



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
SUZANNE D. CASE  
Chairperson

Before the Senate Committee on  
WATER AND LAND

Friday, January 26, 2018  
2:45 PM  
State Capitol, Conference Room 224

In consideration of  
HOUSE BILL 1270, HOUSE DRAFT 1  
RELATING TO LAND ACQUISITION

House Bill 1270, House Draft 1 proposes to require that the Board of Land and Natural Resources (Board) enter into negotiations to acquire a parcel of agricultural land in Kamuela, Hawai'i that is now owned by a private domestic profit corporation, and to appropriate money out of the Land Conservation Fund for the purchase. **The Department of Land and Natural Resources (Department) supports the intent of this bill because it furthers the achievement of goals and objectives shared by the Department and the Department of Agriculture (DOA), as long as it does not replace our priorities in the Executive Supplemental Budget request. The Department offers the following comments and amendments.**

The Department requests that the property, if acquired, would be shared by the Department and the DOA. The Department would use the property that is adjacent to the existing Division of Forestry and Wildlife Waimea Nursery for expansion of the nursery facilities, with priority given to the development and growing of disease resistant 'Ōhi'a (in partnership with our federal and state agencies involved in the fight against Rapid 'Ōhi'a Death). The Department would prefer partnering with the DOA for DOA to use a substantial portion of the property as a host site for relocating DOA facilities that may now occupy Department lands in the Waimea area.

The Department respectfully requests that an alternative funding source be used. The Legacy Land Conservation Program (LLCP) follows an extensive public process for reviewing, vetting, and prioritizing land acquisition grants, which generally takes several years and includes numerous carefully reviewed proposals that are pending acquisition based on available funding. The Executive Budget request includes an increase of \$1,848,498 in the Land Conservation Fund (LCF) spending ceiling for the LLCP. In order to avoid replacement of or adverse impact to these

established priorities and the extensive public vetting process, the Department requests that any legislative appropriation for purchasing the subject property be from general funds.

In order to provide sufficient resources for completing a purchase of the subject property, in addition to the purchase price for the land itself the Department requests an appropriation of \$500,000 for its due diligence and closing costs to complete the transaction, which include an appraisal, title search, a surveyor completing a legal metes and bounds description, and Phase I and II environmental site assessments of potential contamination hazards. In addition, the Department requests that the legislature to provide additional, ongoing operating funds in amounts sufficient to wholly support our management of the property. Otherwise management of the property would impose additional burdens on the Department's limited fiscal and staff resources, adversely affecting ongoing resource management efforts.

The Department recommends amendments to SECTIONS 2 and 3 of this measure as follows, and can provide a suggested amendment to SECTION 1 that would rephrase the legislative findings and purpose to align with the newly proposed joint use of the property by the Department and the DOA.

SECTION 2. [~~Notwithstanding the acquisition and application provisions set forth in section 173A-5(h) and (i), Hawaii Revised Statutes, the~~] The board of land and natural resources shall [~~enter into negotiations~~] engage to acquire the property located at Kamuela, Hawaii identified as Tax Map Key: (3) 6-8-001:030 [~~Kamuela, Hawaii. The board shall exercise its authority pursuant to section 173A-4, Hawaii Revised Statutes, to acquire the land~~].

SECTION 3. There is appropriated out of [~~the land conservation fund established pursuant to section 173A-5, Hawaii'i Revised Statutes,~~] general revenues of the State of Hawaii the sum of \$ \_\_\_\_\_ or so much thereof as may be necessary for fiscal year 2018-2019 to acquire the property identified as Tax Map Key: (3) 6-8-001:030 Kamuela, Hawaii, from

Hanano Nursery, Inc., including \$500,000 for conducting the state's standard due diligence on the property, to include but not be limited to an environmental site assessment of the potential for hazardous materials release or the presence of hazardous materials, and, if necessary, the preparation and implementation of an environmental sampling and analysis plan, and for negotiations to acquire the property.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lt. Governor



State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

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 COMMITTEE ON WATER & LAND**

**JANUARY 26, 2018  
2:45 P.M.  
CONFERENCE ROOM 224**

**HOUSE BILL NO. 1270 HD1  
RELATING TO LAND ACQUISITION**

Chairperson Rhoads and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1270 HD1 relating to land acquisition. This measure requires BLNR to enter into negotiations to acquire the property identified as Tax Map Kay (3) 6-8-001:030 and makes an appropriation. The Department supports this bill provided it does not impact the Department's priorities listed in the Executive Budget.

This parcel is approximately ten acres in size and located in a prime agricultural region. It appears to be fully developed with several structures. Its primary use seems to be nursery related; however, use in diversified agriculture seems to be likely.

Thank you for the opportunity to testify.



**HB-1270-HD-1**

Submitted on: 1/24/2018 11:29:46 PM

Testimony for WTL on 1/26/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

**PRESENTATION OF THE  
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES**

**DEMOCRATIC PARTY OF HAWAII**

TO THE COMMITTEE ON WATER AND LAND

THE SENATE

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Friday, January 26, 2018

2:45 p.m.

Hawaii State Capitol, Conference Room 224

**RE: Testimony in Support** of HB 1270, HD1, RELATING TO LAND ACQUISITION

To the Honorable Karl Rhoads, Chair; the Honorable Mike Gabbard, Vice-Chair and Members of the Committee on Water and Land:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No. 1270, HD1, relating to Kamuela Land Acquisition for Agricultural purposes. The OCC Legislative Priorities Committee is in favor of House Bill No. 1270, HD1 and support its passage.

House Bill No. 1270, HD1, is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it encourages agriculture. Specifically, "[a]griculture in our

state must be preserved and its future strengthened. Sufficient prime agricultural lands must be maintained for the health, economic well-being and sustenance of the people. We believe in an integrated approach to agricultural innovation and sustainability. . . . As an island state, securing affordable food for all is a priority. We support healthy, sustainable, and diversified local food production, and “Buy Local” strategies to assure greater food security and food safety. . . . We support land use planning and infrastructure development to support sustainable diversified agriculture, . . . We likewise support publicly funded research and development for agricultural diversification and value-added products. We support the designation of Important Agricultural Lands as a step towards preserving high-grade productive lands for current and future needs.” (DPH Platform, Lines 76-78, 90-91, 97-99, 104-110 (2016)).

Given that House Bill No. 1270, HD1, requires BLNR to enter into negotiations to acquire the property identified as Tax Map Key: (3) 6-8-001:030 Kamuela, Hawaii for agricultural purposes, it is the position of the OCC Legislative Committee to support this measure as it will conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands as part of a strategy to increase food security and food self-sufficiency.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ **Melodie Aduja**

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: [legislativepriorities@gmail.com](mailto:legislativepriorities@gmail.com), Tel.: (808) 258-8889

**HB-1270-HD-1**

Submitted on: 1/23/2018 11:07:43 PM

Testimony for WTL on 1/26/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
De MONT R. D. CONNER	Ho'omanapono Political Action Committee (HPAC)	Support	Yes

Comments:

Aloha Ke Kaua! We STRONGLY SUPPORT this bill.

**HB-1270-HD-1**

Submitted on: 1/23/2018 10:31:35 AM

Testimony for WTL on 1/26/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benton Kealii Pang, Ph.D.		Oppose	No

Comments: