

Honolulu, Hawaii

January 29, 2014

RE: H.B. No. 1120
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1120 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose of this measure is to require the Office of Planning to establish, for the current year and every twenty years thereafter, a new detailed land classification system based on overall productivity rating to replace the five-class productivity rating system developed by the Land Study Bureau.

The Sierra Club of Hawai'i submitted testimony in support of this measure. The Office of Planning submitted comments.

Your Committee finds that the Land Study Bureau's five-class productivity rating system, based on the agricultural production capacity of various areas of the State, was developed more than twenty years ago, at a time when issues of climate change were not of such immediate concern and before the development of many contemporary agricultural technologies and practices. However, this land classification system still resonates throughout the State's laws as a driver of agricultural and land use policy.

Your Committee notes that the Land Study Bureau no longer exists and finds that no other current state agency has the specialized scientific personnel capacity to accurately produce and analyze state-wide agricultural, climatological, geological,

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soil science, hydrological, agronomical, and economic data. Re-establishing this capacity to update the five-class productivity rating system is too costly to undertake without certainty regarding the utility of such an update or the continued relevance of the rating system itself.

Your Committee finds that thorough investigation of the five-class productivity rating system's continued relevance and the availability of functional alternatives is the prudent course of action at this time to ensure that the State's land use regulation and agricultural policies remain effective.

Accordingly, your Committee has amended this measure by deleting its substantive contents and inserting provisions that direct the Office of Planning to:

- (1) Delete provisions that would have required the Office of Planning to establish a new detailed land classification of overall (master) productivity ratings beginning in 2014 and every twenty years thereafter; and
- (2) Conduct a study, in collaboration with other appropriate public and private parties, on the five-class productivity rating system, which shall include:
 - (A) Identification and analysis of current statutory and administrative provisions that are influenced by the system;
 - (B) Analysis of the practical effects of the system on the practice of agriculture, land use policy, and agricultural innovation in the State;
 - (C) Identification and evaluation of potential alternative systems for agricultural and land use regulation; and
 - (D) Submission of interim and final reports of findings and recommendations to the Legislature.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1120, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1120, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Water & Land,

Cindy Evans
CINDY EVANS Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

HSCR 10-14

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1120	Committee Referral: WAL, FIN	Date: 1-24-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	✓			
2. LOWEN, Nicole E. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. HANOHANO, Faye P.	✓			
5. KAWAKAMI, Derek S.K.	✓			
6. LEE, Chris	✓			
7. SAY, Calvin K.Y.				✓
8. NISHIMOTO, Scott Y.	✓			
9. FALE, Richard Lee	✓			
10. THIELEN, Cynthia	✓			
TOTAL (10)	9	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u>Nicole E. Lowen</u>				
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