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# HOUSE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF AGRICULTURE, AND HAWAII CATTLEMEN'S COUNCIL, INC., TO FORM A STATE PASTURE AND FOREST LANDS TASK FORCE AND TO INCLUDE ANY ADDITIONAL STAKEHOLDERS IN THEIR DISCUSSIONS.

1           WHEREAS, the proper management of the State's agricultural  
2 lands is critically important to the health and welfare of the  
3 residents of Hawaii; and

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5           WHEREAS, there are competing measures in the Regular  
6 Session of 2020 relating to the management of the State's  
7 agricultural lands by the Department of Land and Natural  
8 Resources (DLNR) and Department of Agriculture (DOA); and

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10           WHEREAS, House Bill No. 2358, and its companion measure  
11 Senate Bill No. 2914, represents the position of DLNR, while the  
12 position of DOA and the cattle ranchers is presented by House  
13 Bill No. 2035, its companion measure Senate Bill No. 2415, and  
14 House Bill No. 2577, and its companion measure Senate Bill No.  
15 2812, regarding implementation of Act 90, Session Laws of Hawaii  
16 2003 (Act 90), relating to the issue of transferring a large  
17 number of agricultural parcels then under DLNR's control to DOA;  
18 and

19  
20           WHEREAS, from one viewpoint, this body is tasked with  
21 deciding which state agency is best suited to manage lands  
22 currently being used for the production of beef cattle, which  
23 ostensibly was resolved by the enactment of Act 90 in 2003; and

24  
25           WHEREAS, since 2003, a different perspective has evolved  
26 where the discussion has now shifted, in part, to what is the  
27 best use of these lands from the standpoint of public purpose in  
28 a time where global warming and climate change are recognized as  
29 an existential challenge to the Earth; and



1  
2 WHEREAS, the State should study and understand its island  
3 history over the last three hundred or so years and align that  
4 understanding with the new challenges of climate change; and  
5

6 WHEREAS, the ecological system of the Hawaiian islands  
7 evolved in the absence of human beings until the last millennium  
8 and was largely shaped by the forests of the islands; and  
9

10 WHEREAS, the Hawaiian islands' ecological system, including  
11 the forests, has been tremendously damaged and degraded over the  
12 last three centuries; and  
13

14 WHEREAS, prior to Western contact, the indigenous Hawaiian  
15 culture established an isolated but ecologically sensitive  
16 relationship with the land and waters of Hawaii that left the  
17 native forests largely intact; and  
18

19 WHEREAS, subsequent to Western contact and the imposition  
20 of an exploitative Western agricultural system involving  
21 clearing of vast tracts of the forest for plantations of  
22 primarily sugar cane and pineapple, the native forests  
23 flourished; and  
24

25 WHEREAS, the unique isolation of the Hawaiian archipelago  
26 required the islands to produce most of its own food resources,  
27 including meat protein, predominantly from imported ungulates,  
28 such as cattle, domestic sheep, and goats; and  
29

30 WHEREAS, in the modern world with huge and speedy ships,  
31 airplanes, refrigerated containers, and a sophisticated  
32 transport system, Hawaii obtains most of its food, including  
33 most of its beef, from outside its borders; and  
34

35 WHEREAS, while the sugar cane and pineapple plantations are  
36 largely gone, the cherished paniolo beef cattle ranching culture  
37 has persisted; and  
38

39 WHEREAS, the State should consider the history of the  
40 destruction of the indigenous culture and ecology by the imposed  
41 Western practices; and  
42



1           WHEREAS, in 1990, the book entitled *Alteration of Native*  
2 *Hawaiian Vegetation*, found that: "Zoning and tax laws have  
3 contributed to the conversion of native vegetation to ranchland  
4 in Hawaii. Much biologically important forest and shrubland was  
5 zoned Agricultural before its true value was recognized. If  
6 privately owned, even Conservation-zoned forests are not immune  
7 to development for ranches and other agricultural uses"; and  
8

9           WHEREAS, that book further stated that, "The tax laws in  
10 Hawai'i encourage the clearing of forest and conversion to  
11 cattle grazing by assessing such "low-grade pasture" at a lower  
12 value than uncleared forest, so clearing forests may result in  
13 lower taxes, increased real estate values and salability"; and  
14

15           WHEREAS, the book also pointed out that continued, "Much  
16 upper-elevation rangeland was essentially native forest when  
17 ranching commenced. As late as the 1960s nearly one-third of  
18 the State's grazing land was actually forest, and State forest  
19 land was considered by the Division of Forestry to have great  
20 potential for live-stock production in a multiple-use approach  
21 to forest resources"; and  
22

