

HB1042

**RELATING TO IMPORTANT
AGRICULTURAL LANDS.**

**Appropriates funds for grants-in-aid to the
counties for assistance with identifying and
mapping important agricultural lands**

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
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SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND PUBLIC SAFETY,
INTERGOVERNMENTAL AND MILITARY AFFAIRS
March 24, 2015
3:00 P.M.
CONFERENCE ROOM 414**

**HOUSE BILL NO. 1042
RELATING TO IMPORTANT AGRICULTURAL LANDS**

Chairpersons Ruderman and Espero and Members of the Committees:

Thank you for the opportunity to testify on House Bill 1042. The purpose of this measure is to provide grants-in-aid to the counties for the identification and mapping of potential Important Agricultural Lands (IAL). The Department of Agriculture strongly supports this measure provided it does not adversely affect the priorities expressed in the Administration's FY15-17 executive biennium budget.

The county identification of potential IAL is a critical component of the IAL Law (Chapter 205, Part III, HRS). Unlike the "voluntary" IAL process, the county process is more intensive and time-consuming, involving significant stakeholder and public input, use of advisory committees, notification of affected land owners, and adoption of the maps and plans by resolution of the county council prior to transmittal to the Land Use Commission for further action. The counties of Kauai and Honolulu have already made significant progress in identifying potential IAL pursuant to Section 205-47. Passage of this measure would reinforce the State's commitment to identifying and incentivizing IAL in alignment with the mandate to protect and conserve IAL found in Article XI, Section 3 of the State Constitution.

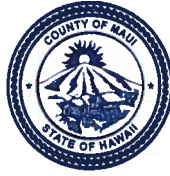
Thank you for the opportunity to testify on this important measure.



ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

**TESTIMONY OF WILLIAM SPENCE, PLANNING DIRECTOR
COUNTY OF MAUI**

Tuesday, March 24, 2015
3:00 p.m.
Conference Room 414

HB 1042 RELATING TO IMPORTANT AGRICULTURAL LANDS

BEFORE THE SENATE COMMITTEE ON AGRICULTURE

Honorable Russell E. Ruderman, Chair
Honorable Gil Riviere, Vice Chair
Honorable Members of the Senate Committee on Agriculture

**BEFORE THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL
AND MILITARY AFFAIRS**

Honorable Will Espero, Chair
Honorable Rosalyn H. Baker, Vice Chair
Honorable Members of the Senate Committee on Public Safety, Intergovernmental and
Military Affairs

Thank you for this opportunity to testify in **STRONG SUPPORT of HB 1042.**

The purpose of HB 1042 is to implement Article XI, Section 3, of the Hawaii State Constitution which establishes the State's duty to "conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands" and includes specialized protections for lands identified as important agricultural lands.

In 2005 the Legislature adopted Act 183 to establish a process and criteria for the identification of important agricultural lands (IAL). Act 183 requires each County to begin the process of identifying IAL within five years of receipt of State funding to undertake the IAL project. Maui County has not yet received State funding to identify IAL.

The identification of Maui County's IAL will ensure that a significant amount of productive farmland is protected for future generations of Maui County farmers. We also expect that IAL designation will lead to new investment in the basic infrastructure that is

Chair Ruderman
Chair Espero
HB 1042
Testimony of Planning Director William Spence
March 24, 2015
Page 2 of 2

needed for a viable agricultural economy. IAL will stimulate new farming activity that will further State and Maui County policy to become more self-sufficient in food production. The identification of IAL will also reduce development pressure and speculation on Maui County's best agricultural lands.

Maui County is well positioned to take on the IAL project. The County recently adopted its Maui Island Plan, and the update to its Lanai Community Plan is pending final review and adoption before the Maui County Council. The Planning Department has also prepared a Draft Molokai Community Plan update which the Molokai Community Plan Advisory Committee will soon review. These plans provide directed growth strategies to meet community needs over a 20-year planning horizon. These Plans also include goals, policies and actions to support agriculture throughout Maui County including the identification of IAL.

