

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 Senate Committees on  
WATER AND LAND  
and  
AGRICULTURE AND ENVIRONMENT**

**Wednesday, June 24, 2020  
12:30 PM  
State Capitol, Conference Room 229**

**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 (SLH) 2003, now codified as Chapter 166E, HRS, 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

**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

for management, traditional gathering, and public recreation including hunting and 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 and at favorable rents.

Rather than a wholesale transfer of all non-agricultural park lands proposed by House Bill 2035, House Draft 1, Act 90 required each transfer to be individually reviewed and approved by both the Board of Land and Natural Resources (BLNR) and the Board of Agriculture. Since then, numerous properties that the Department has offered to transfer have been rejected by the DOA for various reasons including topography, lack of agricultural features like irrigation, inaccessibility, irregular parcel sizes, or non-compliant tenants that the DOA did not have the capacity to manage. House Bill 2035, House Draft 1 would compel the DOA to manage over 100,000 acres that it has not necessarily requested or analyzed to be appropriate for agricultural use, and which the Department may have considerable interest in retaining to protect multiple public trust resources.

The proposed wholesale transfer of over 100,000 acres without review of the land and tenant status could have unintended consequences detrimental to the public trust. For example, the 1,250-acre Waiea tract in South Kona (Tax Map Key: (3) 8-6:001:003) was once leased for pasture use but is now landlocked, unencumbered and not used for any agricultural purpose. It contains high quality intact native forest and numerous endangered plants and birds that would be damaged by cattle grazing or other agricultural use. It is adjacent to a National Wildlife Refuge and contains an aviary that the Department could use for future rare bird rearing and releases, such as for the ‘ala‘ala. If this sizable tract of land were to be approved for unconditional transfer to DOA,<sup>1</sup> it would prevent the Department from directly managing the land for conservation, without any foreseeable agricultural benefit.

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, House Bill 2358, House Draft 1 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.

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<sup>1</sup> The Waiea tract is identified for transfer to DOA in another measure before the Legislature this Session, Senate Bill 2812, Senate Draft 2.

Pursuant to Section 171-26, HRS, the Department is bound to preserve public rights-of-way to game management areas, public hunting areas, and public forests and forest reserves prior to leasing public lands. Under Section 171-11, HRS, DOA is required to comply with Chapter 171, HRS, when issuing leases on lands set aside to it. One of the requirements of Section 171-11, HRS, is that DOA seek the approval of the BLNR to leases on lands it holds by set-aside. However, DOA does not seek BLNR approval of the leases it issues so there is little opportunity for the Department to ensure that DOA leases preserve public rights-of-way as required by Section 171-26, HRS. Keeping the lands under the Department will ensure that agricultural, natural resource protection and public recreation interests are all protected.

There was some testimony before the House Finance Committee by the supporters of a similar land transfer bill that ranch lands are just as effective as storing carbon as Hawaii's native forests are. But this is not the case. Hawaii's native wet and mesic forests store an average of 124 metric tons of carbon per acre. There are around 800,000 acres of native wet and mesic forest in Hawaii. Hawaii's invasive wet and mesic grasslands store an average of 70 metric tons of carbon per acre. There are around 300,000 acres of invasive wet and mesic grasslands in Hawaii. When Hawaii's native forests are converted to grasslands, they lose about half of their stored carbon – a loss of 54 metric tons of carbon per acre.<sup>2</sup> Reforesting grasslands is the largest carbon sequestration opportunity for Hawaii to reach the goal of carbon neutrality by 2045 (Act 15, SLH 2018). The Department is inventorying lands that are not used for pasture, such as Waiea, and planning combination grazing and reforestation projects. The Department also offers voluntary incentive programs for ranchers to reforest lands, and is developing standards for carbon credit projects that could further diversify revenues for ranchers. The proposed transfer of lands proposed by the present measure would sever the Department's direct role in overseeing these stewardship options.

For these reasons, the Department respectfully urges the Legislature not to pass this bill (House Bill 2035, House Draft 1), and instead support House Bill 2358, House Draft 1 and allow the select pasture leases to remain under the Department's management.

