

OFFICE OF PLANNING STATE OF HAWAII

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

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

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

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
SENATE COMMITTEE ON WAYS AND MEANS
Wednesday, February 28, 2018
11:00 AM
State Capitol, Conference Room 211

in consideration of
SB 2168
RELATING TO RELATING TO IMPORTANT AGRICULTURAL LANDS.

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Senate Committee on Ways and Means.

The Office of Planning (OP) supports SB 2168, provided the appropriation does not replace or adversely impact priorities requested in the Executive Budget. SB 2168 would appropriate funds for grants-in-aid to the counties for the identification and mapping of agricultural lands for designation as important agricultural lands (IAL) by the State Land Use Commission (LUC), pursuant to Hawaii Revised Statutes (HRS) § 205-47. SB 2168 appropriates \$250,000 for Fiscal Year 2018-19, to be allocated equally among the four counties.

Funding would facilitate completion of the county IAL mapping process and possibly accelerate the timeframe for submittal of county petitions for IAL to the LUC. However, it is our understanding that the County of Kauai has completed their mapping studies and does not anticipate petitioning for the designation of additional IAL lands beyond what has already been designated under the voluntary petition process. The City and County of Honolulu is also nearing the completion of its identification and mapping process, and maps of proposed IAL are currently undergoing public review and comment prior to submittal to the Honolulu City Council.

This raises the question of whether grants-in-aid to the County of Kauai and the City and County of Honolulu would be allowed for reimbursement for work that has been completed. This may need to be clarified in the measure.

Thank you for the opportunity to testify on this bill.

DAVID Y. IGE
Governor

DOUGLAS S. CHIN
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) 973-9613

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

BEFORE THE SENATE COMMITTEE ON WAYS & MEANS

**FEBRUARY 28, 2018
11:00 A.M.
CONFERENCE ROOM 211**

**SENATE BILL NO. 2168
RELATING TO IMPORTANT AGRICULTURAL LANDS**

Chairperson Dela Cruz and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2168 that appropriates the sum of \$250,000 for FY2018-19 to the Department of Business and Economic Development, and Tourism to be disbursed equally to each of the four counties as grants-in-aid in support of their responsibility to identify and map potential Important Agricultural Lands pursuant to Section 205-47. The Department of Agriculture supports this measure that will help to move forward the Important Agricultural Lands Law with respect to completion of the county mapping process and subsequent designation by the Land Use Commission, and allowing the owners and farmers of these lands to have access to the IAL Incentives in support of agricultural production.

Thank you for the opportunity to submit our testimony.





**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE
GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
LUIS P. SALAVERIA
Director

Department of Business, Economic Development and Tourism
before the

SENATE COMMITTEE ON WAYS AND MEANS

Wednesday, February 28, 2018

11:00 AM

State Capitol, Conference Room 211

in consideration of

SB 2168

RELATING TO RELATING TO IMPORTANT AGRICULTURAL LANDS.

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee.

The Department of Business, Economic Development and Tourism supports the intent of SB 2168, provided the appropriation does not replace or affect the Administration's priorities requested in the Executive Budget.

SB 2168 would appropriate funds for grants-in-aid to the counties for the identification and mapping of agricultural lands for designation as important agricultural lands (IAL) by the State Land Use Commission (LUC), pursuant to Hawaii Revised Statutes (HRS) § 205-47.

Funding would incentivize and encourage the completion of the county IAL mapping process Statewide to fulfill the implementation of the IAL legislation.

Thank you for the opportunity to testify on SB2168.

DAVID Y. IGE
Governor

DOUG CHIN
Acting 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
Senate Committee on Ways and Means
Wednesday February 28, 2018
11:00 AM
State Capitol, Conference Room 211

In consideration of
SB 2168
RELATING TO IMPORTANT AGRICULTURAL LANDS

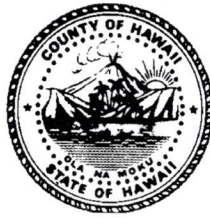
Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee on Ways and Means:

The Land Use Commission supports SB 2168 that would provide funds for grants-in-aid to the counties for the identification and mapping of important agricultural lands (IAL).

The IAL identification and mapping process for the counties as set out in Section 205-47, Hawai`i Revised Statutes (HRS) requires significant public involvement to include coordination with a broad range of stakeholders, public meetings, and citizen advisory groups. Adequate funding to complete this process could result in a quality product supported by a broad range of stakeholders.

