

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
FINANCE**

**Friday, February 21, 2020  
12:00PM  
State Capitol, Room 308**

**In consideration of  
HOUSE BILL 2035, HOUSE DRAFT 1  
RELATING TO NON-AGRICULTURAL PARK LANDS**

House Bill 2035, House Draft 1 proposes to: 1) require the transfer of specified non-agricultural park lands from the Department of Land and Natural Resources (Department) to the Department of Agriculture (DOA) by June 30, 2020; 2) amend the definition of “agricultural activities” in Chapter 166E, Hawaii Revised Statutes (HRS), to include the care and production of pasture lands within the meaning of the phrase “care and production of livestock or livestock products;” 3) change the effective date to July 1, 2050 to encourage further discussion and; 4) make technical, non-substantive amendments for the purposes of clarity, consistency, and style. **The Department strongly opposes this measure.**

The bill’s preamble explains that the intent of the measure is to effectuate the transfer to DOA of leases held by “farmers and ranchers, with large acreage of land.” The Department has more than 100,000 acres in pasture use on Hawaii Island alone that are at risk of being transferred to DOA under this measure. House Bill 2035, House Draft 1 would take **over 10%** out of the land managed by the Department on the island, representing a huge change from lands currently managed for public trust values to lands that can be grazed without restriction, clear-cut and plowed, and blocking public access, threatening public trust natural and cultural values.

Pursuant to Act 90, Session Laws of Hawaii 2003, now codified as Chapter 166E, Hawaii Revised Statutes, the Department has already transferred more than 18,000 acres of agricultural land to DOA, and additional transfers are in process – consisting of nearly all the agricultural crop land, such as former sugar cane land, held by the Department. The Department has generally excluded large-acre pasture leases from these transfers because of the high natural resource value of certain pasture lands. Some pasture lands are remnant native forests that have never been plowed and contain native and endangered plants and wildlife. They adjoin or are near forest reserves and, as a result, have great potential for reforestation, and/or are important in providing access to other public lands for management, traditional gathering, and public recreation including hunting and

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

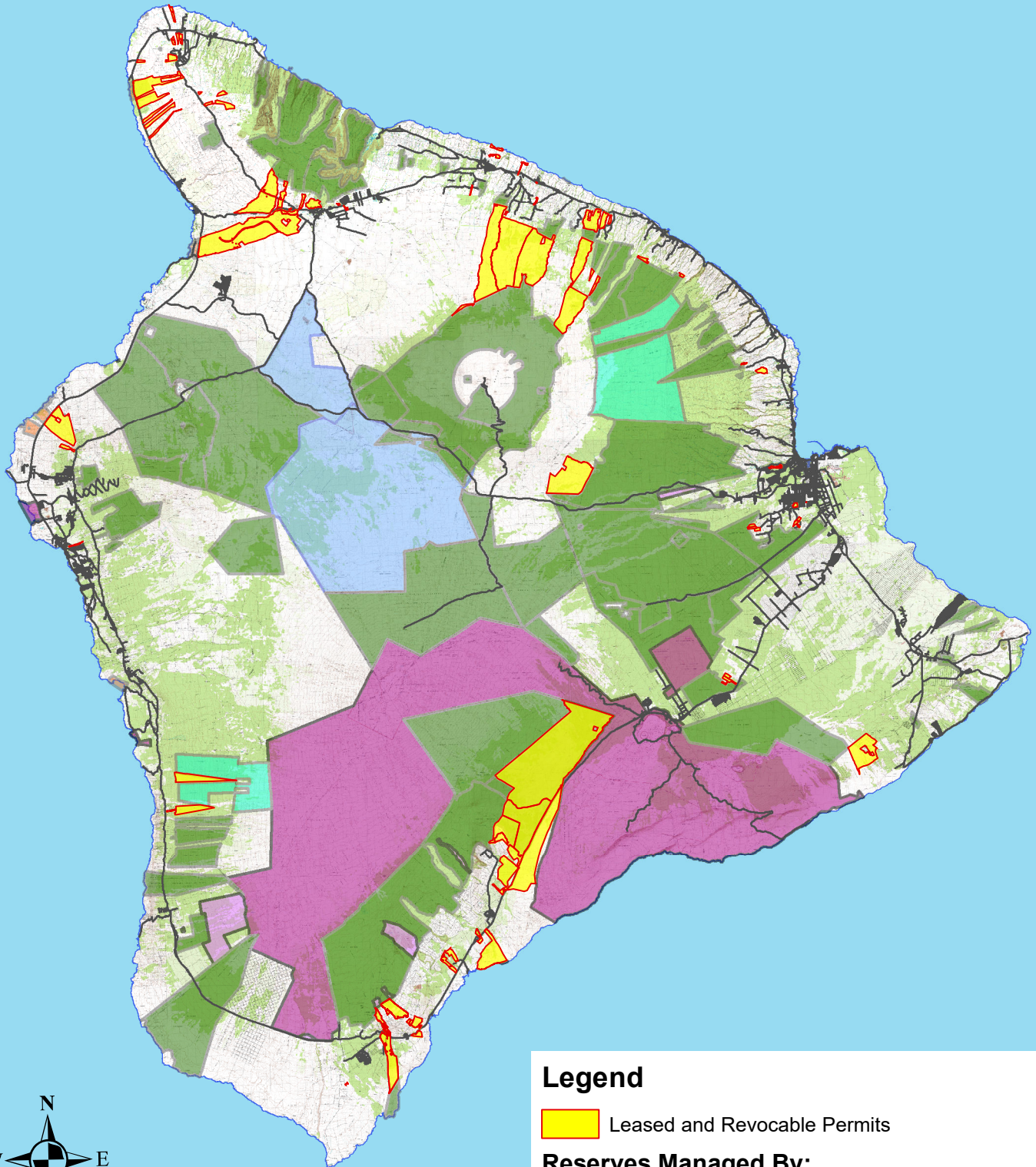
trails. The attached maps show the proximity of large tracts of pasture lands to forest reserves on Hawaii Island, and provide details on native ecosystems, potential for restoration and endangered species. The attached flyer entitled “Importance of Pasture Lands to DLNR’s Mission” provides additional information. The Department’s pasture lessees have nevertheless requested the Department to transfer their leases to DOA for management because DOA appears to have greater flexibility under its governing statutes and rules, to amend, extend, and issue new leases by negotiation.

The Department notes that House Bill 2035, House Draft 1 will not solve the food sustainability issue in the State of Hawaii. In 2018, over 43,000 head of cattle were exported to the mainland due to market conditions and better prices according to a Hawaii Beef Industry Council report. The bottom line is the transfer of these resource valued public trust lands to DOA will not increase local food sustainability in the State of Hawaii.


The perceived need to transfer pasture leases to DOA can be relieved by providing the Department with statutory powers similar to those exercised by DOA in the management of its leases. Accordingly, the Administration has introduced a measure this Session, Senate Bill 2914 to give the Department greater flexibility to deal with pasture leases. Positive advancement in carbon sequestration challenges, wildlife management, wildfire protection and forest health concerns can be best managed by the Department through mutually beneficial practices with ranching, wildlife protection, and native forest restoration. Mandating the transfer of these lands to DOA for pasture purposes will severely undermine the potential for reforestation and other natural resource protection uses of the land.

For these reasons, the Department respectfully urges the Legislature not to pass this bill (House Bill 2035, House Draft 1), and instead support Senate Bill 2914 and allow the select pasture leases to remain under the Department’s management.


Thank you for the opportunity to comment on this measure.