As an alternative, the Department also recommends that the Committees consider a process where prior to seeking approval for any transfer or disposition of pasture lands by the Department or DOA, the subject disposition is reviewed by an advisory committee. The advisory committee would consist of representatives of the Department, DOA, the Hawaii Cattlemen's Council, Hawaii Association of Watershed Partnerships and OHA. The advisory committee would review the land subject to the proposed disposition and assess the resource values according to the following criteria:

- Percentage of the land that is growing grass, invasive trees and native trees;
- Presence of endangered species;
- Presence of access, trails, hunting resources;
- Traditional and customary native Hawaiian practices using a Ka Pa`akai analysis;
- Food production for local consumption and export;
- Proposed rent including methodology and statutory justification; and

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<sup>2</sup> Baseline and Projected Future Carbon Storage and Carbon Fluxes in Ecosystems of Hawai'i Editors: Paul C. Selmants, Christian P. Giardina, James D. Jacobi, and Zhiliang Zhu U.S. Geological Survey Professional Paper 1834, 2017.

Proposed measures to protect public trust values.

The findings of the advisory committee would then be reviewed and considered by the boards of both agencies when determining whether to approve a transfer or disposition of the subject lands. This would provide the agencies and the public with full disclosure of the costs and benefits of the proposed transaction. Additionally, both the Department and DOA would need to consider the resource values protections in their decision making. A proposed revision to the measure is provided below for the Committees' consideration.

"SECTION \_\_. No later than \_\_\_\_\_, the department of land and natural resources and department of agriculture shall identify lands in limbo. Upon identification of lands in limbo, and prior to any disposition or transfer of such lands from the department of land and natural resources to the department of agriculture, the department of land and natural resources and department of agriculture shall convene an advisory committee consisting of the following members:

- (1) The chairperson of the board of land and resources or designee;
- (2) The chairperson of the board of agriculture or designee;
- (3) The chief executive officer of the office of Hawaiian affairs or designee;
- (4) A representative of the Hawaii Cattlemen's Council;  
and
- (5) A representative of the Hawaii Association of Watershed Partnerships.

