



SIERRA CLUB OF HAWAI'I
MĀLAMA I KA HONUA. *Cherish the Earth.*

SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, & HEALTH

Tuesday, February, 28 2017 10:30 AM Room 229

LATE

In SUPPORT SB 708 SD1 Relating to Agricultural Land

Aloha Chairwoman Baker and members of the Commerce, Consumer Protection, and Health Committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i strongly supports SB 708 SD1. SB 708 SD1 seeks to prohibit: the creation of a condominium property regime on agricultural land 25 acres or greater; a condominium property regime on agricultural land from being amended to allow a residential dwelling; the subdivision of agricultural land 25 acres or greater for the purpose of creating a condominium property regime; and any residential project created as a condominium under chapter 514B, HRS, or a planned community association under chapter 421J, HRS, in class A or B agricultural lands.

This bill takes a huge step in allowing the State to carry out its constitutional duty to "promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands."¹ As the bill points out, by preserving large parcels of agricultural lands, we as a State will be in a much better position to expand our local agricultural production. This in turn greatly increase the amount of locally grown food we produce, and will also have a tremendous benefit to both our economy and environment.

Studies have shown, that by replacing even 10% of the food imported into the State with locally grown food, the State could generate up to \$6 million in state tax revenues and more than 2,300 jobs would likely be created.² In addition, any decrease in our reliance on the importation of food we reduce our carbon footprint and lower our risk to invasive species introductions. These potential benefits, however, cannot be realized if we do not preserve our large parcels of agricultural lands and ensure that they are being used for agricultural purposes. For these reasons, we urge you to support SB 708 SD1.

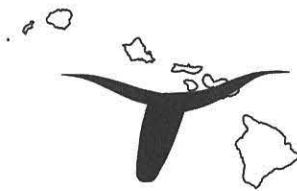
Thank you very much for this opportunity to provide testimony on this important issue.

Mahalo,

Martha Townsend
Director

¹ Haw. Const. Art. II, § 3.

² PingSun Leung & Matthew Loke, College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, *Economic Impacts of Increasing Hawai'i's Food Self-Sufficiency*, p.6 (Dec. 2008) available at: <http://hdoa.hawaii.gov/add/files/2012/12/FoodSSReport.pdf>



LATE

Hawaii Cattlemen's Council, Inc.

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair

Senator Clarence K. Nishihara, Vice Chair

DATE: Tuesday, February 28, 2017

TIME: 10:30 a.m.

PLACE: Conference Room 229

SB 708 SD1 – RELATING TO AGRICULTURAL LAND.

Prohibits the creation of a condominium property regime on agricultural land 25 acres or greater. Prohibits a condominium property regime on agricultural land from being amended to allow a residential dwelling. Prohibits the subdivision of agricultural land 25 acres or greater for the purpose of creating a condominium property regime. Prohibits any residential project created as a condominium under chapter 514B, HRS, or a planned community association under chapter 421J, HRS, in class A or B agricultural lands.

Chair Baker, Vice Chair Nishihara, 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 five county level Cattlemen's Associations. Our 140+ 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 **opposes** SB 708 SD1, as this is unfair to land owners with large TMK's.

Limiting CPR of agricultural lands removes a valuable and viable tool for land management. The ability to divide these lands provides ranchers with the ability to determine land ownership for estate planning, and in some cases, this can be the difference between survival or going out of business. The simple fact is that we can't force folks who own ag land to farm.

While limiting the size of the land to 25 acres or more, this measure would not allow for the equitable division of land in the case of a large parcel split among several heirs. Although this might not affect the smaller parcels in the state, it does hinder the rights and privileges of large landowners unfairly.

Also, the infrastructure that is needed to service the rural areas of the state could be provided more efficiently as a larger lot could be split into several smaller portions. By centralizing the infrastructure needed to serve the split, this would require fewer resources to complete.



If this measure is passed, the cost to purchase or lease smaller parcels of land for ag use is likely to escalate. With the cost of the land being one of the highest inputs for farmers and ranchers, this could cripple the profitability of the farm or ranch. Having more options for farmers and ranchers through being able to include large TMK's for consideration in a CPR, would yield for a more sustainable future for both the farmer or rancher and the state's food sustainability.

We all want to keep productive ag land in production, and not lose it to gentlemen farms. The Important Ag Lands (IAL) legislation this legislature passed years ago was supposed to help address that. Counties have yet to create the incentives for land owners to keep their land in ag. If we do that, maybe we will start to address the issue of Gentlemen Farms. We would support finding a viable solution, but this bill is not the way.

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

**LARRY JEFTS FARMS, LLC
PO BOX 27
KUNIA, HAWAII 96759
(808) 688-2892**

SB708sd1, Relating to Agricultural Land
Senate CPH Decision Making Hearing
Tues. Feb. 28, 2016 – 10:30 am
Testimony by: Larry Jeffs
Position: Oppose

LATE

Chair Baker, and Members of the Senate CPH Committee:

I am Larry Jeffs, owner and operator of Larry Jeffs Farms, LLC, which is part of our family-run business of farms on Oahu and Molokai, under the administrative umbrella of Sugarland Growers, Inc. We have more than 35 years of Hawaii farm experience on Molokai and Oahu.

Appreciation is expressed for efforts to stop gentlemen farms on agricultural subdivisions. However, opposition is expressed because the proposed bill seems to hurt farmers and ranchers with privately owned, large TMKs by prohibiting the creation of CPR on agricultural lands of 25 acres or greater in class A or B agricultural lands.