**Legend**


 Leased and Revocable Permits

**Reserves Managed By:**

 Div. Forestry & Wildlife, or Jointly with Other Agency

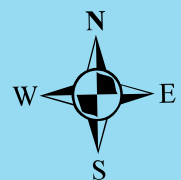
 Div. State Park

 The Nature Conservancy

 U.S. Fish & Wildlife Service

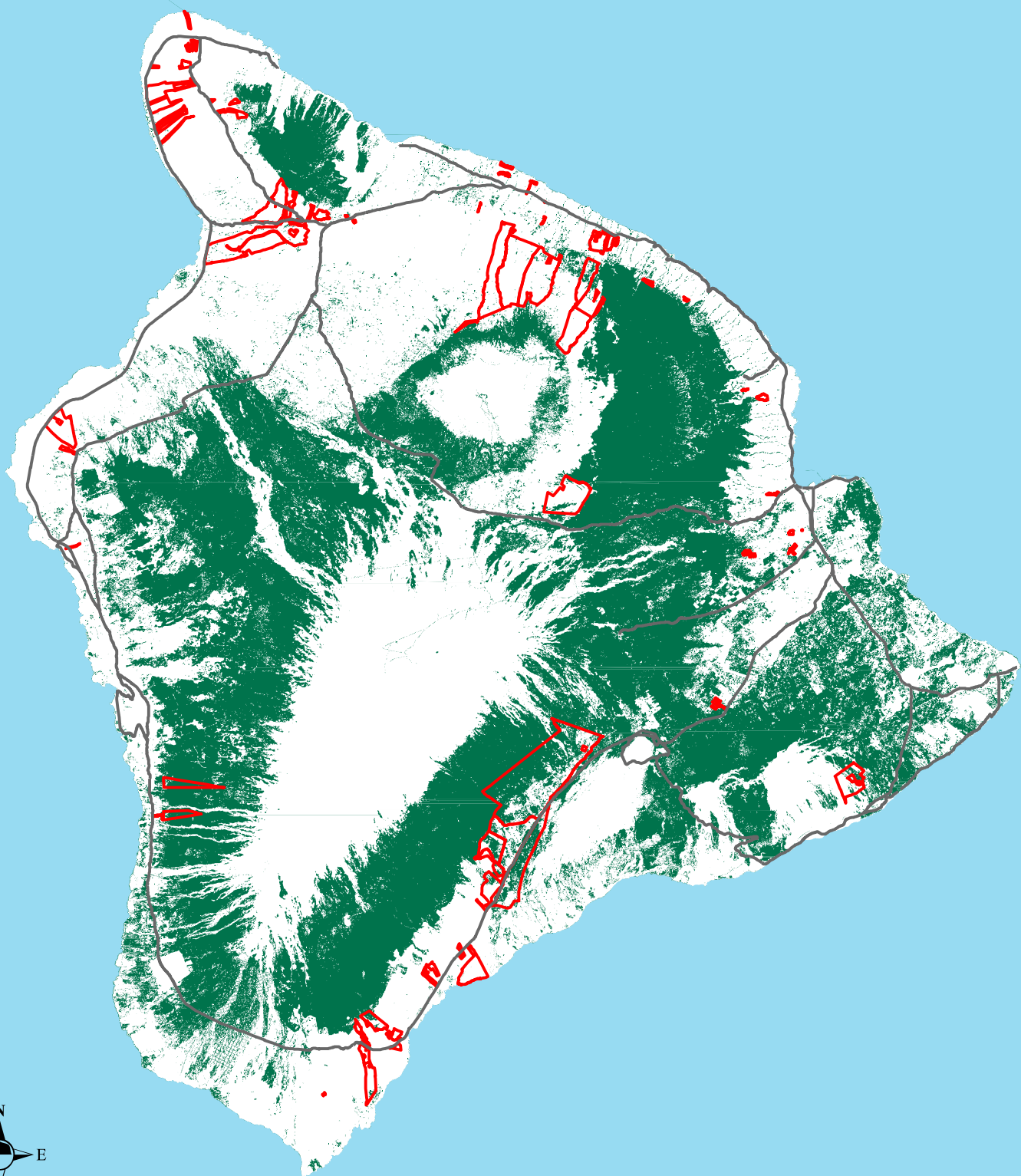
 U.S. National Park Service

 U.S. Army



0 10 20 30 Miles




0 10 20 30 40 50 Kilometers



0 2.5 5 10 15 20  
Miles

0 5 10 20 30 40  
Kilometers

### Legend











-  Leased and Revocable Permits
-  Forested Native Ecosystems
-  Major Roads

02/06/20

# Parcels with Potential for Restoration Native Ecosystems Before Human Contact



## Legend

-  Leased and Revocable Permits
-  Native Montane Wet Forest
-  Native Lowland Wet Forest
-  Native Montane Mesic Forest
-  Native Lowland Dry Mesic Forest
-  Native Subalpine Shrubland
-  Native Montane Dry Forest
-  Native Lowland Dry Forest
-  Barren or Alpine
-  Major Roads







0 2.5 5 10 15 20  
Miles

0 5 10 20 30 40  
Kilometers

# Parcels with Potential for Restoration Remaining Native Ecosystems



## Legend

-  Leased and Revocable Permits
-  Native Montane Wet Forest
-  Native Lowland Wet Forest
-  Native Montane Mesic Forest
-  Native Lowland Dry Mesic Forest
-  Native Subalpine Shrubland
-  Native Montane Dry Forest
-  Native Lowland Dry Forest
-  Barren or Alpine
-  Major Roads



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

0 5 10 20 30 40  
Kilometers



0 2.5 5 10 15 20  
Miles

0 5 10 20 30 40  
Kilometers

### Legend

-  Leased and Revocable Permits
-  Endangered Species in Parcels
-  Critical Habitat for Endangered Species
-  Major Roads

02/06/20



## SUMMARY

## DESCRIPTION

## EXPECTED BENEFITS







## 2020 LEGISLATIVE PROPOSALS

SB2812/HB2577 would transfer pasture leases to DOA because DOA appears to have greater flexibility under Chapter 166E, HRS to amend, extend, and issue new leases by negotiation. However, those goals could be achieved instead through SB2914/HB2358 to give DLNR similar statutory flexibility for negotiating pasture leases.



### PASTURE LAND CONSERVATION VALUES



Water



Fire & Forest Health



Native Ecosystems



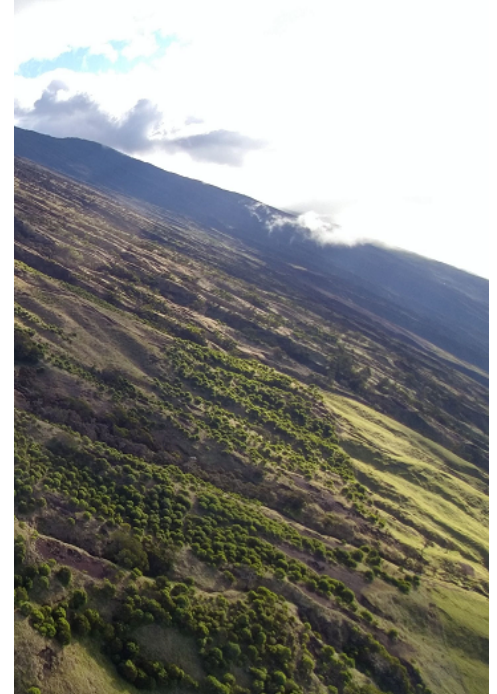
Forestry



Recreation

## DLNR PARTNERSHIPS WITH RANCHERS

## CLIMATE CHANGE AND CARBON NEUTRALITY



## CONTACT PERSON

**DAVID Y. IGE**  
Governor

**JOSH GREEN**  
Lt. Governor



**PHYLLIS SHIMABUKURO-GEISER**  
Chairperson, Board of Agriculture

**MORRIS M. ATTA**  
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 PHYLLIS SHIMABUKURO-GEISER  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON FINANCE**

**FRIDAY, FEBRUARY 21, 2020  
12:00 P.M.  
CONFERENCE ROOM 308**

**HOUSE BILL NO. 2035, HD1  
RELATING TO NON-AGRICULTURAL PARK LANDS**

Chairperson Luke and Members of the Committee:

Thank you for the opportunity to testify on House Bill 2035, HD 1. This measure requires the Department of Land and Natural Resources ("DLNR") to transfer to the Department of Agriculture ("Department") specified non-agricultural park lands by a specified deadline. Requires DLNR and the Department to jointly report on the status of the land transfer to the 2021 Legislature; and amends the definition of "agricultural activities" used in chapter 166E, HRS.

The Department supports this bill, and respectfully offers the following comments and recommendations.

The Department appreciates this measure's intent to expedite transfers of agricultural land to the Department, however, is concerned about the requirement to negotiate future leases by July 1, 2020. The lands for which management authority has been transferred to the Department are assumed subject to the existing leases to protect the property rights of the lessees. Ordinarily, the existing lease terms are observed and honored by the parties to ensure that no interference with contractual



obligations occurs. Under the Department's authority and rules, new leases may be offered upon termination of existing leases or if the lessee qualifies for a conversion of an existing DLNR lease. New leases are only issued on a case-by-case basis subject to the specific circumstances of each lease. As such, it is not suitable or appropriate to set a fixed deadline for the Department to complete negotiations for all new leases.