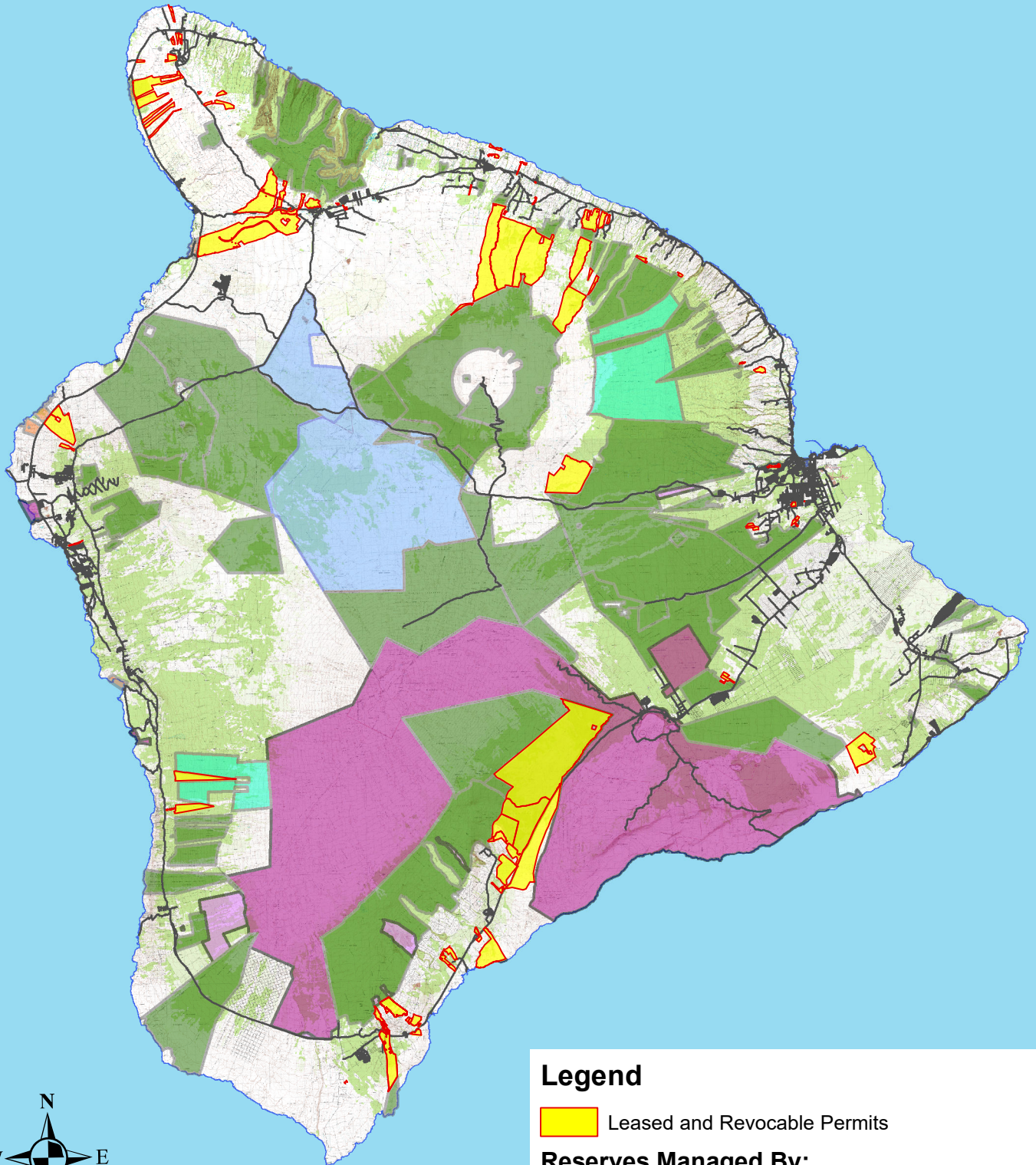
The advisory committee shall review the lands in limbo proposed for disposition or transfer and assess the resource values according to the following criteria:

- (1) Percentage of the land that is growing grass, invasive trees and native trees;
- (2) Presence of endangered species;
- (3) Presence of access, trails, hunting resources;
- (4) Traditional and customary native Hawaiian practices using a Ka Pa`akai analysis;
- (5) Food production for local consumption and export;
- (6) Proposed rent including methodology and statutory justification; and
- (7) Proposed measures to protect public trust values.

The board of land and natural resources and the board of agriculture shall review and consider the findings of the advisory committee prior to approving any disposition or transfer of lands in limbo.

For purposes of this section, "lands in limbo" means state lands managed by the department of land and natural resources that may qualify for transfer to the department of agriculture under Act 90, Session Laws of Hawaii 2003, but have not been transferred because of a dispute between the department of land and natural resources and department of agriculture as to the land use classification of the land."

Thank you for the opportunity to comment on this measure.

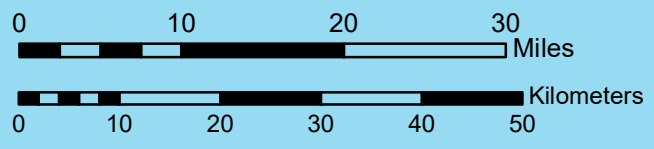
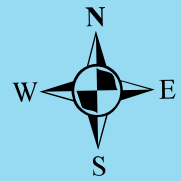