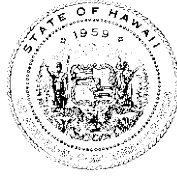
In accordance with Act 183, the Maui County Planning Department is respectfully requesting that the State appropriate \$500,000 to Maui County so it can identify and prepare maps of proposed important agricultural lands for Maui Island, Molokai and Lanai.

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lieutenant Governor

LUIS P. SALAVERIA
Director

MARY ALICE EVANS
Acting Deputy Director



LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai`i

DANIEL ORODENKER
Executive Officer

Bert K. Saruwatari
Planner
SCOTT A.K. DERRICKSON AICP
Planner

RILEY K. HAKODA
Chief Clerk/Planner

FRED A. TALON
Drafting Technician

Statement of
Daniel E. Orodener
Executive Officer
Land Use Commission

Before the
Senate Committee on Agriculture
and
Senate Committee on Public Safety, Intergovernmental and Military Affairs

March 24, 2015
3:00 PM
State Capitol, Conference Room 414

In consideration of
HB 1042
RELATING TO IMPORTANT AGRICULTURAL LANDS

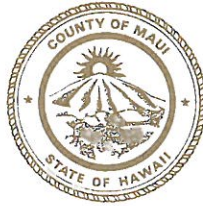
Chairs Ruderman and Espero, Vice Chairs Riviere and Baker, and members of the Committee on Agriculture, and the Committee on Public Safety, Intergovernmental and Military Affairs:

The Land Use Commission supports HB 1042 that would provide funds for grants-in-aid to the counties for the identification and mapping of important agricultural lands (IAL).

The IAL identification and mapping process for the counties as set out in Section 205-47, Hawai`i Revised Statutes (HRS) requires significant public involvement to include coordination with a broad range of stakeholders, public meetings, and citizen advisory groups. Adequate funding to complete this process could result in a quality product supported by a broad range of stakeholders.

Thank you for the opportunity to testify on this matter.

ALAN M. ARAKAWA
MAYOR



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Telephone (808) 270-7855
Fax (808) 270-7870
e-mail: mayors.office@mauicounty.gov

OFFICE OF THE MAYOR

Ke'ena O Ka Meia
COUNTY OF MAUI – Kalana O Maui

**TESTIMONY OF ALAN ARAKAWA, MAYOR
COUNTY OF MAUI**

BEFORE THE SENATE COMMITTEE ON AGRICULTURE

and

**THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND
MILITARY AFFAIRS**

Tuesday, March 24, 2015
3:00 p.m.
Conference Room 414

HB 1042 RELATING TO IMPORTANT AGRICULTURAL LANDS

Honorable Sen. Russell E. Ruderman, Chair
Honorable Members of the Senate Committee on Agriculture

Honorable Sen. Will Espero, Chair
Honorable Members of the Senate Committee on Public Safety, Intergovernmental
and Military Affairs

Thank you for this opportunity to testify in strong **SUPPORT of HB 1042.**

Background: The purpose of this measure is to fully implement Act 183 in accordance with the State's constitutional duty to protect important agricultural lands ("IAL") by providing funds to the counties for the identification and mapping of important agricultural lands.

IAL first emerged in 1978 when voters passed an amendment to the Hawaii State Constitution. Under this amendment (Article XI, Section 3) the State is required to "protect and conserve agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands."

In 2005, in order to fulfill this requirement, the State legislature passed landmark legislation to establish a process and criteria for the establishment of IAL (Act 183). Act 183 requires each County to undertake a process to designate IAL within five years of receipt of State funding to undertake the IAL project (identify and map potential important agricultural lands within its jurisdiction.)

With all due respect, to date Maui County has not received any State funding necessary to fulfill the requirements of Act 183 and to implement this project.

