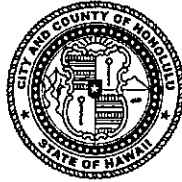


TESTIMONY
SB 2780

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
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MUFI HANNEMANN
MAYOR



DAVID K. TANOUE
DIRECTOR
ROBERT M. SUMITOMO
DEPUTY DIRECTOR

February 5, 2010

The Honorable Clayton Hee, Chair
and Members of the Committee on Water,
Land, Agriculture and Hawaiian Affairs
State Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chair Hee and Members:

**Subject: Senate Bill No. 2780
Relating to Agricultural Lands**

The Department of Planning and Permitting (DPP) **opposes** Senate Bill No. 2780, which seeks to add new criteria for boundary amendments on Oahu which involve lands rated A or B under the Land Study Bureau classification system. The bill also adds regulations to lease renegotiations, but our department takes no position on this proposal.

While the City and County of Honolulu supports the preservation of prime agricultural lands, we disagree that Oahu needs additional criteria for boundary changes from the state agricultural to the urban district. Section 1 of the bill makes a stronger case for islandwide application. Its references to pending or proposed Oahu housing projects makes no acknowledgement of whether these projects comply with state and county land use plans and laws.

Moreover, the proposed new criteria seem to be redundant with already adopted criteria for such boundary amendments, as provided under Section 205-44, HRS.

In short, please file Senate Bill No. 2780.

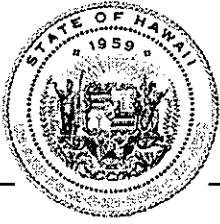
Thank you for the opportunity to testify.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David K. Tanoue".

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

DKT: jmf
sb2780-ks.doc



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

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GOVERNOR
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Statement of
ABBEY S. MAYER
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEE ON WATER, LAND, AGRICULTURE,
AND HAWAIIAN AFFAIRS**
Friday, February 5, 2010
2:45 PM
State Capitol, Conference Room 229

in consideration of
SB 2780
RELATING TO AGRICULTURAL LANDS

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

The Office of Planning respectfully opposes SB 2780 Relating to Agricultural Lands. This measure prevents agriculturally suitable lands on Oahu (lands with productivity ratings of A or B) from being reclassified; requires the Land Use Commission to hear all petitions for reclassification of lands with Land Study Bureau (LSB) productivity ratings of A or B; and provides for mandatory extension of agricultural leases.

On Section 2, the mandatory agricultural lease extension provision, the Office of Planning defers to the Department of Agriculture.

Section 3 takes away the counties' ability to reclassify lands less than fifteen acres in the agricultural district, if the subject property has soil with a productivity rating of A or B, and is designated as IAL. The Office of Planning believes the current law which allows the

counties to reclassify lands in the Agricultural District if the area is less than fifteen acres is reasonable and practical.

Section 4 bans reclassification of agricultural lands with a productivity rating of A or B on Oahu if four criteria are met: (1) a farming operation is being conducted; (2) the land is important to agriculture based on the stock of similarly suited lands in the area; (3) the reclassification will harm the productivity or viability of existing agriculture in the areas; and (4) the reclassification will cause fragmentation or intrusion of non-agricultural uses into largely intact areas of A and B lands. The Office of Planning believes Chapter 205 already gives the Land Use Commission the necessary authority to protect agricultural lands from fragmentation or intrusion of non-agricultural uses on Oahu.

We understand the concern that agricultural lands on Oahu may be under greater urbanization pressure than on the Neighbor Islands and that with a larger market for fresh food on Oahu there is a valuable opportunity for cost efficiency in getting food to market. However, we believe an outright ban on reclassification of A and B lands on Oahu is not warranted. In 2008 the Legislature adopted a process for designating Important Agricultural Lands. The Office of Planning believes that the current law should be given a chance to demonstrate its effectiveness. Other mitigation measures can be imposed on dockets seeking to reclassify A and B lands, such as the mandatory dedication of proportional acreage of agricultural easements. Additionally, the proposed bill may motivate landowners to remove irrigation systems from A and B lands in order to change the LSB classification to C or D to the detriment of agricultural operations. The LSB system rated lands with similar soils A or B if they had irrigation and C or D if they were not irrigated.

Thank you for the opportunity to testify.



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

SB 2780 Relating to Agricultural Lands

Chair Hee and Members of the Committee:

Hawaii Farm Bureau Federation on behalf of our farmer and ranch families and organizations **OPPOSES** SB 2780, providing mandatory extension of certain agricultural leases.

HFBF strongly supports the protection of important agricultural lands. We do not disagree that lands with productivity ratings A and B are important. However, we also strongly believe in the County Planning process. Urban Growth Boundary discussion should take place in the General and Community Planning Process to allow for timely and orderly infrastructure development that is also critical for agriculture.

We believe that lands important to agriculture should be designated as IAL.

We respectfully request that the Legislature continue their support of the implementation of the Important Agricultural Lands initiative which supports viable agriculture for the future. We respectfully request that this bill be held at this time. If there are any questions, please contact Luella Costales at 848 2074. Thank you

TESTIMONY
SB 2780
(END)