The Department respectfully requests the following amendments to the measure to address its concerns:

In Lines 1, 7, 11, and 12 of Page 2, replace the term "production" with the term "management."

Replace the existing language in subparagraph (b), SECTION 3 (Page 3, lines 6 through 8) of the new section with the following:

"(b) ...The department shall assume management responsibility for leases and agreements transferred by July 1, 2020."

Thank you for the opportunity to testify on this measure.



**HB2035 HD1**  
RELATING TO NON-AGRICULTURAL PARK LANDS  
Ke Kōmike Hale o ka 'Oihana 'Imi Kālā

Pepeluali 21, 2020

12:00 p.m.

Lumi 308

The Office of Hawaiian Affairs (OHA) **OPPOSES** HB2035 HD1, which may significantly compromise the Department of Land and Natural Resources' (DLNR's) ability to properly protect and promote native forests, watersheds, and habitats, including the natural and cultural resources they contain.

Native Hawaiian culture, health, and identity is inextricably intertwined with the 'āina, including the plants, animals, resources, and sites that serve as the foundation of Native Hawaiian cultural practices, beliefs, and values. The DLNR, meanwhile, is the primary state agency responsible for the oversight and protection of lands and resources that in many ways constitute the 'āina, with specific divisions focused on properly protecting and managing forests and watersheds, conservation lands, native and endangered species, and cultural sites. Accordingly, ensuring that the DLNR and its divisions can and do fulfill their important responsibilities relating to the 'āina is of particular concern to OHA and its beneficiaries.

**OHA expresses great concern that this measure may significantly compromise the DLNR's and its divisions' abilities to fulfill their kuleana, with regards to native forests, watersheds, critical habitats, and natural and cultural resources and sites found on and adjacent to the land parcels that would be transferred to the DOA. Accordingly, OHA understands that the transfer of these lands from the DLNR, which has the responsibility, institutional memory, and expertise to balance the many important roles of these "pasture" lands, to the DOA, which does not, could compromise lands, resources, and sites that are of particular significance to the Native Hawaiian community.**

OHA recognizes and appreciates that there remains under the legislature's consideration an alternative measure, HB2358 HD1, that in its original form sought to address some of DLNR's lease flexibility concerns apparently underlying this measure, while also ensuring that "pasture" lease extensions and conditions take into account the various roles that these lands may play in promoting and maintaining the integrity of the 'āina. OHA notes that the OHA Board of Trustees **opposed** the original draft of this measure, due primarily to the extremely long-term, 99-year lease terms that they would authorize for public, public land trust, and "ceded" lands. As OHA has consistently noted on other measures, such long-term, multigenerational leases may tie the hands of future generations in ensuring the best use of public land trust lands and "ceded" lands, and may lead to a sense of entitlement on the part of lessees that can lead and has in the past led to

the alienation of “ceded” lands. OHA further notes that the latest amendments made in the HD1 draft of HB2358 also stripped away important specified considerations that would have provided clear guidance on the DLNR’s issuance of lease extensions, such as the extent to which a lease extension would support native forests, reforestation efforts, public hunting opportunities, and other important potential uses and roles of a leased pasture parcel. Should HB2358 HD1 be amended to remove its 99-year long-term lease provision, and to reinstate the specified lease extension considerations included in its original draft, OHA’s Administration would consider recommending to the Board of Trustees a change in the agency’s position, so as to provide DLNR with the flexibility they need while also maintaining their important oversight.

Accordingly, OHA urges the Committee to **HOLD** HB2035 HD1. Mahalo nui for the opportunity to testify on this measure.



February 19, 2020

Representative Sylvia J. Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair  
House Committee on Finance

**Testimony in Support of HB 2035, H.D.1, Relating to Non-agricultural Park Lands (Requires the Department of Land and Natural Resources [DLNR] to transfer to the Department of Agriculture [DOA] specified non-agricultural park lands by a specified deadline; requires DLNR and DOA to jointly report on the status of the land transfer; amends the definition of “agricultural activities” used in Chapter 166E, Hawaii Revised Statutes [HRS].)**

**Friday, February 21, 2020, 12:00 p.m., in Conference Room 308**

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 utility companies. 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 HB 2035, H.D.1** and of the various agricultural stakeholder groups who defend the goals of viable agricultural operations and the conservation and protection of agriculture in Hawaii.

**HB 2035, H.D.1.** This bill proposes to require the DLNR to transfer to the DOA specified non-agricultural park lands by a specified deadline. The measure also amends the definition of “agricultural activities” used in HRS Chapter 166E and requires the DLNR and the DOA to jointly report on the status of the land transfer.

**LURF’s Position.** LURF members include property owners, farmers and ranchers who own, maintain, and engage in agricultural enterprises, and who consider efforts to protect and support agriculture significant to the continued conduct of their operations and to help sustain and preserve farming and ranching businesses into the future. LURF understands that many farmers and ranchers have been awaiting the transfer of their land leases from the DLNR to the DOA pursuant to Act 90, Session Laws of Hawaii (2003), which was enacted to ensure long-term productive use of public agricultural

lands to be managed by the DOA. The 17-year delay of the anticipated transfers, however, has impaired the ability of farmers and ranchers to establish and implement long-term plans for their operations, and the determination of a time deadline by which to accomplish the transfer of leases from the DLNR to the DOA would greatly assist with this effort.

LURF further supports this measure's clarification that "agricultural activities" in non-agricultural park lands shall include the care and production of pasture lands, since Act 90 (2003) expressly includes in its definition of "agricultural activities," the care and production of livestock and livestock products, which requires pasture. Livestock ranching is a significant component of Hawaii's agricultural sector, being a highly productive, expanding, and extremely valuable industry on all islands with an estimated current annual value of more than \$68 million.

In accordance with the State's policies to promote and foster agriculture and an atmosphere of acceptance for all agricultural practices, LURF **supports HB 2035, H.D.1** and respectfully urges your favorable consideration.

Thank you for the opportunity to present testimony regarding this matter.



P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

February 21, 2020

HEARING BEFORE THE  
HOUSE COMMITTEE ON FINANCE

**TESTIMONY ON HB 2035, HD1**  
RELATING TO NON-AGRICULTURAL PARK LANDS

Room 308  
12:00 PM

Aloha Chair Luke, Vice Chair Cullen, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

**The Hawaii Farm Bureau strongly supports HB 2035, HD1**, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline and requires DLNR and DOA to jointly report on the status of the land transfer. It also clarifies that agriculture activities in non-agricultural park lands includes the care and production of pasture lands.

Act 90 SLH 2003 has not been fully implemented to fulfill the intent of transferring land in agricultural use from the Department of Land and Natural Resources to the Department of Agriculture. The intent of Act 90 was to ensure the long-term use of agricultural lands by transferring them to HDOA, which is more equipped to manage agricultural lands.

The success of ranchers and farmers is a key component in the State's goal to double local food production. Farmers and ranchers need long-term leases in order to prudently invest in infrastructure improvement on the leased land. HDOA rules are set up to encourage agriculture and make it practical to do so. Lands for lease under HDOA are appraised on their agricultural value. DLNR's rules are to get the "Highest and Best use" for the lands and are often appraised at much higher values which tend to be unaffordable to farmers and ranchers.

Thank you for this opportunity to testify on this important subject.





# Meadow Gold Dairies



**Written Testimony By: Glenn Muranaka**  
**HB2035hd1, Relating to Non-Agricultural Lands**  
**House FIN Hearing – 12:00 pm**  
**Friday, February 21, 2020 – Room 308**

**Position: Support**

Chair Luke, Vice Chair Cullen and Members of the House FIN Committee:

My name is Glenn Muranaka, President and General Manager of Meadow Gold Dairies. Our company has been in Hawaii since 1897—123 years, providing Hawaii consumers with a variety of milk products and juices. Meadow Gold's long history has not come without effort. We continually adapt to our customers' and consumers' ever-changing needs, and we constantly evolve along with our industry, our community and our market. Over the years, this has required that we struggle, tighten our belts, innovate and work extremely hard, making us a better company in the process. The foundation of this work rests with the 305 employees that are committed to providing superior quality products.