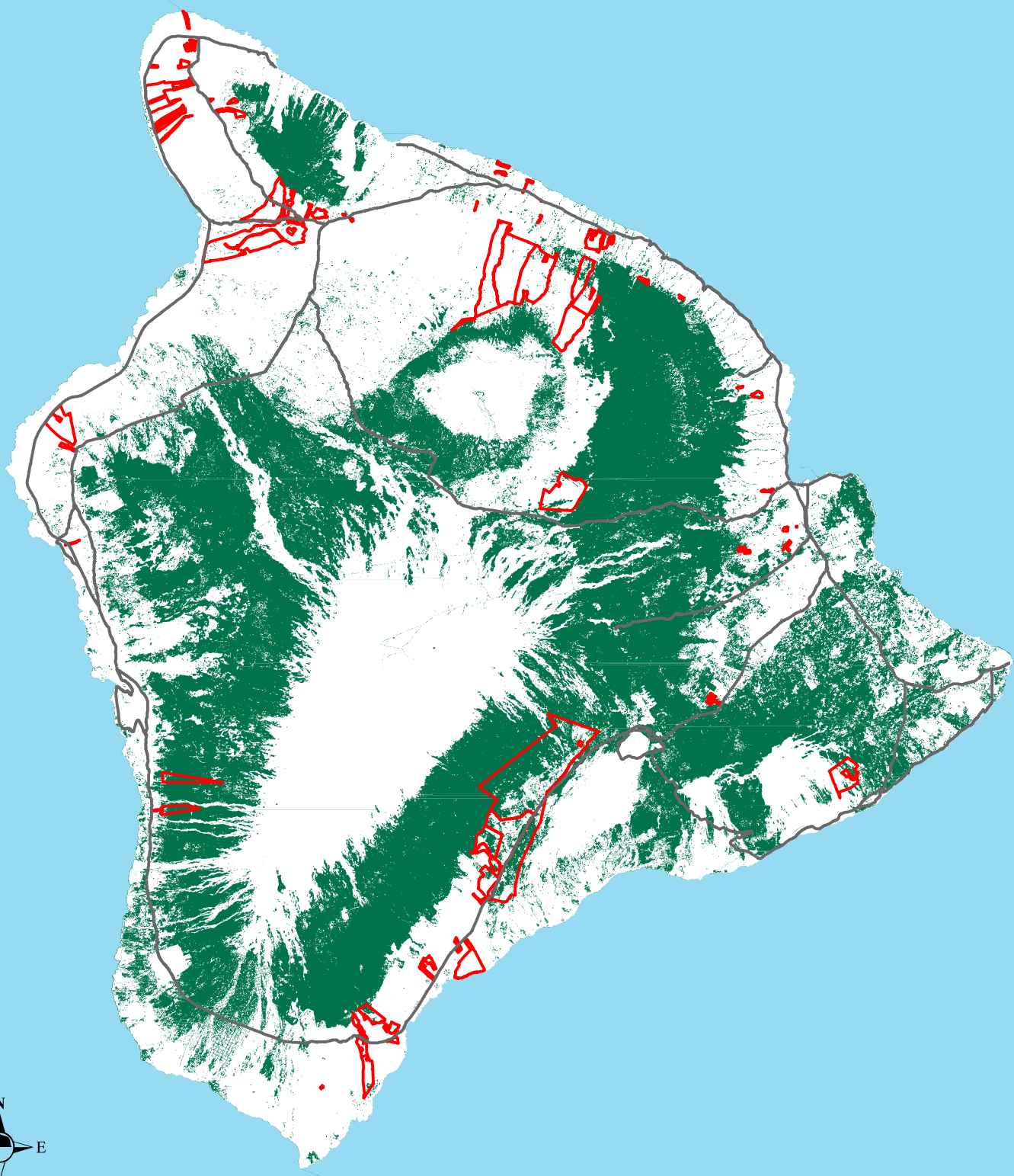
**Legend**

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 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



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Miles








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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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Miles