We agree with others who have commented that a definition of bona fide agricultural producers would be among the first steps to prevent the rise of gentlemen farms on agricultural lands.

The proposed bill appears inconsistent with the State's goal of diversified agriculture and to place entrepreneurial farmers on its own State Ag Parks and ADC's lots. Many of the producers venturing into commercial agriculture today must look at small lots as a starting point. This bill would make it more difficult to create smaller parcels, thus constraining the inventory of available small ag-lots.

Thank you for the opportunity to submit testimony.

CPH Testimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2017 3:50 PM
To: CPH Testimony
Cc: djr@teamedeluz.com
Subject: Submitted testimony for SB708 on Feb 28, 2017 10:30AM

LATE

SB708

Submitted on: 2/27/2017

Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David S. De Luz, Jr.	Kukaiiau Ranch LLXC	Oppose	No

Comments: Chair Baker, Vice Chair Nishihara, and Members of the Committee: My name is David S. De Luz, Jr., and my family owns and operates Kukaiiau Ranch and currently have over 600 cows and approximately 300 calves . Kukaiiau Ranch has been a cattle ranch operation since the 1880's and has had many challenges and this Bill is another challenge that unfairly targets large land holdings such as Kukaiiau Ranch. we **STRONGLY OPPOSE** SB 708 SD1, as this is unfair to land owners such as us with large TMK's. Limiting CPR of agricultural lands removes a valuable and viable tool for land management. The ability to divide these lands provides us the potential opportunity with the ability to determine land ownership for estate planning, and in some cases, this can be the difference between survival or going out of business. The simple fact is that you can't force folks like us who own ag land to farm. While limiting the size of the land to 25 acres or more, this measure would not allow for the equitable division of land in the case of a large parcel split, for any of the reasons I stated. Although this might not affect the smaller parcels in the state, it does hinder the rights and privileges of large landowners unfairly. Having more options for farmers and ranchers through being able to include large TMK's for consideration in a CPR, would yield for a more sustainable future for both the farmer or rancher and the state's food sustainability. We all want to keep productive ag land in production, and not lose it to gentlemen farms. The Important Ag Lands (IAL) legislation this legislature passed years ago was supposed to help address that. Counties have yet to create the incentives for land owners to keep their land in ag. If we do that, maybe we will start to address the issue of Gentlemen Farms. We would support finding a viable solution, but this bill is not the way. Thank you for giving us the opportunity to testify on this important matter. David S. De Luz, Jr. Managing Member Kukaiiau Ranch LLC 808-895-4284 djr@teamedeluz.com

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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baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 28, 2017 3:36 AM
To: CPH Testimony
Cc: afrancokaupo@gmail.com
Subject: *Submitted testimony for SB708 on Feb 28, 2017 10:30AM*

LATE

SB708

Submitted on: 2/28/2017

Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Franco	Maui Cattle Company	Oppose	No

Comments:

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CPH Testimony

From: mailinglist@capitol.hawaii.gov
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To: CPH Testimony
Cc: gregf@haleakalaranch.com
Subject: *Submitted testimony for SB708 on Feb 28, 2017 10:30AM*

SB708

Submitted on: 2/27/2017

Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

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Submitted By	Organization	Testifier Position	Present at Hearing
Gregory Friel	Individual	Oppose	No

Comments:

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CPH Testimony

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To: CPH Testimony
Cc: JMATTOSHBP@AOL.COM
Subject: *Submitted testimony for SB708 on Feb 28, 2017 10:30AM*

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SB708

Submitted on: 2/27/2017

Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jill J Mattos	Individual	Oppose	No

Comments:

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CPH Testimony

From: mailinglist@capitol.hawaii.gov
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To: CPH Testimony
Cc: bcraven@lanihau.net
Subject: *Submitted testimony for SB708 on Feb 28, 2017 10:30AM*

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SB708

Submitted on: 2/27/2017

Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
britt craven	Individual	Oppose	No

Comments:

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baker1 - Melissa

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2017 5:12 PM
To: CPH Testimony
Cc: diamondbranchhi@aol.com
Subject: Submitted testimony for SB708 on Feb 28, 2017 10:30AM

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SB708

Submitted on: 2/27/2017

Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brendan Balthazar	Individual	Support	No

Comments: I think it is about time that someone steps up to protect agg land. People are coming in and buying up big agg parcels and cutting them up into gentlemen farms. Farms that most of the time will never be farmed. A lot of agg land is lost this way. I hope it passes. Enough is enough.

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baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 28, 2017 7:17 AM
To: CPH Testimony
Cc: haupuranch@gmail.com
Subject: *Submitted testimony for SB708 on Feb 28, 2017 10:30AM*

LATE

SB708

Submitted on: 2/28/2017

Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Bryan	Individual	Oppose	No

Comments:

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baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 28, 2017 7:08 AM
To: CPH Testimony
Cc: starr@maui.net
Subject: Submitted testimony for SB708 on Feb 28, 2017 10:30AM

LATE

SB708

Submitted on: 2/28/2017
Testimony for CPH on Feb 28, 2017 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Hugh Starr	Individual	Oppose	No

Comments: CPR'ing of Hawaii's Agricultural Lands does not increase the allowable residential dwelling density mandated by each County. Please vote against this needless measure that will hurt our local Ag Community.

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