Thank you for the opportunity to testify on this matter.

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

February 22, 2018

Senator Donovan M. Dela Cruz, Chair
Committee on Ways and Means
Hawai'i State Capitol, Room 211
Honolulu, HI 96813

Senator Gilbert S.C. Keith-Agaran, Vice-Chair
Committee on Ways and Means
Hawai'i State Capitol, Room 211
Honolulu, HI 96813

Dear Chair Dela Cruz, Vice-Chair Keith-Agaran and Committee Members:

Re: SB 2168 Relating to Important Agricultural Lands
Hearing Date: 02/28/18 – 11:00 am; Conference Room 211

Thank you for this opportunity to comment on SB 2168 dealing with Important Agricultural Lands.

The County of Hawai'i's General Plan and various Community Development Plans have goals, objectives, and policies consistent with preserving viable and productive agricultural land for farming and ranching. This County supports the intent of IAL, and any funding assistance from the state is welcomed, but offer some concerns and suggested amendments to SB 2168.

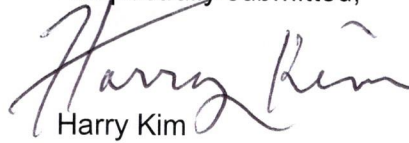
There are a number of issues that will not be resolved by this bill at its proposed funding level:

- The County of Hawai'i has more than 1.2 million acres designated as state land use (SLU) agriculture, far more than any other county (followed by Maui having just over 400,000 acres on its three islands).
- With other critical priorities in play, this County does not foresee having the staff, funds, or capacity in the coming years to initiate the IAL study and extensive landowner and public outreach required by Act 183, especially given the size of our island.
- Pursuant to HRS 205-45, Landowners can, at any time in the process, file a petition and lock out the county proceedings, thereby rendering moot any analysis, time, and expense already incurred by the counties.

During Hawai'i County's last General Plan review in 2005, we took information from a study being done by USGS, which was an initial effort in the direction of identifying IAL, but it did not include the level of research required for true IAL based on Act 183 and was not intended to substantiate going public with a petition to the LUC. In consideration of the above, we request amendments to SB 2168 regarding the following:

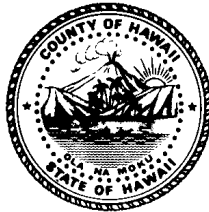
1. The preamble of SB 2168 talks about identifying IAL "within sixty months of receipt of state funds." The sixty month timeframe was called for in Act 183 (2005) but should be deleted; or if it must remain, triggered by petition of a county to the state to accept the funds, which must be approved by the appropriate County Council.
2. While any state contribution to the IAL effort is always welcomed, the amount of money proposed in SB 2168 would be only a fraction of what is needed statewide. In consideration of what the other counties have spent on their IAL efforts, we respectfully request that the total sum be increased to at least \$2 million.
3. Although evenly splitting the funds among the counties may appear equitable, the cost of such a study is tied more closely to the amount of land studied and the number of parcels/landowners that will require review, consultation and coordination. We thereby request that you consider dividing the funds based on a percentage of state land use agriculture lands in each county, rather than dividing them equally. We would add that, to be fair, we would support the use of appropriated funds to reimburse the other counties for IAL efforts they have concluded or currently have in process.

Respectfully submitted,



Harry Kim
Mayor, County of Hawai'i

County of Hawai'i
Council District 9 -
North and South Kohala



Phone: (808) 961-8564
(808) 887-2069

Email: tim.richards@hawaiiicounty.gov

Chair: Committee on Agriculture,
Water & Energy

Vice Chair: Committee on
Environmental Management

HERBERT M. "TIM" RICHARDS, III
HAWAI'I COUNTY COUNCIL
District 9
25 Aupuni Street, Ste. 1402, Hilo, Hawai'i 96720

February 26, 2018

Senate Committee on Ways and Means

Honorable Senator Donovan M. Dela Cruz, Chair

Email: sendelacruz@capitol.hawaii.gov

Honorable Senator Gilbert S.C. Keith-Agaran, Vice Chair

Email: senkeithagaran@capitol.hawaii.gov

RE: Support of SB2168

Hearing Date/Time: February 28, 2018 at 11:00 a.m.

Dear Senators:

Thank you for the opportunity to submit **testimony in STRONG SUPPORT of SB2168**, which implements Act 183, SLH 2005, in accordance with the State's constitutional duty to protect important agricultural lands by providing funds to the counties for the identification and mapping important agricultural lands.