Your support for HB 2035hd1 is requested for what appears to be an enabling measure to move forward with the transfer of certain non-agricultural parklands from the Department of Land and Natural Resources to the Department of Agriculture. This was authorized by the Hawaii State Legislature in 2003 and despite notification to lessees of large acreages of land, mostly farmers and ranchers, no lands have been transferred. A statutorily imposed deadline for transfers will ensure the transfer of leases and further the long-term productive use of public agricultural lands.

HB 2035hd1 makes clear that pastureland is included in the definition of agricultural activities.

Thank you for the opportunity to submit testimony. If you have any questions, please contact me at 944-5911.



Email: [communications@ulupono.com](mailto:communications@ulupono.com)

HOUSE COMMITTEE ON FINANCE  
Friday, February 21, 2020 — 12:00 p.m. — Room 308

**Ulupono Initiative Supports HB 2035 HD 1, Relating to Non-Agricultural Park Lands.**

Dear Chair Luke and Members of the Committee:

My name is Amy Hennessey, and I am the Senior Vice President of Communications & External Affairs at Ulupono Initiative. We are a Hawai'i-based impact investment firm that strives to improve our community's quality of life by creating more locally produced food; increasing affordable clean renewable energy and transportation options; and better managing waste and fresh water resources.

**Ulupono supports HB 2035 HD 1**, which requires the Department of Land and Natural Resources (DLNR) to transfer to the Department of Agriculture (DOA) specified non-agricultural park lands by a specified deadline, requires the DLNR and the DOA to jointly report on the status of the land transfer, and amends the definition of "agricultural activities" used in chapter 166E, HRS.

Ulupono supports the local livestock industry and its efforts to provide fresh, healthy products for Hawai'i's consumers. With the DOA's affordable, long-term lease structure in place, local ranchers will be able to make the necessary investments into their respective operations, improving economic viability and increasing local food production for the State.

While we support the DLNR's mission to preserve natural resources and maintain watershed protection, Ulupono believes that all active agricultural pasture leases should be transferred to the DOA as per the intent of Act 90, SLH 2003. The DOA's mission and expertise to manage agricultural activities, including pasture land production, through a favorable lease structure promotes local food production.

Ulupono is supportive of any potential agreements between the DLNR and the DOA, through memorandum of agreement or memorandum of understanding, to allow for dual use where and when there are opportunities that exist to support both local food production and natural resource management.

As Hawai'i's local food issues become increasingly 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.

Thank you for this opportunity to testify.

Respectfully,

Amy Hennessey, APR  
Senior Vice President, Communications & External Affairs

*Investing in a Sustainable Hawai'i*

**HB-2035-HD-1**

Submitted on: 2/20/2020 9:12:47 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b>       | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------------|---------------------------|---------------------------|
| Chris Manfredi      | Hawaii Coffee Association | Support                   | No                        |

Comments:

## KAPAPALA RANCH

P. O. Box 537

Pahala, HI 96777

808-936-2922

[Kapapala.ranch@aol.com](mailto:Kapapala.ranch@aol.com)

February 20, 2020

Chair Luke, Vice Chair Cullen, and members of the Finance Committee.

**We strongly support HB2035 and feel that the HDOA's mission can provide a solid and trustworthy platform for us operate on. Our livelihood hinges on the outcome of this legislation.**

We were happy when we received our acceptance letter from the HDOA in 2009 informing us that they would be managing our leases, which included both GL 5374 and RP's 7637 and 7758. Several times we stopped into the Hilo DLNR Land Office to see whether things were moving on our transfer and we were told that they were working on the paperwork. Feeling safe that our efforts were not in vain for a long-term future, we kept making large investments into our new Kaniwai Water System, believing that our lease would end up in HDOA. The DLNR signed concurrence letters with USDA's Natural Resource Conservation Service, NRCS, agreeing to the improvements the Ranch was making, all within the parameters of our Conservation Plan.

We were concerned in 2012 when we weren't getting any notices or called into any meetings. We asked the HDOA staff what was the problem. They said that DOFAW was not wanting the lands to transfer. In 2013, after several meetings with key legislators we were cc'd on a letter sent by the DLNR to our Senator that there would be no Ranch at the termination of the lease in 2029. We were stunned!

Our emotions were running high with the fear of losing our million dollar investment in water, much less all the other leasehold improvements we had made as well our livelihood and home. We were then called to Honolulu in late 2014 to be handed our new proposed lease rent. In a standard 10 year rent reopener, the Department proposed a 1,000% increase in our lease rent! Chair Aila, at the time, asked us to cooperate with the Department doing a second appraisal. They hired the same appraiser which we just could not understand and came in with a second appraisal reduced to a 400% increase in land rent. Finding this still unacceptable due to flawed process, we labored for another two years through mediation and finally binding arbitration, settling at the rate that the Ranch's appraiser and the University of Hawaii's Extension Range Specialist had originally recommended. Our cost of this whole process was equal to three years of annual rent (\$104,000).

In February of 2018 we were asked by DLNR Deputy Bob Masuda to meet with DOFAW staff in Hilo to work on identifying lands that would be suitable for ranching and lands suitable for reforestation. The Department would work on transferring lands that would be ideal for ranching over to the HDOA. At that meeting, DOFAW staff handed us a map with their ideas of an equitable land split. It was not equitable from our perspective and would reduce the ranches capacity to 1/5 of what it was because of prime pasture area being withdrawn to plant Koa and the more marginal areas would be leased under a year to year rental. To expect a business to operate on a year to year basis is, in my opinion, an invitation to pack your bags. It is impossible to find new pasture for large numbers of cattle in a short time frame, therefore we considered it an area to begin a liquidation plan. We also would need to lay off the employees including my husband or myself since one of us would need to seek outside employment.

In October of 2018 Chair Suzanne Case joined us for a helicopter tour of the Ranch. After the flight we agreed to a facilitated meeting at some time in the near future. That meeting happened on July 3<sup>rd</sup>, 2019 and included the Chair, a BLNR member, DOFAW and Land Division staff, myself and my husband, the ranch accountant, and the ranch's resource consultant. The facilitator was chosen solely by Chair Case and had many years of association with her at the Nature Conservancy. After my presentation of a detailed production dilemma that we faced with their 2018 proposal DOFAW presented their plan. Their vision for the future of the Ranch would be inclusive of one 'landscape scale conservation area' starting at Kilauea and running to the summit of Mauna Loa and south to the Kahuku Unit of Hawaii Volcanoes National Park and encompassing the State's Ka'u and Kapapala Forest Reserves. This area would be 'big, protected, and connected' according to DOFAW.

The Department in consideration of our concerns promised to have us a draft lease to look at in about six months (January 2020) and we were to be included in the process in order that we could have input. We have not received even a phone call in the last seven months. Until it was announced at the November Cattleman's Convention we had no idea of the Department's plans to initiate HB 2358 giving the DLNR equivalent leasing authority as the HDOA.

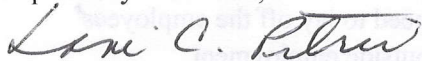
In my time here, there have been three major fires outside the Ranch, two in the National Park at the Mauna Loa Strip and one in the Kapapala Forest Reserve. Each fire blazed over several thousand acres. The Ranch, with reduced fuel loads, provided a buffer from the fires spreading from one conservation area to another. In the most recent fire of August 2018, the Ranch also provided water for the fire crews from DOFAW and HVNP to fill their pump trucks. The Ranch's bulldozer on the fifth day stopped the front of the fire from making a turn south that likely would have burned another few days. The water that we provided to DOFAW and HVNP fire crews came from our Kaniwai Reservoir through nine miles of pipe. There were no reservoirs when we came here 43 years ago in 1977 and today the ranch has 10,000,000 gallons of water storage and nearly 100 miles of new or well repaired transmission pipelines that can distribute water over 51 square miles (approximately the area of Kahoolawe). Our reservoirs also provide water habitat to the threatened Nene goose while the miles of pipelines delivering water also enhance game bird and other wildlife populations.

We understand the value of native forests and what it means to the community that we live in to preserve these areas so the Ranch, 30 years ago, willingly gave up 1,250 acres of pasture that was better suited for native forest to DOFAW. In the past 30 years there has been less than a few trees harvested and only two to three acres cultivated to native forest. Yet, they have asked us in the last two years to give up a lot more acreage for the purpose of planting Koa.

