



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator Gil Riviere, Vice Chair

DATE: Friday, March 24, 2017
TIME: 1:20 p.m.
PLACE: Conference Room 224

**SCR 77 – REQUESTING THE ESTABLISHMENT OF A BONA FIDE
AGRICULTURAL PRODUCER TASK FORCE TO CREATE A DEFINITION FOR THE
TERM "BONA FIDE AGRICULTURAL PRODUCER".**

Chair Gabbard, Vice Chair Riviere, and Members of the Committee:

My name is Dale Sandlin, and I am Managing Director of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the four county level Cattlemen's Associations. Our 150+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council supports SCR 77 as this would establish a task force to define the term "bona fide agriculture."

For many years, the subject of agricultural production has been scrutinized as to whom is actively engaged in agriculture and those that aren't. With changing land use and diversified agricultural efforts in competition with urban encroachment, these lines are often blurred. Lawmakers at both the state and county levels often have to work from conflicting definitions and individual examples to discern the truth. Having a solid definition of agricultural production would be beneficial on many levels and situations.

However, we are concerned that those listed to serve on the task force may not be able to address all of the concerns from the agriculture community with all of the varied production types and agricultural products needed to be factored. We request that additional members of the agricultural industry be included on the task force to help provide unique and expert advisement on the complexities of agricultural production. Of those included on the task force, we have concerns regarding the appropriateness of DLNR being included. We also request that the Chairperson for Hawaiian Homes Commission be replaced by a representative from DHHL as agriculture on Hawaiian Home Lands are managed by DHHL.



We also ask that additional time be provided for the task force to complete their work. With the complexity of this issue, more time would be better to make sure that we get it right the first time. While we appreciate the legislature's efforts in undertaking this task, we believe that those who will have to live daily with the final product should have more input on the details.

Thank you for giving us the opportunity to testify on this important matter.



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LATE

March 24, 2017

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SCR 77
REQUESTING THE ESTABLISHMENT OF A BONA FIDE AGRICULTURAL
PRODUCER TASK FORCE TO CRATE A DEFINITION FOR THE TERM "BONA FIDE
AGRICULTURAL PRODUCER"

Room 224
1:20 pm

Aloha Chair Gabbard, Vice Chair Riviere, 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 interest of our diverse agricultural community.

HFB supports SCR 77, establishing a task force to define "bona fide agriculture".

Implementers of agriculture related policies and regulatory measures are often challenged as the measures have not kept pace with the changes that have occurred in land use. In the 1950s through the 1970s when "agriculture" and "bona fide agriculture" were first coined into law, there was a general agreement of the definition of the term, even as the later was not articulated in statute. Today, we find it is a grey area and State and Counties regularly face questions about its' definition. Land use laws have not kept pace with societal needs of lands other than agriculture.

We agree with the Office of State Planning about the value of such a definition not only to the State but also Counties.

After careful review, HFB has concerns about the composition of the task force. We believe it is important to have representation from various sectors of the agricultural industry well versed in commercial agricultural activities. Currently, farmers and ranchers who know agriculture make up 5 of 13 members.

Counties, OSP and DBEDT are parties involved in implementation measures that use the definition. Their voice should be at the table. We believe they can contribute to creating a clear and workable definition.

Agriculture on Hawaiian Homes Lands is managed by DHHL. We request consideration of replacing the Chairperson for Hawaiian Homes Commission with DHHL.

The purpose of the task force is to define a producer. We question the need for the inclusion of the Chairperson or representative of DLNR.

We appreciate the Legislature taking up this matter. The purpose of the task force is to develop a proposal to bring forth to the Legislature. Members of the Legislature can be guests at the meeting but we question the need to have them be a part of the formal body.

We recommend the following makeup of the task force:

- 10 farmers and ranchers representing various counties and diverse commercial operations.
- Chair of the Department of Agriculture who shall serve as chair of the task force
- Representative of the Department of Hawaiian Home Lands
- Representative of the Department of Taxation
- Representative of the Department of Business and Economic Development
- Representative of Hawaii Association of Counties

We also believe 6 months may not be an adequate amount of time to accomplish this task. All participants will be busy with existing tasks while taking on this challenge. The working group to identify IAL standards and criteria met for an entire year to develop legislation. For this reason, we respectfully request that the report of findings and recommendations be amended to no later than twenty days prior to the convening of the regular session of 2019.

We respectfully request your support of the amendments above and support to fund the implementation of this measure.

Thank you for this opportunity to provide our opinion on this matter.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 24, 2017 12:53 PM
To: AEN Testimony
Cc: darakawa@lurf.org
Subject: Submitted testimony for SCR77 on Mar 24, 2017 13:20PM



SCR77

Submitted on: 3/24/2017

Testimony for AEN on Mar 24, 2017 13:20PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
David Z. Arakawa	Individual	Support	No

Comments: The Land Use Research Foundation of Hawaii (LURF) SUPPORTS THE INTENT of SCR 77, and respectfully requests that the SCR 77 BE AMENDED to include TEN (10) REPRESENTATIVES OF FARMERS, RANCHERS AND LARGE AGRICULTURAL LAND OWNERS, with at least TWO from each county, to be selected by the chairperson of the Board of Agriculture. The reason for this request is that the current version of SCR 77 is heavily laden (9 positions) with elected officials and government appointees who will change and not be actively involved after a few years. The Hawaii Farm Bureau, the large agricultural land owners and LURF were proponents and drafters of portions of the Important Agricultural Lands legislation in 2005 and 2008, and these parties are the only parties that still have institutional knowledge regarding the background of the IAL law. It is unfortunate, but a fact of political life that the major legislative champions and government officials who supported IAL in 2005 and 2008 are all gone. It makes more sense that the majority of this task force should include representatives of farmers, ranchers and large agricultural landowners. Based on the above comments, LURF respectfully urges your favorable consideration of SCR 77 and the PROPOSED AMENDMENTS.

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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