The passing of and the implementation of this bill is critical for agriculture statewide. The task to identify and map lands that are beneficial to agriculture is a comprehensive one for the County of Hawai'i; funding to assist with this task is necessary to successfully implement the intention of Act 183. I therefore strongly urge the enactment of SB2168.

Please feel free to contact me should you need to discuss my position and knowledge of this matter further.

Sincerely,

TIM RICHARDS

Hawai'i County Council, District 9



Email: communications@ulupono.com

SENATE COMMITTEE ON WAYS & MEANS
Wednesday, February 28, 2018 — 11:00 a.m. — Room 211

Ulupono Initiative Strongly Supports SB 2168, Relating to Important Agricultural Lands

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

My name is Kyle Datta and I am General Partner of Ulupono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally produced food; increase affordable, clean, renewable energy; and better management of waste and fresh water. Ulupono believes that self-sufficiency is essential to our future prosperity and will help shape a future where economic progress and mission-focused impact can work hand in hand.

Ulupono strongly supports SB 2168, which provides grants to the counties for identifying and mapping important agricultural lands, because it aligns with our goal of creating more locally produced food.

The Important Agricultural Lands designation is one of the policies that helps to keep agricultural land in agriculture, especially as development grows. This funding will help counties to designate key lands for agriculture. Once designated, agricultural operations on important agricultural lands are eligible for favorable benefits and regulations. Greater clarity on Important Agricultural Lands will help provide expanded opportunities for farmers and ranchers to obtain access to high quality land at affordable rates by protecting such land from development. The cost and availability of high quality land is a critical requirement for the success of local agriculture.

As Hawai'i's local food issues become more complex and challenging, organizations need additional resources and support to address and overcome them. We appreciate this committee's efforts to look at policies that support local food production.

We believe that by collaborating, we can help produce more local food and support an economically robust homegrown agriculture industry, which strengthens our community with fresh, healthy food. Thank you for this opportunity to testify.

Respectfully,

Investing in a Sustainable Hawai'i



Kyle Datta
General Partner



February 22, 2018

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Comments in Support of SB 2168, Relating to Important Agricultural Lands (IAL) (Implements Act 183, Session Laws of Hawaii [SLH] 2005, in accordance with the State’s constitutional duty to protect IAL by providing funds to the counties for the identification and mapping of IAL)

Wednesday, February 28, 2018, 11:00 a.m., in Conference Room 211

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. LURF’s mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii’s significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to express its **support of SB 2168** and of the various agricultural stakeholder groups who defend the goals of viable agricultural operations and the conservation and protection of agriculture, including IAL in Hawaii. The bill conveys the need for collaboration amongst diverse sectors of the community - business, government, and agricultural stakeholders - and the importance for them to work together cooperatively to identify and map potential IAL to improve the economic viability of the State’s agricultural industry.

SB 2168. The purpose of this bill is to implement Act 183 in accordance with the State’s constitutional duty to protect IAL by providing funds to the counties to identify and map IAL.

LURF’s Position. LURF believes that the proposed appropriation of general revenues for the operations of the Initiative is consistent with the underlying intent and objectives of the IAL laws (Hawaii Revised Statutes [HRS], Sections 205-41 to 52), which were enacted to fulfill the mandate in Article XI, Section 3 of the Hawaii State Constitution, “to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.”

As noted in HRS Section 205-41, the intent of Act 183 (2005) was to develop agricultural incentive programs to promote agricultural viability, sustained growth of the agricultural industry, and the long-term use and protection of important agricultural lands for agricultural use.

Passage of the long-awaited IAL legislation would be pointless without complete implementation of the law which is intended to provide programs, incentives and inducements, and which requires the cooperation and support of agricultural, business, and educational organizations, as well as government agencies in order to become fully-realized.

LURF members include private property owners, farmers and ranchers who own, maintain, and engage in agricultural enterprises, and who consider the identification and assured availability of IAL critical to the continued conduct of their operations and to help sustain and preserve their businesses into the future. Regrettably, interest in agriculture continues to decline in Hawaii, however, LURF believes efforts to fully implement and preserve IAL would greatly help to perpetuate the agricultural industry in this State by providing the industry with support through incentive programs including grants and other funding and training assistance; favorable infrastructure and permit requirements; and farm and business education assistance to provide knowledge and inspire interest in agriculture and educate youth about the importance of increasing Hawaii's long-term resilience and sustainability.

