



LATE

February 12, 2011

Senator Donovan M. Dela Cruz, Chair and Senator Malama Solomon, Vice Chair
Committee on Water, Land and Housing
Senator Clarence K. Nishihara, Chair and Senator Gilbert Kahele, Vice Chair
Committee on Agriculture

Opposition to SB 736 Relating to Land Use (Creates a temporary task force to study and make recommendations re agricultural classification, land use laws, and appropriate uses for IAL)

Saturday, February 12, 2011 at 2:45 p.m. in CR 225

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

LURF's Position. The various farmers, ranchers, the Hawaii Farm Bureau Federation, LURF, the state department of agriculture and department of taxation, the University of Hawaii College of Tropical Agriculture and numerous other agricultural stakeholders were actively involved in the drafting and passage of the IAL law and incentives in 2005 and 2008, respectively. While LURF understands that SB 736 was well-meant, we must **oppose** this bill based on the following:

- **This bill is premature.**
 - Pursuant to the existing IAL laws, private landowners are still in the process of designating IAL, and have until June 30, 2011 to do so;
 - As of this date, there are over 33,000 acres of lands designated as IAL, and it is our understanding that none of the IAL lands are producing biofuels as its major crop;
 - Pursuant to the existing IAL law, the state and counties are currently in the process of identifying public lands which should be designated as IAL;
 - The counties are also in various stages of mapping public and private lands to be considered for IAL designation;
 - Convening a task force and preparing a report would cause confusions and detract from the important ongoing work of government and private parties in complying with the IAL law.
- **SB 736 is duplicative.** The bill duplicates the requirements of IAL law, HRS §205-46(d), which requires an comprehensive state review and report on the protection and incentive measures in 2013.
- **SB 736 is unnecessary.** The IAL law was a product of extensive collaboration by a number of agricultural stakeholders over five years or more, and the IAL law already

provides for policies (HRS §205-43), standards and criteria for the identification and designation of IAL (HRS§205-44 and §205-50), and IAL incentives (HRS §205-46). IAL has only been in effect for less than 3 years, and the farmers, ranchers, private land owners, state and county agencies are all fully involved in the process and working toward fulfilling their statutory requirements.

- **Now is not the time to propose changes in the IAL law. Gotta give IAL a chance to work**

Based on the above, we respectfully urge your committees to **hold SB 736**.

Thank you for the opportunity to present our testimony regarding this matter.