23           WHEREAS, "State lands have been heavily impacted by cattle  
24 even though they were included in the State Forest Reserve  
25 System. Although fencing of reserves was an important element  
26 in the protection of watersheds in the first few decades of the  
27 1900s, by mid-century many fences separating reserves from  
28 ranches and grazing lands had been allowed to deteriorate, and  
29 little new fencing was undertaken. The subsequent ingress of  
30 cattle and other alien animals has resulted in the degradation  
31 of native vegetation and the loss of watershed values in many  
32 forest reserves"; and  
33

34           WHEREAS, "The ability of cattle (whether feral or domestic)  
35 to degrade vegetation and reduce native forest to grassland  
36 pastures was recognized soon after large-scale ranching began  
37 during the last century"; and  
38

39           WHEREAS, according to *Alteration of Native Hawaiian*  
40 *Vegetation*, "the role of cattle in opening up native forests and  
41 reducing their value as watershed was recognized and decried by  
42 a number of foresters in the early decades of the 20th century.



1 Judd (1927) estimated that only 25 [percent] of the Hawaiian  
2 Island was still covered by forest in the late 1920's, a small  
3 remnant of the original distribution before cattle"; and  
4

5 WHEREAS, there has been a resurgence of energy and concern  
6 from Native Hawaiians about the restoration of lands and waters  
7 degraded or disrupted by the Western agriculture and economic  
8 customs imposed upon them; and  
9

10 WHEREAS, the new recognition of the effects of climate  
11 change mandates a reevaluation of the best public purpose for  
12 the lands and waters of Hawaii; and  
13

14 WHEREAS, the 2003 joint committee report from the Committee  
15 on Agriculture and Committee on Water, Land Use, and Hawaiian  
16 Affairs regarding Senate Bill No. 1034, enacted as Act 90,  
17 stated "[y]our Committees note that serious concerns were raised  
18 regarding the proceeds from DLNR's leases on ceded lands.  
19 Currently, 20 percent of such proceeds are transferred to the  
20 Office of Hawaiian Affairs for the betterment of the conditions  
21 of native Hawaiians. However, with the transfer of agricultural  
22 ceded lands to DOA and the potential of lower lease rents levied  
23 by DOA, the funding for OHA may be reduced. Your Committees  
24 recognize this potential problem and support future legislative  
25 efforts to address this issue"; and  
26

27 WHEREAS, most of the lands proposed to be transferred from  
28 DLNR to DOA are in fact ceded lands, and the history of DOA  
29 leases, including thirty-day revocable leases, support the  
30 ongoing concern that the Office of Hawaiian Affairs will not  
31 receive compensation commensurate with the value of the lands  
32 leased; and  
33

34 WHEREAS, the proposed transfer from DLNR to DOA of the  
35 subject lands is justified as it proposes to enhance the State's  
36 food supply; and  
37

38 WHEREAS, since the enactment of Act 90 in 2003, more and  
39 more ranches have become cow-calf operations that ship most of  
40 their calves to the mainland, which ultimately provides little  
41 food to the State; and  
42



1           WHEREAS, although beef cattle is the focus of the modern  
2 livestock industry in Hawaii, domestic sheep ranching was  
3 formerly important; and  
4

5           WHEREAS, commercial domestic sheep production began in the  
6 Hawaiian islands in the 1840s and 1850s and peaked in 1884 with  
7 121,000 animals; and  
8

9           WHEREAS, while domestic sheep may also be destructive if  
10 not managed and rotated, they are less likely to damage  
11 established trees compared to cattle or goats; and  
12

13           WHEREAS, domestic sheep can be finished on grass of even  
14 poor quality and, therefore, need not be shipped to the  
15 continental United States for finishing, thereby greatly  
16 contributing to the food supply of Hawaii; and  
17

18           WHEREAS, domestic sheep would be more compatible with  
19 reforestation of the lands under consideration for transfer by  
20 DLNR to DOA, while still providing a substantial contribution to  
21 the local food supply; and  
22

23           WHEREAS, the dairy industry of Hawaii was once robust due  
24 to Hawaii's isolation and provided all the milk needs of the  
25 State; however, the local dairy industry has largely  
26 disappeared; and  
27

28           WHEREAS, even as the world has recognized the importance of  
29 forests as treasure houses of species diversity, forest  
30 destruction has only accelerated in places such as the Amazon  
31 and in Indonesia; and  
32

33           WHEREAS, the environmental and economic conditions leading  
34 to prioritizing ranching on lands in the State should be re-  
35 evaluated since it has been found that the two-lined spittle bug  
36 and invasion of weeds reduce the productivity of these lands as  
37 pasture; and  
38

39           WHEREAS, the latest challenge to Hawaii's forests is rapid  
40 ohia death which threatens the predominant native forest trees  
41 of the State; and  
42