As the identification and mapping of IAL and implementation of Act 183, SLH 2005 will significantly help to promote economically viable agriculture and food self-sufficiency in Hawaii, LURF is in **support of SB 2168**.

Thank you for the opportunity to provide comments in support of this measure.

SB-2168

Submitted on: 2/22/2018 11:49:49 PM

Testimony for WAM on 2/28/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAI'I**

TO THE COMMITTEE ON WAYS AND MEANS

THE SENATE

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Wednesday, February 28, 2018

11:00 a.m.

Hawaii State Capitol, Conference Room 211

RE: Testimony in Support of SB 2168 IMPORTANT AGRICULTURAL LANDS

To the Honorable Donovan M. Dela Cruz, Chair; the Honorable Gilbert S.C. Keith-Agaran, Vice-Chair, and Members of the Committee on Ways and Means:

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 Senate Bill No. 2168, relating to identification and mapping of Important Agricultural Lands.

The OCC Legislative Priorities Committee is in favor of Senate Bill No. 2168 and support its passage.

Senate Bill No. 2168, is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it implements Act 183, SLH 2005, in accordance with the State's constitutional duty to protect important agricultural lands by providing funds to the counties for the identification and mapping of important agricultural lands.

Specifically, the DPH Platform states that "[w]e support the designation of Important Agricultural Lands as a step towards preserving high-grade productive lands for current and future needs." (Platform of the DPH, P. 2, Lines 109-110 (2016)).

Given that Senate Bill No. 2168 provides for identification and mapping of Important Agricultural Lands, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

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

SB-2168

Submitted on: 2/26/2018 2:10:15 PM

Testimony for WAM on 2/28/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dale Sandlin	Testifying for Hawaii Cattlemens Council	Support	No

Comments:



ALEXANDER & BALDWIN
PARTNERS FOR HAWAII

**SB 2168
RELATING TO IMPORTANT AGRICULTURAL LANDS**

**PAUL T. OSHIRO
DIRECTOR – GOVERNMENT AFFAIRS
ALEXANDER & BALDWIN, INC.**

FEBRUARY 28, 2018

Chair Dela Cruz and Members of the Senate Committee on Ways & Means:

I am Paul Oshiro, testifying on behalf of Alexander & Baldwin, Inc. (A&B) on SB 2168, "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS." We support this bill.

After over twenty five years of debate, negotiation, and compromise, the IAL Law and process was finally enacted in July 2008. After years of pursuing a land-use approach to this constitutional mandate, the IAL Law that was successfully passed (Act 183 (2005) and Act 233 (2008)) was premised on the principle that the best way to preserve agricultural lands is to preserve agricultural businesses and agricultural viability. As such, the IAL Law not only provides the standards, criteria, and processes to identify and designate important agricultural lands to fulfill the intent and purpose of Article XI, Section 3 of the Hawaii State Constitution, it also provides for a package of incentives designated to support and encourage sustained, viable agricultural activity on IAL.

The IAL Law presently authorizes the identification and designation of IAL in one of two ways --- by voluntary petition to the State Land Use Commission by the landowner or farmer; or subsequently by the Counties filing a petition to designate lands as IAL pursuant

to a County identification and mapping process. In either case, the LUC determines whether the petitioned lands qualify for IAL designation pursuant to the standards, criteria, objectives, and policies set forth in the IAL Law. To date, the voluntary petition process has resulted in the designation by the LUC of over 130,000 acres of agricultural lands as IAL from voluntary petitions by Alexander & Baldwin, Parker Ranch, Castle & Cooke, Mahaulepu Farm, Grove Farm, Monsanto, the Robinson Family, and Kamehameha Schools.

This bill provides grants in aid to the Counties for the identification and mapping of IAL. With the voluntary petition process already providing a significant amount of IAL throughout Hawaii, this appropriation will assist the Counties in fulfilling the second method of IAL designation, which will be initiated by the County identification and mapping of IAL. When completed, these County maps will be forwarded to the LUC which will enable them to designate qualified lands as IAL.

Based on the aforementioned, we respectfully request your favorable consideration on this bill. Thank you for the opportunity to testify.

SB-2168

Submitted on: 2/24/2018 7:28:47 PM

Testimony for WAM on 2/28/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Angela Huntemer	Individual	Support	No

Comments:

In accordance with the State's constitutional duty to protect important agricultural lands, funds must be provided to the counties for the identification, mapping and ultimately protection of important agricultural lands. Thank you.