

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
WATER & LAND**

**Friday, February 10, 2017
9:00 A.M.
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 618
RELATING TO LAND LEASES**

House Bill 618 proposes to set a deadline of June 30, 2019 to complete the transfer of non-agricultural park lands from the Department of Land and Natural Resources (Department) to the Department of Agriculture (DOA). **The Department offers the following comments.**

As House Bill 618 explains, Act 90, Session Laws of Hawaii 2003, required the Department to transfer its non-agricultural park lands to DOA. Since the inception of Act 90, the Board of Land and Natural Resources (Board) has transferred 116 leases, 12 revocable permits and 7 vacant parcels covering approximately 10,285 acres statewide to DOA. The Board has approved the transfer of an additional 43 leases, 31 revocable permits and 9 vacant parcels covering 1,393 acres to DOA. The Department and DOA are working through necessary land transfer procedures on those. In some instances, agriculture use occurs only on a portion of a parcel, requiring a survey and subdivision of the portion to be transferred to DOA. In other cases, the departments are reviewing lessee compliance issues or problems with the condition of the land.

The Department notes that there are a number of pasture leases that the Board has not approved for transfer to DOA because they are in current or former native forested areas which are core to the Department's mission. The Department's Division of Forestry and Wildlife has requested that the Department retain control over these pasture leases for future reforestation and watershed protection projects.

With respect to the lands that the Board has approved for transfer, the Department will continue to work with DOA to meet the June 30, 2019 timeline to complete all transfers.

Thank you for the opportunity to comment on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

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

BEFORE THE HOUSE COMMITTEE ON WATER & LAND

**FEBRUARY 10, 2017
9:00 A.M.
CONFERENCE ROOM 325**

**HOUSE BILL NO. 618
RELATING TO LAND LEASES**

Chairperson Yamane and Members of the Committee:

Thank for the opportunity to testify on House Bill No. 618 relating to land leases. This measure sets a deadline for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources (DLNR) to the Department of Agriculture (HDOA). The department supports the intent of this bill and offers the following comments.

Act 90 of SLH 2003 established the Non-Agricultural Parks program. Among other authorities, the statute identifies basic requirements that must be met prior to transfer. Some of those conditions are as follows: 1) Lands for transfer must be mutually agreed upon by both the Board of Agriculture (BOA) and the Board of Land and Natural Resources; 2) The lessee must be in full compliance with the existing lease; 3) The lessee must be current in all payments and obligations to the State or any County; 4) The lessee's agricultural operation must be economically viable as determined by the BOA; 5) No lands classified as class A or B can be used for golf courses, golf driving ranges, and country clubs; 6) The transfer of lands shall be done in a manner to be determined by the BOA; and 7) Any lands not being utilized or required for public purpose stated shall be withdrawn back to DLNR. These conditions were



specifically listed to ensure that the lands that were transferred were viable for diversified agriculture, and that the HDOA did not “inherit” long standing liabilities. Any deadline set would have to reinforce these conditions, not nullify them. The department respectfully proposes that if any deadlines are to be contemplated, they be set on parcels approved for unconditional transfer by the BOA. A separate deadline to bring non-compliant lessees into compliance can also be considered, with transfer to take place within a specified time following HDOA’s agreement that proper corrective action has been taken.

Thank you for the opportunity to testify on this measure.

waltestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 7:15 PM
To: waltestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB618 on Feb 10, 2017 09:00AM*

HB618

Submitted on: 2/7/2017

Testimony for WAL on Feb 10, 2017 09:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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