We support the public's right to use and enjoy the Forest Reserves and manage public access to these areas 365 days a year. Our interactive management with the public keeps the roads clean of rubbish and abandoned vehicles. Currently there about 300 requests per month which our answering service handles and another 25 per month handled directly by us and we bare the full burden of cost. Along with public access to the Reserves, we also work with DOFAW to open the Ranch during Game Bird Season for three months for the hunting public. This is costly as we are unable to work during those hunting days.

Please consider my testimony as we have been lifetime stewards to the lands of Kapapala.

Respectfully submitted,



Lani C. Petrie



## Ponoholo Ranch Limited

P O BOX 700489  
KAPOLEI, HI 96709  
(808) 306-7769

### COMMITTEE ON FINANCE REP SYLVIA LUKE, CHAIR

DATE: Friday, February 21, 2020  
TIME: 12:00 p.m.  
PLACE: Conference Room 308

#### **HB 2035 HD1**— RELATING TO NON-AGRICULTURAL PARK LANDS.

Requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. Requires DLNR and DOA to jointly report on the status of the land transfer. Amends the definition of "agricultural activities" used in chapter 166E, HRS. Effective 7/1/2050.

Chair Luke, Vice Chair Cullen and Members of the Committee:

My name is Alan Gottlieb, and I am The Vice President of Ponoholo Ranch, a working cattle ranch on the Big Island of Hawaii. We steward over 10,000 acres of land.

Ponoholo Ranch **strongly supports** HB 2035 HD1.

We support this bill as it provides a timeline to accomplish the transfer of agricultural leases from the Department of Land and Natural Resources (DLNR) to Hawaii Department of Agriculture (HDOA) and specifies that pasture lands are agricultural as per legislative intent from 2003, **17 years ago**.

We firmly believe that Act 90 refers to pasture leases. Act 90 clearly defines agricultural activities as, "the care and production of livestock, livestock products, poultry, or poultry products, or apiary, horticultural, or floricultural products, or the planting, cultivating, and harvesting of crops or trees." The care and production of livestock requires pasture, and this bill clarifies that.

Act 90 was passed in 2003 for the purpose of ensuring the long-term productive use of public agricultural lands by allowing these lands to be transferred to and managed by the department of agriculture. The delay in transferring agricultural lands hinders the ability for ranchers to do long-term planning.

In fact, two Ponoholo Ranch leases and one Revocable Permit previously held under DLNR were transferred by Executive Order to HDOA in 2019, based on an agreement with DLNR that Ponoholo Ranch would be a test case, and then others would follow. Ponoholo Ranch was a successful test case, and DLNR after a visit to Ponoholo by the Chair, Deputy and several key employees, was very happy with the work Ponoholo was doing stewarding the land and providing access for hunters. However, since that

meeting in 2018 and agreement, no other pasture leases have been transferred as DLNR had agreed. Its time more pasture leases are transferred as agreed.

Agricultural leases administered by HDOA will be better tailored to agricultural operations and the management of those natural resources for agricultural purposes and sustainability. It will aid in increasing local food production for the following reasons:

- HDOA's mission is for agricultural production and to gain greater self-sufficiency in food, whereas DLNR's mission is to manage Hawaii's natural, cultural, and historic resources.
- Lands under DLNR go to public auction for lease disposal and aim to generate the highest lease rents possible. Consistent with HDOA's mission, the terms and conditions of their leases including rent structure are viable for ag uses and encourage good stewardship of said resources for agricultural sustainability.
- Long lease terms under HDOA allow ranches to invest in improvements to the land and gives them confidence based on sufficient tenure to grow their operation.

Ranchers are proponents for stewarding the land well and will continue to work in consultation with DLNR on conservation practices when leases are transferred to HDOA. Many ranchers are award winning land stewards, participating in watershed partnerships and administering conservation plans with their local Soil and Water Conservation Districts, which are administratively affiliated with DLNR.

The transfer of lands to HDOA is critical for the success of agricultural producers, as these leases are based on agricultural value.

The transfer of these leases to HDOA is long overdue and this bill provides relief to farmers and ranchers by providing a timeline to complete the transfer of these leases. We respectfully ask this committee to support this measure. We appreciate the opportunity to testify on this critical matter for our industry.

**HB-2035-HD-1**

Submitted on: 2/19/2020 11:50:05 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Harry von Holt      | Ponoholo Ranch, Ltd | Support                   | No                        |

Comments:



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

HB 2035hd1, Relating to Non-Agricultural Park Lands  
House FIN Hearing  
Friday, February 21, 2020  
12:00 pm  
Conference Room 308

Testimony By: Larry Jeffs  
Position: Support

Chair Luke, Vice Chair Cullen and Members of the House FIN 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. I am a volunteer director for the West Oahu Soil and Water Conservation District (SWCD).

HB 2035hd1 seeks to clarify that pastures---used for the care and production of livestock--- is indeed an agricultural activity. It also seeks to establish a deadline for the transfer of pasture leases from the Department of Land and Natural Resources to the Department of Agriculture. This transfer of pasture leases was established in 2003, Act 90 and has not yet occurred.

This delay in lease transfers create a situation where ranchers cannot do long-term planning to increase local grass-fed beef production. Ranchers, as in all who are involved in agriculture production, need long-term leases before capital investments can be made for production. The Department of Agriculture is a better fit for the management of land resources for agriculture purposes.

Your support of this bill is appreciated. Thank you for consideration of this testimony.

**HB-2035-HD-1**

Submitted on: 2/19/2020 4:25:46 PM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Tony t Brun         | Circle5ranch        | Support                   | No                        |

Comments:

**HB-2035-HD-1**

Submitted on: 2/19/2020 10:59:49 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b>                          | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--|---------------------------|---------------------------|
| Bobby Farias        | Hawaii Cattlemen's Council, Hawaii Meats LLC | Support                   | No                        |

Comments:

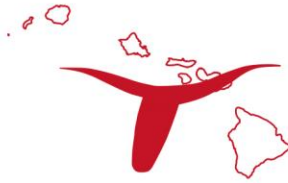
**HB-2035-HD-1**

Submitted on: 2/20/2020 7:26:49 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b>        | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|----------------------------|---------------------------|---------------------------|
| Michael Bryan       | Hawaii Cattlemen's Council | Support                   | No                        |

Comments:



**Hawaii Cattlemen's Council, Inc.**

COMMITTEE ON FINANCE  
Rep. Sylvia Luke, Chair  
Rep. Ty J.K. Cullen, Vice Chair

**HB2035 HD1**

Requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. Requires DLNR and DOA to jointly report on the status of the land transfer. Amends the definition of "agricultural activities" used in chapter 166E, HRS.

Friday, February 21, 2020, 12:00 pm  
Conference Room 308, State Capitol  
415 South Beretania Street

Chair Luke, Vice Chair Cullen, and Members of the Committee on Finance,

The Hawaii Cattlemen's Council **strongly supports HB2035 HD1** to set a deadline and enforce Act 90, 2003.

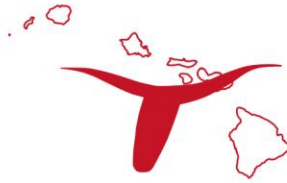
We firmly believe that Act 90, 2003 refers to pasture leases—the intent of this bill is to fully clarify that. Act 90 clearly defines agricultural activities as, “the care and production of livestock, livestock products, poultry, or poultry products, or apiary, horticultural, or floricultural products, or the planting, cultivating, and harvesting of crops or trees.” The care and production of livestock requires pasture, and the language of Act 90, 2003 indicates that production of livestock is an agricultural activity.

Act 90 was passed in 2003 for the purpose of ensuring the long-term productive use of public agricultural lands by allowing these lands to be transferred to and managed by the department of agriculture. The delay in transferring agricultural lands hinders the ability for ranchers to do long-term planning.

Agricultural leases administered by HDOA will be better tailored to agricultural operations and the management of those natural resources for agricultural purposes and sustainability for the following reasons:

- HDOA's mission is for agricultural production and to gain greater self-sufficiency in food, whereas DLNR's mission is to manage Hawaii's natural, cultural, and historic resources.
- Lands under DLNR go to public auction for lease disposal and aim to generate the highest lease rents possible. Consistent with HDOA's mission, the terms and conditions of their leases including rent structure are viable for ag uses and encourage good stewardship of said resources for agricultural sustainability.
- Long lease terms under HDOA allow ranches to invest in improvements to the land and gives them confidence based on sufficient tenure to grow their operation.





