

Honolulu, Hawaii

, 2020

FEB 14

RE: H.B. No. 2358
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which was referred H.B. No. 2358 entitled:

"A BILL FOR AN ACT RELATING TO AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO LEASE PASTURE LANDS ON TERMS THAT PROMOTE COLLABORATIVE BENEFICIAL USE FOR FORESTRY, WILDLIFE, RECREATIONAL, AND FOOD PRODUCTION PURPOSES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Permit the Board of Land and Natural Resources to amend and extend pasture leases to promote certain state purposes relating to recreation and sustainability; and
- (2) Permit the Board of Land and Natural Resources to issue pasture leases by direct negotiation.

Your Committee received testimony in support of this measure from The Nature Conservancy; Ahahui Malama I Ka Lokahi; and seven individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs; Hawaii Cattlemen's Council, Inc.; Kapapala Ranch; Ponoholo Ranch Limited; Barbed S Ranch LLC; Larry Jefts Farms, LLC; McCandless Ranch; Hawai'i Farm Bureau; and eleven individuals. Your Committee



received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that pasture lands comprise an important part of the Department of Land and Natural Resources' (DLNR) forest protection and hunting and recreation initiatives. However, state pasture lessees have campaigned to have these lands transferred to the Department of Agriculture (DOA), as DOA has greater flexibility to extend, amend, and issue new leases by negotiation. This measure extends similar powers to DLNR as a means of encouraging DLNR and pasture lessees to work together to promote public priorities.

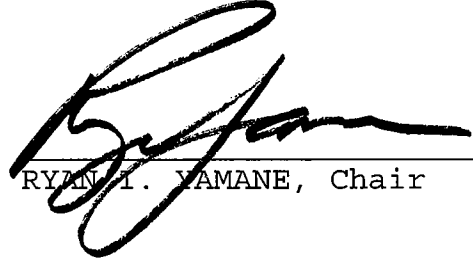
Your Committee has amended this measure by:

- (1) Clarifying that DLNR may extend or amend leases or dispose of leases by negotiation to further public purposes;
- (2) Requiring DLNR and DOA to identify lands in limbo and defining the term;
- (3) Establishing a process for the Land Use Commission to determine whether lands in limbo are bona fide agricultural land, including pasture land, or conservation land;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2358, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2358, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Hawaiian Affairs,



RYAN I. YAMANE, Chair