Approach and Benefits: In accordance with Act 183, Maui County is respectfully requesting that the State appropriate \$500,000 for this purpose. Our reasons for this request include:

- Maui County is the only county made up of three separate islands. Staff would be required to travel inter-island and identify and map potential IAL for Maui Island, Molokai, and Lanai.
- Resultant products would include:
 - A geodatabase and hard copy maps of IAL.
 - A report of findings and recommendations and related technical studies supporting the identification of IAL.
- Expected benefits of IAL include:
 - Significant land base designated and farmed.
 - Increased investment in basic agricultural infrastructure.
 - Greater self-sufficiency in food production.
 - Reduced development threats for lands designated IAL.

For these reasons I strongly support HB 1042, and respectfully request an appropriation for Maui County in the amount of \$500,000 to fulfill the requirements of Act 183, by identifying and preparing maps of proposed IAL on the islands of Maui, Molokai, and Lanai.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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PHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honolulu.dpp.org • CITY WEB SITE: www.honolulu.gov

KIRK CALDWELL
MAYOR



GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

March 24, 2015

The Honorable Russell E. Ruderman, Chair
and Members of the Committee on Agriculture
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Intergovernmental and Military Affairs
Hawaii State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Ruderman, Espero and Members:

Subject: House Bill No. 1042
Relating to Important Agricultural Lands

The Department of Planning and Permitting (DPP) **supports, with an amendment,** House Bill No. 1042, which appropriates funds to counties for assistance with identifying and mapping important agricultural lands (IAL). We suggest an amendment to allow funds to be used for developing county IAL incentives.

The proposed funding will further assist the City and County of Honolulu's efforts to comply with Act 183, SLH 2005. We have been making a good faith effort to comply with the mandate of this State law, despite receiving no State funding, as provided for under Section 7 of Act 183.

We anticipate completing our IAL mapping soon, possibly by the end of this calendar year. While this pending appropriation may not be helpful in preparing our maps, we may be able to use such funds to prepare the final submission package to the State Land Use Commission, and to assist with exploring county incentives for IAL. This amendment would increase the overall effectiveness of the IAL program as counties move into implementation.

We respectfully request the Committee move this Bill forward with the requested amendment.

The Honorable Russell E. Ruderman, Chair
and Members of the Committee on Agriculture
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Intergovernmental and Military Affairs
Hawaii State Senate
Hawaii State Capitol
Re: House Bill No. 1042
March 24, 2015
Page 2

Thank you for the opportunity to testify.

Very truly yours,



George I. Atta, FAICP
Director

GIA:ts



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

March 24, 2015

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY
AFFAIRS

TESTIMONY ON HB 1042
RELATING TO IMPORTANT AGRICULTURAL LANDS

Room 414
3:00 PM

Aloha Chair Ruderman, Chair Espero and Members of the Committees:

I am Christopher Manfredi, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,932 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

HFB supports HB 1042, which appropriates funds for grants-in-aid to the counties for assistance with identifying and mapping important agricultural lands.

Since the enactment of the Constitutional Mandate in 1978 to preserve and protect Important Agricultural Lands (IAL), HFBB came before the Legislature every year with proposals of how this measure could be implemented. It was only in 2005 when the standards and criteria to designate IAL was finally passed and in 2008 when the incentives were passed. It was a long road.

We were pleased when the first lands were designated by Alexander and Baldwin in 2009 totaling nearly 4000 acres in Kauai. Today, we have over 100,000 acres that were voluntarily designated by landowners across the State.

Seven years have passed since 2008 and we remain in the phase in which counties will submit maps to the LUC identifying lands to be designated as IAL. Act 183 (SLH 2005) states that the counties will work on identification and mapping of important agricultural lands via funding from the Department of Business, Economic Development, and Tourism disbursed through the Land Use Commission. The funding has never been released and in turn the county IAL identification and mapping has not progressed as anticipated. HFB supports the funding necessary to identify and map IAL in each county and defers to the LUC on amount necessary to carry out this measure.

Thank you for the opportunity to testify in support of this bill.