## Hawaii Cattlemen's Council, Inc.

Ranchers and conservationists are often pitted against each other, when in fact, the values of both parties overlap. Ranchers are proponents for stewarding the land well and will continue to implement conservation practices when leases are transferred to HDOA—the health of the land allows ranchers to continue their production. With long-term leases based on agricultural production, ranchers will be even better situated to invest in long-term conservation practices. Nothing on the land will change. They will continue to be cooperators with their Local Soil and Water Conservation Districts, housed under DLNR's, and manage their conservation plans. They will continue to be valued partners in their Local Watershed Partnerships, housed under DLNR. The ranchers will continue to ranch, and continue to be excellent land stewards, and continue to provide public access and access for hunters, all as required in the lease whether it is managed by DLNR or HDOA. They will also continue to fight invasive species, provide watershed management, and carbon sequestration, and provide all of the other eco-system services they have always provided, all at no cost to the State or the general public. Only the State agency which administers the leases will change.

The transfer of these leases to HDOA is long overdue and important for Hawaii to gain food security. We respectfully ask this committee to support **HB2035 HD1** and include a deadline that is reasonable, but in the near future. We appreciate the opportunity to testify on this critical matter for our industry.

Nicole Galase  
Hawaii Cattlemen's Council  
Managing Director





Testimony from  
The Wildlife Society, Hawai'i Chapter  
**in opposition to HB2035 HD1 relating to non-agricultural park lands**

House Committee on Finance  
Friday, February 21, 2020  
12:00 PM, State Capitol, Conference Room 308

The Wildlife Society (TWS), Hawai'i Chapter dedicates itself to the conservation and preservation of flora and fauna endemic to the Hawaiian Islands. TWS Hawai'i Chapter's objectives are to promote the sound stewardship of wildlife and their habitats in Hawai'i and the Pacific, promote the conservation of indigenous and endemic Hawaiian and other Pacific wildlife and their habitats, and promote the development of knowledge, skills, and abilities necessary for success of wildlife professionals and the conservation community in the State of Hawai'i and Pacific.

HB2035 proposes to transfer all non-agricultural park lands, also known as pasture lands, from the Department of Land and Natural Resources (DLNR) to the Department of Agriculture (DOA) by June 30, 2020. This could have major implications for native bird habitat. Much of these lands still maintain remnant forests and hold the best potential for large-scale reforestation. Transferring these lands to DOA would eliminate future opportunities for reforestation projects aimed at recovering endangered bird populations. Some of these pasture lands also serve as critical corridors, allowing forest birds to migrate up the mountain to cooler climates where there is less threat of mosquitos and avian malaria.

DLNR management and stewardship of these lands is essential if we are to save species from extinction.

Thank you for the opportunity to comment on this measure.



49 South Hotel Street, Room 314 | Honolulu, HI 96813  
[www.lwv-hawaii.com](http://www.lwv-hawaii.com) | 808.531.7448 | [voters@lwv-hawaii.com](mailto:voters@lwv-hawaii.com)

## **HOUSE COMMITTEE ON FINANCE**

Friday, February 21, 2020, Noon, House Conference Room 308

### **HB2035 Relating to Non-Agricultural Pak Lands**

#### **TESTIMONY**

Nancy Davlantes, Legislative Committee, League of Women Voters of Hawaii

Chair Luke, Vice-Chair Cullen and Committee Members:

The League of Women Voters of Hawaii opposes HB 2035 that, as currently drafted, requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also requires DLNR and DOA to jointly report on the status of the land transfer.

Reading the 90 pages of testimony for and against the bill, it is clear that ranching and farming interests believe the DOA is the best agency to manage these lands in the interest of food security. Those who oppose this bill are concerned that the lands at stake are vital to the health of Hawaii's watersheds and the wildlife and species habitat and should be managed by the agency responsible, i.e., the DLNR.

The League believes that rather than pitting ranching and farming interests against those concerned with Hawaii's safeguarding the state's natural resources, there is room for compromise. One size does not fit all, and the opposing interests need to go back to the drawing board rather than dig in their respective heels.

Thank you for the opportunity to submit testimony.







# SIERRA CLUB OF HAWAI'I

## HOUSE COMMITTEE ON FINANCE

February 21, 2020 12:00 PM Room 308

**In OPPOSITION to HB2035 HD1:** Relating to Non-Agricultural Park Lands

---

Aloha Chair Luke, Vice Chair Cullen, and members of the committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES HB2035** to transfer nearly **one hundred thousand acres** of public watershed lands from the Department of Land and Natural Resources to the Department of Agriculture.

### **Not agricultural lands**

The 93 thousand acres of land at issue in this bill are crucial watershed lands that have been used on a temporary basis for ranching activities and hunting. As the title of the bill says, these are “non-agricultural park lands.” It is appropriate for the agency responsible for managing the state’s watersheds for healthy forests, robust drinking water supplies, and native species habitat should be responsible for managing these high-value lands. The Department of Land and Natural Resources is that agency, not the Department of Agriculture.

### **Fix DLNR’s leasing, licensing, and permitting process**

The real issue behind this bill is the challenge ranchers face in securing the proper land dispositions from DLNR. We understand this problem. The Club continues to be a consistent critic of the DLNR’s handling of public land dispositions, in particular the improper use of revocable permits like those ranchers are currently using for access to these public lands.

The proper solution here is to fix DLNR’s process for handling land and water dispositions, not to transfer specific pieces of property away from the very agency that should be managing them. The Club is committed to helping in this process. The committee should review SB915(2019) for guidance on ways to improve DLNR’s land disposition process in a way that protects public trust resources and state interests in the long-term health of public watershed lands, while also reducing the hurdles for small-scale, low-impact uses of public lands (such as ranching and pasture lands).

### **Act 90, SLH 2003 was a mistake that should not be repeated**

The 2003 Legislature should have never identified specific tax map key numbers for transfer from one agency to another. That is special legislation, which is prohibited by the state's constitution. It is also bad policymaking.

The Legislature should focus on establishing general policy direction and providing the funding necessary to implement those policies. It is the task of the agencies to actually implement those policies, employing their relative expertise in each subject matter area.

In this situation, the real purpose of these lands is watershed protection and management. This is the source of our future water, this is the home for Hawai'i's native species. That makes these lands the responsibility of the Department of Land and Natural Resources, not the Department of Agriculture.

For these reasons, we urge this committee to **HOLD** this bill. Thank you very much for this opportunity to provide testimony in **opposition to HB2035**.

Mahalo,

A handwritten signature in cursive script, appearing to read "M. Townsend", written in black ink on a white background.

Marti Townsend  
Chapter Director

**HB-2035-HD-1**

Submitted on: 2/19/2020 1:15:21 PM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kristin             | Individual          | Support                   | No                        |

Comments:

**HB-2035-HD-1**

Submitted on: 2/19/2020 1:28:03 PM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Christopher English | Individual          | Support                   | No                        |

Comments:

Testimony of Jeri Moniz  
KK Ranch  
PO Box 428  
Paauilo, HI 96776

Chair Luke and the members of the House Committee on Finance, my name is Jeri Moniz. My family and I are the owners of KK Ranch and we **strongly support HB 2035**. We have ranched the past 30 years on a state lease on the northern slope of Mauna Kea. Over the past twelve years I also worked to promote local beef through participating in and chairing the Taste of the Hawaii Range, an annual agricultural event geared towards educating our island chefs, culinary students, and the public consumer on local agriculture. I also chair the marketing committee in the statewide Hawaii Cattlemen's Council organization.

I can testify that the 2003 Act 90 was clearly written to transfer pastoral leases along with other non-agricultural park agriculture leases from the DLNR to the HDOA. The genesis of Act 90 in large part resulted from a withdrawal without adequate compensation we and other ranchers endured as DLNR lessees. We support HB 2035 clarifying that the 2003 Act 90 clearly included pastoral leases.

