



Hawaii Cattlemen's Council, Inc.

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HOUSE COMMITTEE ON AGRICULTURE
Monday February 4, 2013 8:30 a.m. Capitol Auditorium

HB 489 Relating to AG Building Permit Exemption

Requires change in current law to make it easier to put up nonresidential farm and ranch structures

Agriculture Committee Chair Wooley, Vice Chair Onishi, Water and Land Chair Cindy Evans, Vice Chair Nicole Lowen, and Members of these Committees:

My name is Alex Franco; I'm a beef processor on Maui and President of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is a statewide organization comprised of five county level Cattlemen's Associations that occupy approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **Strongly Supports** HB 489.

Hawaii's farmers and ranchers have always been resourceful in using available resources and making it work for the betterment of agriculture, in many cases it is regulations that prevent the full utilization of resource that increase costs and reduces productivity. The key to the local food movement is to keep farmers and rancher productive and not waste countless hours acquiring building permits for structures that are very basic, but critical to farm and ranch operations.

In many cases recycled ocean shipping containers, modular structures, agricultural cold frames used for green houses, and storage sheds to store equipment are vital to farmers and ranchers. This allows farmers and ranchers to set up their operations in a timely manner making it more cost effective.

If we were to identify the key agricultural resource Hawaii needs to expand local food production, it would have to be the encouragement of more young farmers and ranchers getting into agriculture. Bills such as HB 489 that reduces start up cost, creates sound agriculture policy, and limits cost to tax payers will act as a catalyst to encourage this vital resource.

Thank you for allowing me your time to give testimony on this very important issue.

onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 8:57 PM
To: AGRtestimony
Cc: director@hciaonline.com
Subject: Submitted testimony for HB489 on Feb 4, 2013 08:30AM
Attachments: HB 489 Ag hearing on building permits.pdf

HB489

Submitted on: 2/3/2013

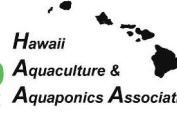
Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Alicia Maluafiti	HCIA	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Local Food Coalition

HOUSE COMMITTEE ON AGRICULTURE
HOUSE COMMITTEE ON WATER & LAND
Monday, February 4, 2013 9:00 a.m. Auditorium

HB 489 RELATING TO BUILDING PERMITS

Chair Wooley, Chair Evans, Vice Chair Onishi, Vice Chair Lowen and Members of the Committees:

My name is Dean Okimoto, and I represent the Local Food Coalition on this matter.

The Local Food Coalition (LFC) brings together farmers, ranchers, livestock producers, investors and other leading organizations, who collectively manage more than 1 million acres of land, and produce the majority of food in our state. Solving our challenge of increasing the local food supply — putting more local food on local plates — can best be accomplished by bringing people and organizations together who can work on the entire food value chain in a systematic way.

The Local Food Coalition strongly supports HB 489.

Current county building code requirements are designed for commercial and residential buildings in urban areas, and are not appropriate for farm structures such as greenhouses, storage sheds, and fish tanks. Compliance with these requirements adds greatly to the time and cost needed to build even the simplest of structures. This burden falls especially heavily upon small farmers, family farmers, and beginning farmers, who often do not have the money to hire architects, engineers, and contractors in order to assure county building departments that codes are being met.

Building code requirements have become increasingly burdensome in recent years as smaller, diversified farming and ranching operations have multiplied. These diverse farms and ranches tend to have greater infrastructure needs per acre than the sugar and pineapple plantations they have replaced, and usually have fewer financial resources and less ability to qualify for large construction loans than a plantation would. This is especially true for newer, more intensive culture methods such as hydroponics, aquaculture, and aquaponics. These techniques are particularly appropriate for Hawaii, where land and water are limited and expensive, but they require structures such as shade houses, prefabricated greenhouses, tanks, raceways, storage buildings, and the

like. Even less intensive operations may require shelters to protect their crops, livestock, and equipment from thieves, vandals, wind, and weather. These structures on agricultural lands present little risk to the public.

A majority of U.S. states provide exemptions from county building standards for agricultural buildings and structures located outside the urban core of cities and towns. Hawaii's strict building codes put our farmers and ranchers at a disadvantage compared to those in states that have exemptions. This disadvantage is one reason why Hawaii's farmers have difficulty competing with imported food.