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: warrenmcfb@gmail.com
Subject: *Submitted testimony for HB1042 on Mar 24, 2015 15:00PM*
Date: Monday, March 23, 2015 10:21:30 AM

HB1042

Submitted on: 3/23/2015

Testimony for AGL/PSM on Mar 24, 2015 15:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Warren Watanabe	Maui County Farm Bureau	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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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: darakawa@lurf.org
Subject: Submitted testimony for HB1042 on Mar 24, 2015 15:00PM
Date: Thursday, March 19, 2015 11:46:33 AM

HB1042

Submitted on: 3/19/2015

Testimony for AGL/PSM on Mar 24, 2015 15:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
David Z. Arakawa	Land Use Research Foundation of Hawaii	Support No	

Comments: The Land Use Research Foundation of Hawaii is in STRONG SUPPORT of HB 1042, RELATING TO IMPORTANT AGRICULTURAL LANDS, which appropriates funds for grants-in-aid to the counties for assistance with identifying and mapping important agricultural lands. (HB 1042)

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March 24, 2015

The Honorable Russell E. Ruderman, Chair

Senate Committee on Agriculture

The Honorable Will Espero, Chair

Senate Committee on Public Safety, Intergovernmental and Military Affairs

State Capitol, Room 414

Honolulu, Hawaii 96813

RE: H.B. 1042, Relating to Important Agricultural Lands

HEARING: Tuesday, March 24, 2015, at 3:00 p.m.

Aloha Chair Ruderman, Chair Espero and Members of the Joint Committee:

I am Myoung Oh, Government Affairs Director, here to testify on behalf of the Hawai'i Association of REALTORS® (“HAR”), the voice of real estate in Hawai'i, and its 8,400 members. HAR **supports** H.B. 1042 which appropriates funds for grants-in-aid to the counties for assistance with identifying and mapping important agricultural lands.

In 1978, voter approved article XI, section 3, of the Constitution of the State of Hawai'i, which sets out the framework for state policies to promote agriculture and the conservation of productive agricultural lands in the State.

In 2005, the Legislature passed Act 183, finding that there is a compelling need to provide standards, criteria, and mechanisms to fulfill the intent and purpose of Article XI, section 3 of the Constitution. Additionally, Act 183 tasked the Counties to identify IAL, provide maps, and establish one or more citizens' advisory committees to provide public input. Unfortunately, the lack of funding jeopardized this necessary need.

HAR supports the mapping and identification of IALs in Hawai'i and believes that such mapping and identification will help justify and dictate what uses will be permitted on IAL and other non-IAL lands.

Mahalo for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: amybrinker@mac.com
Subject: *Submitted testimony for HB1042 on Mar 24, 2015 15:00PM*
Date: Sunday, March 22, 2015 9:20:04 PM

HB1042

Submitted on: 3/22/2015

Testimony for AGL/PSM on Mar 24, 2015 15:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Brinker	Individual	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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Hawaii Crop Improvement Association

Growing the Future of Worldwide Agriculture in Hawaii

In Strong support of HB 1042
Relating to Important Agricultural Land

SENATE COMMITTEE ON AGRICULTURE

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AFFAIRS AND MILITARY AFFAIRS

March 24, 2015, 3:00 pm in conference room 414

HCIA 2014-2016 Board of Directors

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Mark Phillipson

Executive Director
Bennette Misalucha

Aloha Chair Rudderman, Chair Espero and members of the Committees,

My name is Bennette Misalucha, Executive Director of the Hawaii Crop Improvement Association and we are in full support of the intent of HB 1042.

The identification and the mapping of potential important ag lands, as well as its eventual designation by the Land Use Commission, is an important task that was provided for in Act 183, which was enacted by the Legislature in 2005.

Unfortunately, the monies to support the five counties to implement ACT 183, was never appropriated.

We believe this Bill seeks to correct that funding gap so the goal to "conserve and protect agricultural lands, promote diversified agriculture, agricultural self-sufficiency, and assure the availability of agriculturally suitable lands" and provide specialized protections for lands identified as important agricultural lands, " may be appropriately fulfilled.

We humbly ask for the Committees' support of HB 1042.

Mahalo for your kind consideration .

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