

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  
Honolulu, Hawaii 96814-2512

TESTIMONY OF RUSSELL S. KOKUBUN  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES  
ON WATER, LAND, AND HOUSING AND AGRICULTURE

SATURDAY, FEBRUARY 12, 2011  
2:45 P.M.  
CONFERENCE ROOM 225

SENATE BILL NO. 687  
RELATING TO PUBLIC LAND

Chairpersons Dela Cruz and Nishihara and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 687. The purpose of this bill is to have the Department of Land and Natural Resources (DLNR) issue leases without going to public auction and to require the Agribusiness Development Corporation (ADC) to assist qualified farmers who lease public land for agricultural activities with marketing, technical, or business needs. The Department offers comments for section 1 of this bill and defers to the ADC for section 2.

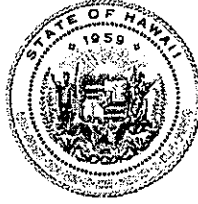
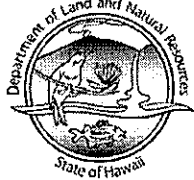
While the first section of this bill impacts only the DLNR (HRS 171), the Department of Agriculture (DOA) anticipates that many, if not a majority, of the lands described in this bill would eventually transition to the DOA for management under our Non-Agricultural Parks program. This program was created in 2003 to "...ensure the long-term productive use of public lands leased or available to be leased by the Department of Land and Natural Resources for agricultural purposes by allowing these lands to be transferred to and managed by the Department of Agriculture." To date, approximately 98 parcels have been transferred via Governor's Executive order. A second round of 37 parcels was approved for transfer by the Board of Agriculture and is currently being reviewed by DLNR. Additional lands of up to 491 parcels have been



identified as potential for transfer and are with DLNR for paring down. We hope to continue working with DLNR to identify additional lands appropriate for transfer under the spirit of Act 90, SLH 2003.

Thank you for the opportunity to testify on this measure.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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

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

**Before the Senate Committees on  
AGRICULTURE  
and  
WATER, LAND AND HOUSING**

**Saturday, February 12, 2011  
2:45 PM  
State Capitol, Conference Room 225**

**In consideration of  
SENATE BILL 687  
RELATING TO PUBLIC LAND**

Senate Bill 687 proposes to establish lessee selection criteria and lease requirements for the Department of Land and Natural Resources (Department) to use in direct negotiation leasing of public land to qualified farmers for agricultural activities, and requires the Agribusiness Development Corporation (ADC) to assist qualified farmers who lease public land for agricultural activities with marketing, technical, or business needs. The Department supports the general intent of this measure, however, has the following concerns.

The bill requires the lease to specify the types of plants or animals that can be cultivated or raised. The Department believes that specifying and restricting the use of the demised premises to specific plants or animals will be too burdensome to tenants and be impractical. Agriculture is a dynamic endeavor that often requires adaptability and flexibility to change crops or animals to adjust to changing weather, environmental, water, soil or market conditions. The proposed restrictions would inhibit or prevent such adaptability and flexibility.

The bill also requires the lease to describe the degree to which the property will be subject to public access. That description must be determined through a process that requires public comment and a compatible use analysis. This public process requirement will require significant additional time and costs.

**WILLIAM J. AILA, JR.**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**GUY H. KAULUKUKUI**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



STATE OF HAWAII  
**AGRIBUSINESS DEVELOPMENT CORPORATION**  
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**TESTIMONY OF ALFREDO LEE  
EXECUTIVE DIRECTOR  
AGRIBUSINESS DEVELOPMENT CORPORATION**

**BEFORE THE SENATE COMMITTEES ON  
WATER, LAND, AND HOUSING AND AGRICULTURE**

Thursday, February 10, 2011  
10:00 am  
Conference Room 225

**SENATE BILL NO. 687  
RELATING TO PUBLIC LAND**

Chairpersons Dela Cruz, Nishihara and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No. 687. The Agribusiness Development Corporation (ADC) respectfully opposes this bill, due to a Section 2 requiring ADC to assist farmers who lease public land with marketing, technical, or business needs. While we are sympathetic with farmers in need of this assistance, ADC is a small agency with only four personnel in our office, and lacks sufficient resources to implement programs or services beyond what we are currently doing. Unless additional staffing could be hired, our existing programs would suffer if we are forced to take on this type of new unfunded project.