



State of Hawaii  
DEPARTMENT OF AGRICULTURE  
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**LATE TESTIMONY**

TESTIMONY OF RUSSELL S. KOKUBUN  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEES ON AGRICULTURE, AND ECONOMIC  
REVITALIZATION AND BUSINESS  
FRIDAY, FEBRUARY 3, 2012  
8:00 a.m.  
Room 312

HOUSE BILL NO. 2317  
RELATING TO AGRICULTURAL TOURISM

Chairpersons Tsuji and McKelvey and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2317 that seeks to amend Section 205-5(b)(2), HRS to allow "overnight accommodations" as part of agricultural tourism. The Department supports the intent of this measure but offers an amendment.

Section 205-5(b)(2) provides direction to the counties in developing their respective zoning ordinances to allow agricultural tourism, including accessory facilities such as gift shops, restaurants, as accessory uses on a working, bona fide farming operation. We support the concept of agricultural tourism as a means for bona fide farm operators to increase their on-farm income, thereby providing a degree of buffering from the inevitable ups and downs in income from sales of agricultural products alone.

According to a report produced in 2008 by the Department of Agriculture in cooperation with the Hawaii Office of the USDA National Agricultural Statistics Service, agricultural tourism-type activities (not the same as the statutory definition) were offered by 112 farms (two percent of the 5,500 farms statewide) in 2006, resulting in total statewide revenues of \$38.8 million.



While we support the concept of agricultural tourism, we do not want to see proliferation of agricultural tourism operations with multiple overnight accommodations that become the primary rather than accessory or secondary use of the property.

Should overnight accommodations be approved, we recommend the following amendment that would limit overnight accommodations for each approved agricultural tourism operation to a farm dwelling that meets the provisions within section 205-4.5.

Thank you for the opportunity to testify on this measure.



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

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**LATE TESTIMONY**

FEBRUARY 3, 2012

HEARING BEFORE THE  
HOUSE COMMITTEE ON AGRICULTURE  
HOUSE COMMITTEE ON ECONOMIC REVITALIZATION & BUSINESS

TESTIMONY ON HB 2317  
RELATING TO AGRICULTURAL TOURISM

Room 312  
8:00 AM

Chair Tsuji, Chair McKelvey and Members of the Committees:

I am Brian Miyamoto, Chief Operating Officer and Government Affairs Liaison for the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFBF supports the intent of HB 2317, which would repeal the prohibition against overnight accommodations as part of agricultural tourism activities of a farming operation, and expressly allows counties to authorize these uses by ordinance.

HFBF was an active participant in drafting of the language currently in place in HRS 205-2(d)11 recognizing agritourism as a permissible use in the agricultural district in 2006. Agritourism was just gaining a foothold in the islands and we recognized its' potential as a means to expand the revenue base of our farmers and ranchers. Across the country there were many examples of agritourism incorporated within productive farms and ranches. It was a means not only to provide additional income to farms and ranches but provided a learning experience for many who no longer had a connection to agriculture.

We recognized that there are many different activities that comprise agritourism. Farm stands, tours, demonstrations, you-picks, and bed and breakfast operations are among the diversity of activities comprising agritourism. At the same time, HFBF had as a priority the need to keep bona fide agricultural operations as the primary activity on

farmland. Crossing the line to tourist related activities without significant agricultural production was not the intent of this measure. All of the Counties have different priorities of what they are willing to accept as permissible uses on their agricultural lands. We felt it was appropriate to be consistent as in other land uses to use the zoning chapter to delegate this authority to the Counties. To accomplish this objective, HFBF supported language that recognized agritourism but required the Counties to develop an agritourism ordinance.

During the hearings, there were many discussions regarding overnight accommodations. In the end, prohibition of overnight accommodations was included due to the lack of a clear process for allowing of overnight accommodations on bona fide farms and ranches without abuse.

There are examples of bed and breakfast operations on working farms across the country. Many years have passed since 2006 and the Counties have had discussions about this issue. The Counties should decide the conditions under which such practices would be allowed. 205-2(d)11 does not prohibit overnight accommodations. Therefore, addition of (13) specifically allowing short-term rentals should not be required.

We do not object to the deletion of the prohibition of overnight accommodations in 205-5(b)(2), provided that the County will enact ordinances that define the conditions as specified within this statute. The Attorney General's opinion rendered in 2009 clearly states that this section is the reason why overnight accommodations associated with agritourism is not allowed. Allowing overnight accommodations in this section will address the intent of this measure.

HFBF respectfully suggests that the rural district be considered for overnight accommodations without agriculture. In the rural district agriculture is a choice. We strongly believe that agriculture must be the priority in the agricultural district that is provided benefits such as reduced property taxes, water rates and other tax breaks in exchange for the production of agricultural products. This priority must not be lost.

The County Farm Bureaus are ready and willing to work with the various Counties to enact Agritourism Ordinances that are appropriate for their conditions.

Thank you for this opportunity to address this important issue. We believe the primary purpose within the Agricultural District is production agriculture. The option of a rural district is available in which agriculture is a choice and appropriate for bed and breakfast and other agritourism activities that focus on tourism as the primary enterprise.

Thank you for this opportunity to provide our opinion on this matter. All of the Counties have faced challenges of non-agricultural uses entering the agricultural district. As we move to allow overnight accommodations on agricultural lands, it is important that we do not create unintended consequences that impact expanded commercial production of agricultural products that is the intent of agricultural lands.

I can be reached at (808) 848-2074 if you have any questions. Thank you for the opportunity to testify.