We continue to support the transfer of State pastoral leases to the Hawaii Department of Agriculture. It is important to note that the lands that makes up our lease and other similar leases particularly on the slopes of Mauna Kea have been in cattle production for over 150 years and make up a significant portion of Hawaii's beef cattle industry. We are very committed and proud to be one of if not the longest standing agriculture industry in Hawaii. We are not just some land holding entity that some perceive ranches to be and we take our role in working to achieve food security and sustainability for Hawaii very seriously. The Hawaii Department of Agriculture understands the needs of the agriculture industries including the beef cattle industry and has always been strong advocates and supporters of ranching and farming. They are working closely with us to achieve the food sustainability goal for Hawaii.

It is clear that DLNR has other mission priorities, some conflicting, even to the point of viewing cattle and other livestock production as a threat. Chairperson Case's testimony presented in opposition of HB 2035 clearly demonstrates this conflict. At best she demonstrated that DLNR views cattle grazing as a potential tool for their use believing they can cut up our leases, impose restrictions and requirements that have no impact to our businesses. She presented the attached map in her testimony that clearly demonstrates that pastoral leases make up the minority of the State lands under their control and yet they want more? Ranchers should not be penalized for preserving remnant forests that have not been destroyed by historical wildfires by having those portions of their leases taken away. She provided a picture of the devastation caused by the two line spittlebug to a pasture in Kona and instead

of offering assistance like the HDOA does she demonstrates an eagerness to capitalize on the industries misfortunes by replacing pasture with trees.

I apologize for taking of the gloves with this testimony but it is important for you to understand it from the cattle industries perspective. Please pass HB 2035 to move these leases to the HDOA and thank you for hearing these concerns and allowing my testimony.

**HB-2035-HD-1**

Submitted on: 2/19/2020 2:35:03 PM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Mike                | Individual          | Support                   | No                        |

Comments:



COMMITTEE ON FINANCE  
Rep. Sylvia Luke, Chair  
Rep. Ty J.K. Cullen, Vice Chair

**HB2035 HD1**

Requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. Requires DLNR and DOA to jointly report on the status of the land transfer. Amends the definition of "agricultural activities" used in chapter 166E, HRS.

Friday, February 21, 2020, 12:00 pm  
Conference Room 308, State Capitol  
415 South Beretania Street

Chair Luke, Vice Chair Cullen, and Members of the Committee on Finance,

McCandless Ranch **strongly supports HB2035 HD1** to set a deadline and enforce Act 90, 2003.

We firmly believe that Act 90, 2003 refers to pasture leases—the intent of this bill is to fully clarify that. Act 90 clearly defines agricultural activities as, “the care and production of livestock, livestock products, poultry, or poultry products, or apiary, horticultural, or floricultural products, or the planting, cultivating, and harvesting of crops or trees.” The care and production of livestock requires pasture, and the language of Act 90, 2003 indicates that production of livestock is an agricultural activity.

We understand there are some concerns from the environmental community that conservation work will not happen on these state leases once these leases are transferred to the DOA. This is not the case. Ranchers have a vested interest in managing these properties to the best of their abilities, whether for food production or for conservation, because their livelihoods depend on it.

Section #8 of the DOA lease states: Good husbandry and conservation practices. The Lessee shall at all times practice good husbandry with regard to the use of the demised premises for the use permitted and shall carry out a program of conservation based upon a Conservation Plan (CP) developed by the Lessee in cooperation with the appropriate Soil and Water Conservation District. In the event the activities of the Lessee are determined to be contrary to the Conservation Plan, the Lessor shall notify the Lessee of the discrepancy and the Lessee shall be required, within sixty days of the notice, to cure the discrepancy and to submit proof thereof satisfactory to the Lessor.

Longer termed leases managed by the DOA will give ranchers incentives to invest in these properties for both conservation and food security. Win-Win.

The transfer of these leases to HDOA is long overdue. We respectfully ask this committee to support **HB2035 HD1** and we appreciate the opportunity to testify on this critical matter for our industry.

Keith K. Unger  
McCandless Ranch  
HCC President

**HB-2035-HD-1**

Submitted on: 2/19/2020 4:11:25 PM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Bud & Katy Gibson   | Individual          | Support                   | No                        |

Comments:

We greatly support HB2035 for the transfer of DLNR Ag leases over to the Department of Agricultural. The DOA is better set up to manage agricultural leases. This has taken 17 years to get to this point, so this needs to be done.

Mahalo

Bud and Katy Gibson

**HB-2035-HD-1**

Submitted on: 2/20/2020 5:54:27 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Taylor Kellerman    | Individual          | Support                   | No                        |

Comments:

**HB-2035-HD-1**

Submitted on: 2/20/2020 11:58:23 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| J Ashman            | Individual          | Support                   | No                        |

Comments:

I strongly support this measure.

With due respect, it is beyond belief that in 2003, the legislature mandated this transfer of ag lands from DLNR to DOA (Act 90); **17 years ago**, and farmers and ranchers are still waiting and suffering the insecurity of their unfair lease terms. What is the justification for the 17-year delay? How is this bringing us closer to food self-sufficiency?

Has DLNR managed these ag leases fairly?

Has DLNR, or could it, manage and steward the ag land better than the current lessees are doing?

Is there any reason to believe that the administrative sister agency, DOA, would do a poor job at managing these ag leases? If so, where is the evidence for that?

If there is any concern about proper stewardship, in issuing its ag leases, the BOA can place conditions to ensure appropriate conservation stewardship measures are followed and that the land can be used for non-ag purposes at some future date, when resources are available.

Thank you for supporting this measure.

**HB-2035-HD-1**

Submitted on: 2/19/2020 10:33:42 PM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Paula Alcoseba      | Individual          | Oppose                    | No                        |

Comments:

Aloha Chair Luke, Vice Chair Cullen, and members of the Finance Committee.

My name is Paula Alcoseba and I am a student from Maui. I oppose HB2035, which would transfer 93,000 acres of pasture lands from the Department of Land and Natural Resources to the Department of Agriculture. These lands are critical watershed forests that protect native plant and animal habitat. Hawai'i also has a goal of being carbon neutral by 2045 and these lands have the best potential for large-scale reforestation and tree planting efforts. These lands are not meant for agricultural uses and should remain under the care of DLNR. I oppose this bill and ask you to please defer it in committee. Mahalo piha.

**HB-2035-HD-1**

Submitted on: 2/20/2020 10:22:02 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Phaethon Keeney     | Individual          | Oppose                    | No                        |

Comments:

From: Helena Miguel <helena.miguel@bayer.com>  
Sent: Thursday, February 20, 2020 7:51 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Helena Miguel  
PO Box 183  
Kaunakakai, HI 96748  
helena.miguel@bayer.com



From: Young Tarring <young@applebananas.com>  
Sent: Thursday, February 20, 2020 7:31 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Young Tarring  
Owner  
OHANA BANANA FARM  
162 Maka Hinu St  
Hilo, HI 96720  
young@applebananas.com

From: Pamela Takamiyashiro <pamta14@gmail.com>  
Sent: Thursday, February 20, 2020 7:12 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Pamela Takamiyashiro  
1518 Paula Dr  
Honolulu, HI 96816  
pamta14@gmail.com

From: Robert Paull <robertepaull@gmail.com>  
Sent: Thursday, February 20, 2020 5:43 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Robert Paull  
Professor/researcher  
5393 Poola St  
Honolulu, HI 96821  
robertepaull@gmail.com

From: MARIO GAGGERO <mariorgaggero@gmail.com>  
Sent: Thursday, February 20, 2020 4:40 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

MARIO GAGGERO  
Hawaii Seed Pro LLC  
MONSANTO  
147 Hoolapa St  
Kihei, HI 96753  
mariorgaggero@gmail.com

From: Kaohi Mokuhalii <kaohi@kmfarmandranch.com>  
Sent: Thursday, February 20, 2020 2:03 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Kaohi Mokuhalii  
Owner  
KM Farm & Ranch  
PO Box 276  
Naalehu, HI 96772  
kaohi@kmfarmandranch.com

From: Megan Kono <megankono808@gmail.com>  
Sent: Wednesday, February 19, 2020 10:09 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Megan Kono  
2333 Kapiolani Blvd Apt 3102  
Honolulu, HI 96826  
megankono808@gmail.com

From: Philippe Visintainer <philippe@coconutprotectors.com>  
Sent: Wednesday, February 19, 2020 9:03 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Philippe Visintainer  
Member  
HCP  
7600 Hana Hwy  
Haiku, HI 96708  
philippe@coconutprotectors.com

