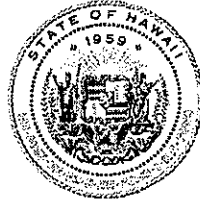
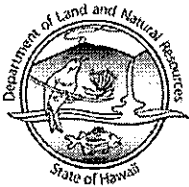


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
WATER, LAND AND HOUSING**

**Tuesday, February 8, 2011
1:15 PM
State Capitol, Conference Room 225**

**In consideration of
SENATE BILL 1443
RELATING TO IMPORTANT AGRICULTURAL LANDS**

Senate Bill 1443 proposes to clarify that public lands that are transferred from the Department of Land and Natural Resources (Department) to the Department of Agriculture (DOA) shall be subject to the same standards for identifying and designating important agricultural lands, and that important agricultural land incentives shall not contradict or otherwise violate Chapters 166 and 166E, Hawaii Revised Statutes. The Department supports this bill and offers the following comments and concerns.

The Department has been transferring to DOA and the Agribusiness Development Corporation (ADC), public lands suitable for agriculture in the public lands inventory, in part pursuant to Act 90, Session Laws of Hawaii 1993. Throughout this process, the Department had experienced numerous delays resulting from a myriad of reasons that include the receiving agencies' inability to immediately assume management responsibility over those lands, often attributable to inadequate staffing and resources. Given the expected ongoing budgetary restrictions on government operations and staffing shortages, such delays are anticipated, if not certain, to continue. As such, the June 30, 2013 deadline for transferring 50 per cent of the qualified lands to DOA may not be realistic or feasible. The Department recommends that a longer timeline, such as 3 to 5 years, be specified to accommodate and reflect the current unfortunate budgetary realities.

NEIL ABERCROMBIE
Governor



RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

JAMES J. NAKATANI
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
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TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON
WATER, LAND, AND HOUSING

FEBRUARY 8, 2011
1:15 P.M.
CONFERENCE ROOM 225

SENATE BILL NO. 1443
RELATING TO IMPORTANT AGRICULTURAL LANDS

Chairperson Dela Cruz and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 1443. The purpose of this bill is to clarify that public lands that are transferred from DLNR to the Department of Agriculture shall be subject to the same standards for identifying and designating important agricultural lands, and that important agricultural land incentives shall not contradict or otherwise violate chapters 166 and 166E. The Department strongly supports the passage of this bill.

When Act 233, SLH 2008 was being discussed during the 2008 legislative session, a significant concern of the department was the impact of the new language to the Agricultural Park and Non-Agricultural Park programs. Discussions centered around how the two DOA land programs actually set a higher standard for agricultural land use than the proposed IAL language. The language in this bill encapsulates the concerns stating that "...uses under sections 205-2 and 205-4.5, Hawaii Revised Statutes, are in



TESTIMONY OF RUSSELL S. KOKUBUN
SENATE BILL NO. 1443
FEBRUARY 8, 2011, 1:15 P.M.
PAGE 2

conflict with the intent, purpose, and rules of the agricultural parks program and the non-agricultural parks program. The Department of Agriculture utilizes a thorough qualification process to ensure potential lessees will undertake substantial agricultural activity.” The language goes on to state “The purpose, rules, and management of these public lands by the Department of Agriculture are unmatched in their support of agricultural production and, unlike the privately owned lands under the important agricultural lands legislation, are not subject to reclassification, subdivision, lack of monitoring, and special permitted uses.”

The language in this bill clarifying that the incentives provided by IAL designation do not apply if they would “...contradict or otherwise violate the conditions and requirements of chapters 166 and 166E...” provides a solid foundation for the department to protect the integrity of these vital programs. We appreciate the energy put into crafting this bill and look forward to its passage.

Thank you for the opportunity to testify on this measure.