1 WHEREAS, DLNR supports House Bill No. 2358, and its  
 2 companion measure Senate Bill No. 2914 (2020), which give DLNR  
 3 greater flexibility to deal with pasture leases by extending  
 4 such leases and allowing DLNR to issue new leases on lands  
 5 already in use as pasture; and

6  
 7 WHEREAS, those measures also allow DLNR to provide  
 8 favorable rates to ranchers, who protect public trust natural  
 9 and cultural resources; and

10  
 11 WHEREAS, the pasture lessees are in support of an alternate  
 12 measure, Senate Bill No. 2812 (2020), which, if enacted, would  
 13 mandate the transfer of most of DLNR's pasture lands to DOA; and

14  
 15 WHEREAS, this body finds that natural resource protection  
 16 and local food production are both important to the State's  
 17 economic welfare; now, therefore,

18  
 19 BE IT RESOLVED by the House of Representatives of the  
 20 Thirtieth Legislature of the State of Hawaii, Regular Session of  
 21 2020, the Senate concurring, that the Department of Land and  
 22 Natural Resources, Department of Agriculture, and Hawaii  
 23 Cattlemen's Council, Inc., are urged to form a State Pasture and  
 24 Forest Lands Task Force and to include any additional  
 25 stakeholders, in its discussions; and

26  
 27 BE IT FURTHER RESOLVED that the task force include in its  
 28 discussions the following:

- 29  
 30 (1) A representative of the Office of Hawaiian Affairs;  
 31  
 32 (2) Dean of the College of Tropical Agriculture and Human  
 33 Resources of the University of Hawaii at Manoa, or the  
 34 Dean's designees;  
 35  
 36 (3) Dean of the College of Forestry, Agriculture and  
 37 Natural Resources Management of the University of  
 38 Hawaii, or the Dean's designees;  
 39  
 40 (4) A representative of the Department of Land and Natural  
 41 Resource's Na Ala Hele Trails System;  
 42



- 1 (5) A representative of the Hawai'i Association of
- 2 Watershed Partnerships;
- 3
- 4 (6) A representative of the State Game Management Advisory
- 5 Commission;
- 6
- 7 (7) A representative of the Hawaii Forest Industry
- 8 Association;
- 9
- 10 (8) A representative of the Hawaii Greenhouse Gas
- 11 Sequestration Task Force; and
- 12
- 13 (9) Any other stakeholders, whose participation is
- 14 important, as unanimously agreed upon by the
- 15 Department of Land and Natural Resources, Department
- 16 of Agriculture, and Hawaii Cattlemen's Council, Inc.;
- 17

18 to address the competing demands for the use and stewardship of  
19 state pasture lands; and

20  
21 BE IT FURTHER RESOLVED that the State Pasture and Forest  
22 Lands Task Force meet at least monthly to:

- 23
- 24 (1) Identify the public benefits of lands in use as
- 25 pasture for local food production and protection of
- 26 natural and cultural public trust resources;
- 27
- 28 (2) Discuss alternative views on the best plan for
- 29 managing state pasture lands;
- 30
- 31 (3) Work collaboratively to resolve differences of opinion
- 32 regarding such management;
- 33
- 34 (4) Identify possible policy solutions that the Task Force
- 35 could endorse regarding appraisals of rent for pasture
- 36 leases, lease extensions, new leases, and natural
- 37 resource protection; and
- 38
- 39 (5) Address any related issues the Task Force may
- 40 identify; and
- 41



1 BE IT FURTHER RESOLVED that the State Pasture and Forest  
 2 Lands Task Force submit an annual report on its findings and  
 3 recommendations, including any proposed legislation, to the  
 4 Legislature no later than twenty days prior to the convening of  
 5 each regular session, commencing with the Regular Session of  
 6 2021; and

7  
 8 BE IT FURTHER RESOLVED that certified copies of this  
 9 Concurrent Resolution be transmitted to Chairperson of the Board  
 10 of Land and Natural Resources; Chairperson of the Board of  
 11 Agriculture; Chairperson of the Board of Trustees of the Office  
 12 of Hawaiian Affairs; Dean of the College of Forestry,  
 13 Agriculture and Natural Resources Management of the University  
 14 of Hawaii; Department of Land and Natural Resources, Division of  
 15 Forestry and Wildlife, Na Ala Hele Trails System; Chairperson of  
 16 the Hawai'i Association of Watershed Partnerships; Chairperson of  
 17 the State Game Management Advisory Commission; President of the  
 18 Hawaii Forest Industry Association; Chairperson of the Hawaii  
 19 Greenhouse Gas Sequestration Task Force; and President of the  
 20 Hawaii Cattlemen's Council, Inc.

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 22  
 23

OFFERED BY: *Richard King*  
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