

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

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE

**FEBRUARY 3, 2017
8:30 A.M.
CONFERENCE ROOM 312**

**HOUSE BILL NO.1477
RELATING TO AGRICULTURAL LAND**

Chairperson Creagan and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1477 that amends Section 205-2(d)(13) to allow overnight campgrounds on private property. The Department of Agriculture has concerns with the introduction of commercial uses within the Agricultural District that have no relationship to agricultural activities. Uses and activities that are not identified as permissible on Agricultural District lands may be considered by special permit on a case-by-case basis.

Thank you for the opportunity to submit our testimony.



DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lieutenant Governor

LUIS P. SALAVERIA
Director

MARY ALICE EVANS
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. Orodenker
Executive Officer
Land Use Commission
Before the
House Committee on Agriculture
Friday February 3, 2017
8:30 AM
State Capitol, Conference Room 312

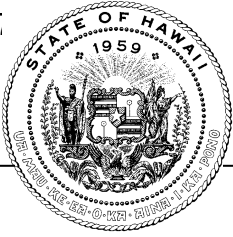
In consideration of
HB 1477
RELATING TO AGRICULTURAL LAND

Chair Creagan, Vice Chair DeCoite, and members of the Committee on Agriculture:

The Land Use Commission while supporting the general intent, is opposed to this measure as currently written, which seeks to amend section 205-2(a)(13), Hawai`i Revised Statutes (HRS) to allow overnight campgrounds on private property and direct the counties to adopt interim rules or ordinances to regulate such uses.

While the measure would seem to be aimed at accommodating tourism activities, the Commission is concerned about the potential for other unintended uses to fall within its definition. The measure would allow long-term camping on private land which could lead to established encampments in violation of health, safety and environmental laws. Significantly, it could be used to justify homeless encampments. The Commission already has before it a case requesting approval to create a long-term, private homeless encampment in Maui County.

Thank you for the opportunity to testify on this matter.



OFFICE OF PLANNING STATE OF HAWAII

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DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
HOUSE COMMITTEE ON AGRICULTURE
Friday, February 3, 2017
8:30 AM
State Capitol, Conference Room 312

in consideration of
HB 1477
RELATING TO AGRICULTURAL LAND.

Chair Creagan, Vice Chair DeCoite, and Members of the House Committee on Agriculture.

The Office of Planning (OP) provides comments on HB 1477 which amends Section 205-2, Hawaii Revised Statutes (HRS) by amending subsection (d) (13) Open Area recreational facilities, Hawaii Revised Statutes, to include overnight campgrounds on private property.

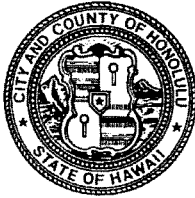
A major objective of HRS Chapter 205 is to protect agricultural lands and ensure their continued availability for agricultural use. Currently overnight campgrounds are not permitted on any Agricultural lands without a State Special Use Permit. Proposals larger than 15 acres must be approved by the State Land Use Commission (LUC). This bill would allow large campground operations to be established within the State Agricultural districts without LUC approval, and has the potential to proliferate large campground operations, which would reduce lands for Agricultural use. Allowing non-agricultural uses in the State Agricultural District may contribute to the impermanence syndrome, which is the accelerated agricultural decline near urban areas due to disinvestment in farming in anticipation of urban development.

Thank you for the opportunity to testify on this measure.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



KATHY K. SOKUGAWA
ACTING DIRECTOR

TIMOTHY F. T. HIU
ACTING DEPUTY DIRECTOR

February 3, 2017

The Honorable Richard P. Creagan, Chair
and Members of the Committee on Agriculture
Hawaii House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Creagan and Committee Members:

Subject: House Bill No. 1477
Relating to Agricultural Land

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 1477, which would permit overnight campgrounds on land within the State Agricultural district.

While the Bill offers specific conditions on overnight camping, it disregards the agricultural productivity potential of the lands. To do so would continue to undermine the purpose of the State Agricultural District, which is to protect valued land for agricultural purposes. If the State Agricultural District must allow overnight camping, it should be on lands not essential to agriculture.

The City and County of Honolulu is in the midst of defining its Important Agricultural Lands (IAL), as required by the Hawaii Constitution and Chapter 205, HRS. We would ask that this Bill be deferred until the IAL has been officially adopted before further intrusion of non-agricultural uses be allowed in the State Agricultural District.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Sokugawa".

Kathy Sokugawa
Acting Director



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e-mail info@hfbf.org; www.hfbf.org

February 3, 2017

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON HB 1477
RELATING TO AGRICULTURAL LAND

Room 312
8:45 AM

Aloha Chair Creagan, Vice Chair DeCoite, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 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 1477, which permits private overnight campgrounds on land with an overall soil productivity rating of C, D, E, or U within agricultural districts.

HFB believes that the primary use of agriculturally zoned lands is production agriculture. Our policy states that we support:

“Directing nonagricultural uses and activities from agricultural lands to other areas and ensure that uses on agricultural lands are actual agricultural uses”

There is a wide array of permissible uses in the Agricultural District. Counties find enforcement difficult. Camping is clearly not an agricultural activity. We believe it should occur only under special conditions and require special use permits. Regardless how restrictive the intent of the measure, creative people will find loopholes and there will be unintended consequences.

Abuse and enforcement of these laws is usually the challenge and HFB is especially concerned about unintended consequences of allowing other types of activities on agriculture land. We believe the primary purpose within the Agricultural District is production agriculture.

Rather than increasing non-agricultural uses on agricultural lands, we suggest creating mechanisms to increase farm and ranch viability so farms and ranches will not need non-agricultural activities to supplement their incomes.

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

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 9:33 PM
To: AGRtestimony
Cc: sylviadolena@yahoo.com
Subject: Submitted testimony for HB1477 on Feb 3, 2017 08:30AM

HB1477

Submitted on: 2/1/2017

Testimony for AGR on Feb 3, 2017 08:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Dolena	Pele Lani Farm LLC	Support	No

Comments: Mahalo for supporting farmers in having a financial viable business in Hawaii.

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
Sent: Wednesday, February 1, 2017 9:30 PM
To: AGRtestimony
Cc: shaun_hawaii@yahoo.com
Subject: *Submitted testimony for HB1477 on Feb 3, 2017 08:30AM*

HB1477

Submitted on: 2/1/2017

Testimony for AGR on Feb 3, 2017 08:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
shaun_hawaii	hawaii opaeula	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
Sent: Friday, February 3, 2017 2:36 AM
To: AGRtestimony
Cc: mary@mauivortex.com
Subject: *Submitted testimony for HB1477 on Feb 3, 2017 08:30AM*



HB1477

Submitted on: 2/3/2017

Testimony for AGR on Feb 3, 2017 08:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Overbay	Individual	Oppose	No

Comments:

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