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



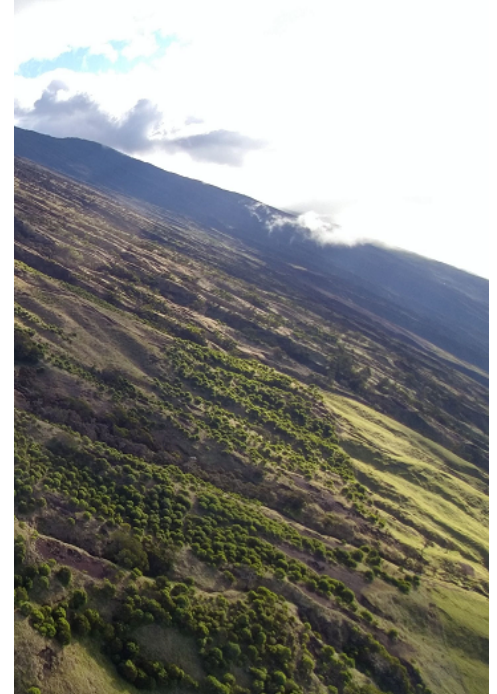
Forestry



Recreation

## DLNR PARTNERSHIPS WITH RANCHERS

## CLIMATE CHANGE AND CARBON NEUTRALITY



## CONTACT PERSON



**HB2035 HD1**  
RELATING TO NON-AGRICULTURAL PARK LANDS  
Senate Committee on Water and Land  
Senate Committee on Agriculture and Environment

June 24, 2020

12:30 p.m.

Room 229

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 Committees to **HOLD** HB2035 HD1. Mahalo nui for the opportunity to testify on this measure.

**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 SENATE COMMITTEES ON WATER AND LAND  
AND  
AGRICULTURE AND ENVIRONMENT**

**JUNE 24, 2020  
12:30 P.M.  
CONFERENCE ROOM 224**

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

Chairpersons Kahele, Gabbard and Members of the Committees:

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 believes agriculture encompasses all components of farming, aquaculture, and livestock production, 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. If the intent of the committees is to transfer management responsibility for leases and agreements effective as of July 1, 2020, the Department offers the amendment below.

The Department notes that no parcels are identified and no mechanism or directive to identify suitable parcels are included in the measure. As such, it is possible that no parcels may be identified in a timely manner to meet the goals of this bill. Additionally, the Department has previously received transfers of land from the DLNR that have subsequently been discovered to be unsuitable for agricultural activities and/or inappropriate for management by the Department. The Department is concerned that return of lands that it has determined to be unsuitable or inappropriate for agricultural use may be challenging. SB2812, SD2 which was previously heard by both of your committees included language which addressed that concern.

The Department respectfully requests the following amendments to the measure:

(1) In Line 12 of Page 2, replace the term "production" with the term "management."

(2) Add a third purpose for the Act to Section 1 to read as follows:

"(3) Require the department of land and natural resources to accept and return to its land inventory any parcel, or portion thereof, transferred pursuant to this Act that the department of agriculture has determined to be unsuitable or unnecessary for agricultural use."



(3) Add a new subsection (c) to Section 3 to read as follows:

"c) Any lands transferred to the department of agriculture shall be subject to return to the department of natural resources upon a determination by the department of agriculture that any parcel, or portion thereof, is unsuitable or unnecessary for agricultural use; provided that upon return of any parcel, or portion thereof, pursuant to this Act, the department of land and natural resources shall withdraw and return those parcels or portions thereof into its state land inventory in a timely manner."

(4) Replace the existing language in the last sentence of subparagraph (b),

SECTION 3 of the new section with the following:

"(b) ...The department shall assume management responsibility for lands, leases, and agreements transferred from the department of land and natural resources and deemed compliant and suitable by the Department of Agriculture pursuant to this Act, commencing July 1, 2020."

Thank you for the opportunity to testify on this measure.

**HB-2035-HD-1**

Submitted on: 6/19/2020 3:46:27 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teena Rasmussen	Testifying for Maui County Farm Bureau, President	Support	No

Comments:

The Maui County Farm Bureau wholeheartedly supports this measure to bring ALL agriculture leases for farms and ranchers under the Dept of Agriculture. Having two sets of rules governing agriculture leases is not appropriate. DLNR is not equipped to deal with agriculture leases and issues of farming and ranching. The Dept of Agriculture is the correct department to oversee these leases.