In 2012, the Legislature passed Act 114, which exempted certain nonresidential agricultural buildings and structures from county building *permit* requirements. Although there was also strong legislative support for *code* exemptions for certain low-risk farm structures, the 2012 session ended before agreement could be reached on how to accomplish these limited exemptions.

Instead, Act 114 created a task force with the objectives of identifying conflicts between the Act 114 exemptions and existing State laws, and of suggesting additional exemptions that could be provided to Hawaii's farmers and ranchers. Unfortunately, the task force was unable to agree on code exemptions that would make farm infrastructure more practical to construct.

Now, as the counties start to apply the provisions of Act 114, conflicts with other State statutes are beginning to become apparent that could threaten the entire usefulness of the new law. In particular, there is a conflict with HRS 464-13, which requires a licensed engineer or architect to plan and oversee construction over certain cost estimates. This conflict, **which contradicts the intent of Act 114**, was noted in the January 24 issue of *The Garden Island* in its reporting on Kauai County's efforts to implement Act 114. Without clarification that these exemptions should supercede other laws, farmers will not be helped.

We respect and appreciate the important job that county building and fire departments do in protecting the public's health and safety. With this bill, we are seeking only minimal exemptions for those structures that pose little risk. We respectfully ask you to recognize, as more than 30 other states do, that the threat to life and property from fire and other disasters is minimal for nonresidential farm buildings and structures in agricultural areas compared to that for residential and commercial buildings in urban areas. In contrast, Hawaii's dependence on a fragile 2500-mile lifeline of ships and planes for 85-90% of our food supply presents a clear threat to the public's health and safety.

We therefore ask that you support Hawaii's goal of greater food self-sufficiency by passing HB 489. Further, we hope you will amend HB 489 to include language such as "Notwithstanding any law to the contrary" in order to ensure that conflicts with existing statutes do not undermine the legislative intent of Act 114 and the requested amendments.

Thank you for the opportunity to testify in strong support on this matter of great importance to Hawaii's farmers and ranchers.

onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 4:24 PM
To: AGRtestimony
Cc: jr.miles@yahoo.com
Subject: Submitted testimony for HB489 on Feb 4, 2013 08:30AM

HB489

Submitted on: 2/4/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Jesse Miles	Individual	Support	No

Comments: Please pass this bill. It is essential to meeting the demands of the agricultural sector.

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 9:30 AM
To: AGRtestimony
Cc: Jimmygomes@hawaii.rr.com
Subject: *Submitted testimony for HB489 on Feb 4, 2013 08:30AM*

HB489

Submitted on: 2/4/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Jimmy Gomes		Support	No

Comments:

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THE HOUSE
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013

COMMITTEE ON WATER AND LAND

COMMITTEE ON AGRICULTURE

DATE: Monday, February, 2013
TIME: 8:30 a.m.
PLACE: Auditorium
State Capitol
415 South Beretania Street

RE: Testimony in strong support of HB 489 RELATING TO AGRICULTURAL BUILDING PERMITS

Chairs Wooley and Evans, Vice Chairs Onishi and Lowen, Committee Members:

My name is John Corbin. I was formally Manager of the State Aquaculture Development Program from 1979 to 2006. During that time I worked with many small-scale to corporate farms to establish their businesses. I strongly support HB 489 and its desired impact of creating a significantly more supportive business environment for agriculture, aquaculture, and aquaponics (Triple A) industries.

In short, the bill is a follow up to Act 114 from last session, which exempted many “Triple A” farming structures from County building permit requirements. It completes the request from last year by the three industries and also exempts certain low-risk structures from building code requirements, making it significantly easier and less expensive to build and cost-effectively operate a farm in Hawaii. Together the previous law and the passage of HB 489 would clearly demonstrate that the Legislature and the Administration has confidence in Triple A farmers to be responsible and definitely wants Hawaii to become more food self sufficient and food secure, soon.

Many mainland states have passed similar exemptions to support their primary food production industries. Hawaii needs to do the same. Please pass HB 489. Aloha.

