • www.historichawaii.org

Historic Hawai'i Foundation was established in 1974 to encourage the preservation of historic buildings, sites and communities on all the islands of Hawai'i. As the statewide leader for historic preservation, HHF works to preserve Hawai'i's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life and economic viability of the state.



EAST OAHU COUNTY FARM BUREAU

45-260 WAIKALUA ROAD S 101 KANEEOHE, HI 96744

February 3, 2010

Representative Clift Tsuji, Chair, Committee on Agriculture
Representative Ken Ito, Chair, Committee on Water, Land, and Ocean Resources
State Capitol Building, 415 S. Beretania St.
Honolulu, Hawaii 96813

Dear Representatives Tsuji and Ito and Members of the Committees:

I am sending this testimony to express the strong support of the East Oahu County Farm Bureau for HB 2825, "Relating to Building Permits." On Oahu, agricultural structures are generally treated as commercial buildings, and are subject to burdensome standards that may be appropriate for large public buildings, but that are excessive for farm structures such as sheds, greenhouses, and equipment housings. These standards are a major obstacle in terms of both time and money to any farmer who wants to improve or expand his operation.

HB 2825 would remove the County requirement of a building permit for temporary or permanent nonresidential structures for State agricultural leaseholders and for lessees of 200 or more acres of private land, and would therefore significantly reduce one major obstacle to profitable farming for those farmers who qualify. We support this bill and applaud its intention to remove unnecessary and expensive restrictions on agricultural and aquacultural businesses.

We would like to suggest, moreover, that the benefits of HB 2825 be extended to other farmers not now covered by its provisions: farmers leasing less than 200 acres of private land, and farmers who own their land. These two groups encompass most of the farmers in the State, and include many of those who are least able to afford to construct farm buildings under current rules. In the near future, new food safety regulations will require many farms to install additional facilities in order to ensure sanitary handling of their products. These facilities may be prohibitively expensive for smaller farmers if the facilities must be constructed according to current County standards. We therefore hope that you will not only approve HB 2825, but extend its benefits to all Hawaii farmers.

Thank you for the opportunity to testify.

Sincerely,

Frederick M. Mencher
for Grant Hamachi, President

Arlina Agbayani

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2010 3:08 PM
To: AGRtestimony
Cc: isurus79@hotmail.com
Subject: Testimony for HB2825 on 2/5/2010 11:00:00 AM

Testimony for AGR/WLO 2/5/2010 11:00:00 AM HB2825

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Stephen Van Kampen-Lewis
Organization: Individual
Address: 2737 Pacific Heights Rd Unit B Honolulu, HI
Phone: 808 896 3387
E-mail: isurus79@hotmail.com
Submitted on: 2/3/2010

Comments:



Hawaii Agriculture Research Center

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

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

TESTIMONY BEFORE THE HOUSE COMMITTEE ON AGRICULTURE

HOUSE BILL 2825

RELATING TO BUILDING PERMITS

February 5, 2010

Chairman Tsuji and Members of the Committee:

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, our research and support staff, and our members and clients.

HARC suggests amending HB 2825 to include situations such as the reuse, modification, restoration, remodeling or renovation of old plantation agricultural infrastructure such as the DelMonte's Kunia Village complex. The site is approximately 119 acres, is located in the agricultural district, and zoned AG-1 by the City and County of Honolulu. It not only has agricultural accessory buildings but over 100 rental agricultural rentals. It would not meet the 200 acre minimum of this proposed legislation.

This site is being maintained to provide for agricultural support/accessory facilities for diversified agriculture on Oahu. There are 9 existing buildings that are being leased out with long tenure, exclusively to agricultural businesses to expand their operations and create value added opportunities.

These facilities, long neglected by the former operator, need considerable repair and renovation to meet the needs of diverse agricultural businesses. The county's building permit process is tedious and time consuming even for repairs.

If it is the committee's pleasure to pass this measure, I would like to work with the committee on making sure this measure also excludes the ex-DelMonte property from the building permit process.

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