Mahalo,

Teena Rasmussen



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

COMMITTEE ON WATER AND LAND

Senator Kahele, Chair

Senator Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Gabbard, Chair

Senator Ruderman, 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. Effective 7/1/2050. (HD1)

Wednesday, June 24, 2020, 12:30 pm  
Conference Room 229, State Capitol  
415 South Beretania Street

Chair Kahele, Vice Chair Keith-Agaran, and Members of the Committee on Water and Land,  
Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

The Hawaii Cattlemen's Council **strongly supports HB2035.**

**While the COVID-19 pandemic has exposed important issues to address, the transfer of these leases to DOA is still a pressing issue for Hawaii's ranchers and farmers. It is apparent, more so now than ever, that Hawaii needs to diversify its economy and support agriculture, an essential business. While we are working on increasing processing capacity, ranchers still need to be confident in their lease terms to make the shift to keep more cattle here in Hawaii. Ranchers need agriculture-appropriate lease terms and lease management to prudently increase the amount of local food they produce. This bill will provide much needed support to keep agriculture running rather than facing the daunting task of restarting the industry after farms and ranches have shut down.**

**The Department of Labor and Industrial Relations' shows that the cattle industry provides about 600 direct jobs, and 250 indirect jobs, with production valued at \$45 million. There is Hawaii is in need of diversification, and agriculture is the appropriate sector to support to accomplish this while simultaneously supporting the community.**

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 17-year delay in transferring agricultural lands has hindered the ability for ranchers to do long-term planning. Agriculture has always been a vital part of Hawaii's well-being, and our current situation highlights that importance even more. For Hawaii to give agriculture the support it needs, agricultural lands should be transferred to DOA where lease terms are favorable and encourage improvements to the land and expansion of local food production.



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

Agricultural leases administered by HDOA are 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.

The Department of Land and Natural Resources claims pasture lands as important to their mission, and cite the benefits that come from retaining them under their management. However, when ranchers get leases transferred to DOA, access to hunting and hiking areas will still be available, and it is actually the ranchers that devote their time, personnel, and resources to providing this to the public. Native forests and endangered species habitat will still be protected, as ranches are also required to follow conservation plans under a DOA lease. Livestock health depends on maintaining forage quality and health, which links back to maintaining the cover and productivity of grasslands. Managing the land for high forage quality can help prevent weeds and invasive species growth and spread, and can also provide critical habitat for plants, animals, and the macro and microbiota that make up the soil food web (Odom 2017). Soil carbon accretion rates in rangelands have been recorded to vary from 0.1 TO 3.0 Mt per hectare per year (Jones & Donnelly, 2004), which are similar rates to that of 20-year-old forests. However, ranchers have been managing for this carbon storage as a part of their grazing practices, and not merely to sell carbon credits.

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. They will continue to be cooperators with their local Soil and Water Conservation Districts, and manage their conservation plans under DOA leases. They will 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. But they need agricultural lease terms under DOA to be successful.

Act 90, 2003 refers to pasture leases and this bill fully clarifies that to avoid misinterpretation. 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.

The transfer of agricultural leases to the Department of Agriculture is long overdue and we respectfully ask that the committees support HB2035. We appreciate the opportunity to testify on this critical matter for our industry, during this time more than any other.

Nicole Galase  
Hawaii Cattlemen's Council  
Managing Director

Odom, LaKisha, et al. 2017. "Assessing and Managing for Soil Health on Rangelands and Pasture Lands."  
Jones, M. B., & Donnelly, A. (2004). Carbon sequestration in temperate grassland ecosystems and the influence of management, climate and elevated CO<sub>2</sub>. *New Phytologist*, 164(3), 423–439.  
<https://doi.org/10.1111/j.1469-8137.2004.01201.x>

COMMITTEE ON WATER AND LAND  
Senator Kahele, Chair  
Senator Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
Senator Gabbard, Chair  
Senator Ruderman, 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. Effective 7/1/2050. (HD1)

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Chair Kahele, Vice Chair Keith-Agaran, and Members of the Committee on Water and Land,  
Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

McCandless Ranch **strongly supports HB2035.**

COVID-19 pandemic has exposed 2 very important issues here in Hawaii – the need to diversify our economy and the need to strengthen our local food supply. HB2035 accomplishing both of these important tasks.

HB2035 provides the state with the opportunity to give agriculture the support it needs, by transferring these pasture lands to DOA where lease terms are favorable and encourage improvements to the land and expansion of local food production.