From: Sandi Kato-Klutke <skatoklutke@gmail.com>  
Sent: Wednesday, February 19, 2020 8:37 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Sandi Kato-Klutke  
Retired  
6266 Kawaihau Rd  
Kapaa, HI 96746  
skatoklutke@gmail.com



From: Frederick Mencher <frederickmencher@gmail.com>  
Sent: Wednesday, February 19, 2020 8:03 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Frederick Mencher  
2029 Nuuanu Ave Apt 1510  
Honolulu, HI 96817  
frederickmencher@gmail.com

From: Stephanie whalen <whaleinn1944@gmail.com>  
Sent: Thursday, February 20, 2020 11:20 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Stephanie whalen  
VP  
KVTHC  
PO Box 64  
Kunia, HI 96759  
whaleinn1944@gmail.com

**From:** [Alan Tada](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 5:50:03 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Alan Tada  
Flowers Forever  
2979 Kalena St  
Lihue, HI 96766  
flowersforever@hawaiiantel.biz

**From:** [James Watt](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 5:40:07 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

James Watt  
co owner  
Always Anthuriums  
PO Box 29  
Mountain View, HI 96771  
[watt@alwaysthanthuriums.com](mailto:watt@alwaysthanthuriums.com)

**From:** [paul kaneshiro](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 5:40:05 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

paul kaneshiro  
owner/operator  
kaneshiro farm  
41-659 Kumuhau St Unit G  
Waimanalo, HI 96795  
paulkaneshirosr@yahoo.com

**From:** [John Gordines](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 6:10:05 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

John Gordines  
6721 Kawaihau Rd  
Kapaa, HI 96746  
[gordines@kauaiflowers.com](mailto:gordines@kauaiflowers.com)

**From:** [John Giblin](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 6:10:05 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

John Giblin  
owner  
Ohana Farm Orchards  
87-2814 Mamalahoa Hwy  
Captain Cook, HI 96704  
[jgiblinjr@aol.com](mailto:jgiblinjr@aol.com)

From: Emma Seymour <emmy.seymour@gmail.com>  
Sent: Wednesday, February 19, 2020 4:42 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Emma Seymour  
2438 Ferdinand Ave  
Honolulu, HI 96822  
emmy.seymour@gmail.com



From: Roy Asao <user@votervoice.net>  
Sent: Wednesday, February 19, 2020 4:49 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Roy Asao  
1323 Olino St  
Honolulu, HI 96818  
rasao777@aol.com

From: Ron Kauha'aha'a <ron.kauhaahaa@nutrien.com>  
Sent: Wednesday, February 19, 2020 4:41 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Ron Kauha'aha'a  
Manager  
Nutrien Ag Solutions  
PO Box 86  
Kunia, HI 96759  
ron.kauhaahaa@nutrien.com

**From:** [Stan Cypriano](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 6:30:06 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Stan Cypriano  
Owner  
Nienie ranch  
PO Box 815  
Honokaa, HI 96727  
stancypriano@icloud.com

**From:** [Susan Cabral](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 7:20:05 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Susan Cabral  
PO Box 337  
Volcano, HI 96785  
[s.kronecabral@gmail.com](mailto:s.kronecabral@gmail.com)

**From:** [Richard Ogoshi](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 7:30:06 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Richard Ogoshi  
563 Kaumakani St  
Honolulu, HI 96825  
[ogoshi@hawaiiintel.net](mailto:ogoshi@hawaiiintel.net)

**From:** [Donald Lau](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 8:00:05 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Donald Lau  
92-1286 Kikaha St Apt 88  
Kapolei, HI 96707  
whtmzda@yahoo.com

**From:** [Mary Offley](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 8:00:03 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Mary Offley  
6781 Kawaihau Rd  
Kapaa, HI 96746  
[kathy808kauai@gmail.com](mailto:kathy808kauai@gmail.com)

**From:** [Mr. & Mrs. Melvin Kunitake](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Wednesday, February 19, 2020 7:50:07 PM

---

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Melvin Kunitake  
owner  
melvin kunitake farm  
PO Box 135  
Holualoa, HI 96725  
melvin.kuni@gmail.com



From: David Makaiwi <david.makaiwi@bayer.com>  
Sent: Thursday, February 20, 2020 9:46 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

David Makaiwi  
Production Technician  
Bayer  
PO Box 40  
Kaunakakai, HI 96748  
david.makaiwi@bayer.com

From: Diane Chuensanguansat <dina@hawaii.rr.com>  
Sent: Thursday, February 20, 2020 9:13 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Diane Chuensanguansat  
DINAS GARDEN  
PO Box 860898  
Wahiawa, HI 96786  
dina@hawaii.rr.com

From: Mr. & Mrs. Gerrit Takasaki <user@votervoice.net>  
Sent: Thursday, February 20, 2020 9:01 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Gerrit Takasaki  
Hawaii Hybrids, LLC  
Hawaii Hybrids, LLC  
PO Box 4218  
Hilo, HI 96720  
hawaiihybrids@aol.com

From: Amy Martens <amarten1@att.net>  
Sent: Thursday, February 20, 2020 8:50 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Amy Martens  
BAYER  
95-228 Kapanoe Pl  
Mililani, HI 96789  
amarten1@att.net

From: Jimmy Nakatani <jnakatani@hawaii.rr.com>  
Sent: Thursday, February 20, 2020 8:21 AM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Jimmy Nakatani  
NAKATANI FARM  
94-771 Hoomele Pl  
Waipahu, HI 96797  
jnakatani@hawaii.rr.com

From: Joni Kamiya <jonikamiya@gmail.com>  
Sent: Wednesday, February 19, 2020 5:16 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Joni Kamiya  
Kamiya Papaya  
45-601 Apapane St  
Kaneohe, HI 96744  
jonikamiya@gmail.com

From: Phil Becker <sales@aikaneplantation.com>  
Sent: Wednesday, February 19, 2020 5:00 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Phil Becker  
Owner  
Aikane plantation  
PO Box 698  
Pahala, HI 96777  
sales@aikaneplantation.com

finance8 - Joy

---

From: Alvin Tsuruda <Waihale@hawaiiantel.net>  
Sent: Wednesday, February 19, 2020 5:01 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Alvin Tsuruda  
Owner  
Waihale Products  
41-910 Mahiku Pl  
Waimanalo, HI 96795  
Waihale@hawaiiantel.net



From: Randy Cabral <kaiwiki.1970@gmail.com>  
Sent: Wednesday, February 19, 2020 4:53 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Randy Cabral  
PO BOX 337  
VOLCANO, HI 96785  
kaiwiki.1970@gmail.com

From: James Tavares <tavaresjam@gmail.com>  
Sent: Wednesday, February 19, 2020 4:52 PM  
To: FINtestimony  
Subject: I support HB2035 HD1

Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

James Tavares  
Owner  
The Grassmaster  
PO Box 3037  
Kahului, HI 96733  
tavaresjam@gmail.com

**LATE**

**HB-2035-HD-1**

Submitted on: 2/20/2020 7:06:04 PM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b>     | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|-------------------------|---------------------------|---------------------------|
| Warren Watanabe     | Maui County Farm Bureau | Support                   | No                        |

Comments:

**LATE**

**HB-2035-HD-1**

Submitted on: 2/21/2020 10:42:17 AM

Testimony for FIN on 2/21/2020 12:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| David Smith         | Individual          | Oppose                    | No                        |

Comments:

I oppose HB 2025, HD1, as it would significantly compromise the Department of Land and Natural Resources' ability to protect and restore native forests, watersheds, and habitats, including the natural and cultural resources they contain. No one will lose their lease if this measure does not pass. Stick with Act 90, transfer by mutual consent of BOA and BLNR.

**LATE**

**From:** [Annette Nles](#)  
**To:** [FINtestimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Friday, February 21, 2020 10:40:06 AM

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Dear Chairwoman Luke,

Aloha Chair Luke, Vice-Chair Cullen, and members of the committee,

I support HB2035 HD1, which requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It also clarifies the care and production of pasture land constitutes an "agricultural activity".

This bill reinforces Act 90, enacted 2003, which authorizes the transfer of certain non-agricultural park lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for the transfer of their leases and believe the management of their lease within DOA is best suited for their operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Annette Nles  
Owner  
Rancher& farmer  
PO Box 420  
Kula, HI 96790  
aknranch@aol.com