John S. Corbin MS, CFP, AICP
President
Aquaculture Planning & Advocacy, LLC
Kaneohe, Hawaii
808-239-8316
jscorbin@aol.com

onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 7:39 PM
To: AGRtestimony
Cc: gordines@kauaiflowers.com
Subject: Submitted testimony for HB489 on Feb 4, 2013 08:30AM

HB489

Submitted on: 2/3/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
John Gordines	Hawaii Tropical Flowers and Foliage Assn. Kauai Ch	Support	No

Comments: Honorable legislators I am in support of HB489. I am the president of Hawaii Tropical Flowers and Foliage Association on Kauai and we have a membership of over 30 growers and exporters of tropicals flowers here on Kauai. We strongly support this bill because it will: · enable farmers to use readily available, low risk, recycled ocean shipping containers, modular structures, agricultural cold frames (small greenhouses), and storage sheds for more affordable office space, feed and equipment storage, and other farm/ranch infrastructure needs. · allow farmers to set-up and operate their farms in a more timely and cost-effective manner while enhancing farm production and protecting personnel and/or farm equipment. · allow farmers to protect crops from harmful weather conditions, pests and predators. · provide for enclosures to prevent theft and vandalism. This bill will help farmers and ranchers without costing the State any money. Respectfully, John Gordines

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 10:49 AM
To: AGRtestimony
Cc: growinggreens@yahoo.com
Subject: Submitted testimony for HB489 on Feb 4, 2013 08:30AM

HB489

Submitted on: 2/4/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Liz Ronaldson	KCFB	Support	No

Comments: Farmers on Kauai need help on their farms. Having workers live on the farm is a benefit for both the farmer and the worker.

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 8:22 PM
To: AGRtestimony
Cc: mgalimba@kuahiwiranch.com
Subject: *Submitted testimony for HB489 on Feb 4, 2013 08:30AM*

HB489

Submitted on: 2/3/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Galimba	Kuahiwiranch	Support	No

Comments:

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 9:14 PM
To: AGRtestimony
Cc: glenmio@aol.com
Subject: *Submitted testimony for HB489 on Feb 4, 2013 08:30AM*

HB489

Submitted on: 2/3/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
MSUchida	Individual	Support	No

Comments:

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 11:21 AM
To: AGRtestimony
Cc: paul@punapono.com
Subject: *Submitted testimony for HB489 on Feb 4, 2013 08:30AM*

HB489

Submitted on: 2/4/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Kuykendall	Individual	Support	No

Comments:

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 8:22 PM
To: AGRtestimony
Cc: kauaisimon@gmail.com
Subject: Submitted testimony for HB489 on Feb 4, 2013 08:30AM
Attachments: test.HB.489.doc

HB489

Submitted on: 2/3/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Simon Russell	Maui Farmer's Union United	Support	No

Comments: Anything the Legislature can do to make us farmers able to make ends meet easier is a good thing. Mahalo for what you are doing in this bill, by lowering the cost of Ag related buildings. Please make periodic inspections to prevent abuse a part of it

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 1:35 PM
To: AGRtestimony
Cc: suzanne@punapono.com
Subject: *Submitted testimony for HB489 on Feb 4, 2013 08:30AM*

HB489

Submitted on: 2/3/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Support	No

Comments:

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 9:00 AM
To: AGRtestimony
Cc: malikoestate@hawaii.rr.com
Subject: Submitted testimony for HB489 on Feb 4, 2013 08:30AM
Attachments: HB 489 Testimony

HB489

Submitted on: 2/4/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Sydney	Individual	Support	No

Comments:

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 5:56 PM
To: AGRtestimony
Cc: unmanib@maui.net
Subject: Submitted testimony for HB489 on Feb 4, 2013 08:30AM
Attachments: HB489testimony AGR.doc

HB489

Submitted on: 2/3/2013

Testimony for AGR/WAL on Feb 4, 2013 08:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Present at Hearing
Unmani Cynthia Groves	Individual	Oppose	Yes

Comments: OPPOSE WITH RECOMMENDATIONS

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onishi1-Jerry

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 03, 2013 10:53 PM
To: AGRtestimony
Cc: jacinthow001@hawaii.rr.com
Subject: *Submitted testimony for HB489 on Feb 4, 2013 08:30AM*

HB489

Submitted on: 2/3/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
William G. Jacintho	Maui Cattlemen's Association	Support	No

Comments:

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