



**OFFICE OF PLANNING  
STATE OF HAWAII**

**DAVID Y. IGE**  
GOVERNOR

**LEO R. ASUNCION**  
ACTING DIRECTOR  
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <http://planning.hawaii.gov/>

Statement of  
**LEO R. ASUNCION**  
Acting Director, Office of Planning  
before the  
**HOUSE COMMITTEE ON TOURISM**  
Wednesday, February 18, 2015  
9:30 AM  
State Capitol, Conference Room 312

in consideration of  
**HB 1194**  
**RELATING TO AGRICULTURAL COMMERCE.**

Chair Brower, Vice Chair Ohno, and Members of the House Committee on Tourism.

The Office of Planning (OP) respectfully offers these comments on HB 1194, which seeks to allow agricultural commerce, rather than agricultural tourism, in an agricultural district, and deletes the provision requiring counties to adopt agricultural tourism ordinances before allowing agricultural tourism activities in an agricultural district.

OP prefers a bill with a similar intent -- HB 904, an Administration bill, which seeks to allow agricultural tourism activities, including overnight accommodations, as a permissible use for bona fide farming operations in the State Agricultural District. HB 904 also sets uniform standards for defining a bona fide farming operation for the purposes of regulating agricultural tourism activities statewide.

Thank you for this opportunity to testify.

**Bernard P. Carvalho, Jr.**  
Mayor



**Michael A. Dahilig**  
Director of Planning

**Nadine K. Nakamura**  
Managing Director

**Dee M. Crowell**  
Deputy Director of Planning

**PLANNING DEPARTMENT**  
**County of Kaua'i, State of Hawai'i**

4444 Rice Street  
Kapule Building, Suite A-473  
Lihu'e, Hawai'i 96766-1326  
TEL (808) 241-4050 FAX (808) 241-6699

**Testimony before the House Committee on Tourism**  
**HOUSE BILL 1452 Relating to Agriculture Commerce**

February 18, 2015 at 9:30 am

By Michael A. Dahilig  
Director of Planning, County of Kauai

Honorable Members of the Committee:

On behalf of the County of Kaua'i Planning Department, I offer testimony in **OPPOSITION** of this measure. House Bill 1452 states that agriculture commerce activities—including overnight accommodations—would be an outright permissible use in the State Land Use Agricultural District provided that it is “accessory and secondary to the principle agricultural use and does not interfere with surrounding farm operations”. However, it should be understood that ensuring such uses are accessory to a truly bona fide farm operation will be extremely problematic.

Under the current state land use regulatory framework, “gentleman estates” have proliferated the agricultural district because they can demonstrate on paper that they meet the agricultural requirements of Hawaii Revised Statutes, Chapter 205 to qualify as a farm dwelling; however, these estates contribute little to nothing to the agricultural enterprise of Hawai'i, often using questionable strategies to circumvent the intent of Chapter 205. Be it by inflating land prices or by encouraging outright abuse of agricultural lands, this proliferation of “gentleman estates” and non-agricultural uses on agricultural lands has served to the detriment of current farm operations as well as to the detriment of future farm use of agricultural lands.

Further allowing transient accommodations as an outright permitted use on agricultural lands as accessory to existing farm operations will serve only to further compound the abuse of agricultural lands that has been done with “gentleman estates.”

We respectfully request the committees **DENY** the measure. Mahalo for your consideration.



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

February 18, 2015

HEARING BEFORE THE  
HOUSE COMMITTEE ON TOURISM

TESTIMONY ON HB 1194  
RELATING TO AGRICULTURAL COMMERCE

Room 312  
9:30 AM

Aloha Chair Brower, Vice Chair Ohno, and Members of the Committee:

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (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 opposes HB 1194**, which repeals the provision requiring counties to adopt ordinances regulating agricultural tourism as a precondition for allowing agricultural tourism activities in an agricultural district. It also changes the allowable use to "agricultural commerce", rather than "agricultural tourism".

We support the strong position of ensuring that agricultural tourism operations are subordinate to bona fide agricultural operations. We continue to believe that other loosely-related activities that merely use agriculture as a justification belong in the rural district. Moreover, Counties should be encouraged to move in this direction, thereby protecting agricultural lands.

HFB believes that the details of agritourism is a Home Rule issue and we request that the requirement that a County adopt ordinances regulating agricultural tourism operations remain in statute. Counties may differ in their opinions of what they allow. This should be duly respected and falls within the purview of County zoning code.

Thank you for this opportunity to provide comments on this measure.

DAVID Y. IGE  
Governor  
SHAN S. TSUTSUI  
Lt. Governor



SCOTT E. ENRIGHT  
Chairperson, Board of Agriculture  
PHYLLIS SHIMABUKURO-GEISER  
Deputy to the Chairperson

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-961a



TESTIMONY OF SCOTT E. ENRIGHT  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON TOURISM

February 18, 2015  
9:30 A.M.  
CONFERENCE ROOM 312

HOUSE BILL NO. 1194  
RELATING TO AGRICULTURAL COMMERCE

Chairperson Brower and Members of the Committee:

Thank you for the opportunity to testify on House Bill 1194. This measure amends Chapter 205 by changing "agricultural tourism" to "agricultural commerce" and deletes the counties responsibility to adopt appropriate ordinances before permitting agricultural tourism activities in the Agricultural District. The Department of Agriculture offers comments.

The Department prefers House Bill 904, an Administration bill, that allows agricultural tourism with overnight accommodations as a permissible use limited to bona fide farming operations in the Agricultural District. HB 904 clearly defines what farms qualify as a bona fide farming operation.

Thank you for the opportunity to comment on this bill.