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Hawaii Cattlemen's Council, Inc.

**COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY
AFFAIRS**

**Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair**

DATE: Tuesday, March 20, 2018
TIME: 1:45 p.m.
PLACE: Conference Room 229

**SR 27 – URGING THE COUNTIES TO ADOPT SUPPLEMENTAL RULES PURSUANT TO
SECTION 514B-6, HAWAII REVISED STATUTES, TO ENSURE THE CONFORMANCE OF
CONDOMINIUM PROPERTY REGIMES TO THE PURPOSES AND PROVISIONS OF
COUNTY ZONING AND DEVELOPMENT ORDINANCES.**

Requires condominium property regimes to comply with county subdivision requirements. Allows the real estate commission to adopt rules that require a developer to seek county council approval for significant projects. Requires agricultural lands that are subdivided and leased for agricultural uses or activities to comply with county subdivision standards.

Chair Nishihara, Vice Chair Wakai, 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 **strongly opposes** SR 27 as this measure will be detrimental to the success of actual agricultural operations by requiring additional steps, costs and county approvals to the CPR process.

With the constant pressure of development, keeping lands that have been in agricultural production becomes more difficult every year. While placing restrictions and requirements on the subdivision of these lands may seem a logical choice, it reduces the landowner's ability to provide for the future of their operations whether dividing their lands for estate planning or selling less productive lands which provide capital for operating costs.

Requiring county subdivision requirements is impractical for lands that are most suitable for ranching uses. While water is typically the only required utility to provide for ranch activities, requiring roads, sewer, electrical and other components to meet county codes when creating a CPR of ranch lands is extremely costly and unnecessary. While this could be applicable for an ag park, it does not lend itself well to lands whose current and future purpose is ranch activities.



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If the purpose of this bill is to reduce the number of “gentlemen farms” or “fake farms” in the state, we believe that this could be better accomplished through enforcement of current land use designations. The rural designation of land in Hawaii is rarely used, but should be considered as a solution to classify lands for residential use.

While agriculture is the default land-use classification, the rural designation is one that should be considered to provide additional tax revenue, prevent misuse of agricultural land and prevent penalizing agriculturists with undue burdens. The practice of agriculture on rural lands is voluntary for the land owner and if the landowner wants to keep the lands in agricultural production, they can designate them using the Important Agricultural Lands (IAL) process.

We can't force folks who own ag land to farm. Over time, some owners of large tracks of ag land have had to subdivide and sell off some of their land just to keep the rest of the land in production. We all want to keep productive ag land in production, and not lose it to misuse. The Important Ag Lands (IAL) legislation this legislature passed years ago was supposed to help address that. Coupling IAL with rural designation use would prevent the misuse of these lands.

We have met and talked for several years now on ways we can curtail the loss of productive ag lands to gentleman farms or fake farms. We would support finding a viable solution, but this bill is not the solution. We respectfully ask the committees to oppose this measure in its current format. Thank you for giving us the opportunity to testify on this important matter.