It is discouraging to read opponents to HB2035 cite conservation as the main reason to oppose. To the contrary, ranchers are good stewards of the land. Our livelihoods depend on well managed landscapes on a commercial scale. We will continue to implement conservation practices when leases are transferred to HDOA—in fact ranchers will be even better situated to invest in long-term conservation practices. We will continue to be cooperators with our local Soil and Water Conservation Districts (many ranchers sit on their local Soil and Water Conservation Boards), participate in Watershed Partnerships and manage our conservation plans under DOA leases. We will continue to fight invasive species and provide all of the other eco-system services we have always provided, all at no cost to the State or the general public. But we need agricultural lease terms under DOA to be successful.

The transfer of agricultural leases to the Department of Agriculture is long overdue and we respectfully ask that the committees support HB2035. We appreciate the opportunity to testify on this critical matter for our industry, especially during this pivotal time.

Keith K. Unger  
McCandless Ranch  
President - HCC

**HB-2035-HD-1**

Submitted on: 6/22/2020 6:27:44 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jimmy Gomes	Testifying for Ulupalakua Ranch	Support	No

Comments:



## Ponoholo Ranch Limited

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

### COMMITTEE ON WATER AND LAND

Senator Kaiali'i Kahele, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

### COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Russell E. Ruderman, Vice Chair

DATE: Wednesday June 24, 2020  
TIME: 12:30 p.m.  
PLACE: Conference Room 229

### **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. (HD1)

Chair Kahele, Chair Gabbard 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.

While there are many pressing issues that have arisen from the effects of COVID-19, Agriculture as a Means of Job Creation and GDP Growth, as heard in both houses of the Legislature in recent weeks, should continue to be a priority topic. This crisis has shown us that there is a great need to diversify Hawaii's economy, including more support for agriculture. Agriculture is already here and can thrive, given some legislative support. While we are working on increasing processing capacity, ranchers still need to be confident in their lease terms to make the shift to keep more cattle here in Hawaii. This bill will provide much needed support to keep agriculture running rather than facing the daunting task of restarting the industry after farms and ranches have shut down.

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**.

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

This bill will simply change the state agency which administers agricultural leases, including pasture leases.

**What this bill will NOT do, as purposed in past testimony:**

- It is **NOT** a land grab. Lands would be transferred by Executive order from one State Department to another. They can be transferred back, if appropriate, at any future time.
- It is **NOT** changing a definition of Agriculture or trying to sneak pasture lands into the intent of Act 90, 2003. Pasture was clearly included in Act 90, despite separate classifications DLNR may have used in the past for their lease types.
- Management on the land by ranches will **NOT** change. Ranchers will continue to ranch and continue to be excellent, award winning land stewards, following conservation plans from the Soil and Water Conservation Districts, an arm of DLNR; allow public access and Hunting if they are allowing now under DLNR; allow Native Gathering Rights, just as they do now. In fact, ranchers would be happy to include any and all conservation requirements and other non-financial terms now included in their DLNR lease in any new lease with HDOA.
- Ranchers will **NOT** clear cut Koa Forests as has been submitted in testimony and will **NOT** illegally harvest Koa. They will maintain Forests (our watershed) and keep cattle out of the forests.
- Ranchers will **NOT** allow invasive species from their MANAGED lands into forests. They will continue to fight the invasive species that now flourish in many DLNR forests.

Some have asked why support the cattle industry, when so many cattle are shipped out of State as young calves. Selling cattle in Mainland markets is currently significantly economically advantageous. More and more cattle are staying in State for grass finished markets, but we need more infrastructure to process and sell the beef. Increased volume will help with that, and better land tenure will lead to increased volume. But even if every calf were shipped out of State (which they are not), we'd still have our culled cows to provide local food for our schools and residents and we would still have the Environmental Benefits (Eco-System Services) that help every resident of our State, at no cost to them: Open spaces, Watershed management and protection, public access and Carbon Sequestration.

**YES – CARBON SEQUESTRATION.** It is well documented, that improved Grass Lands are an excellent carbon sink, far outweighing carbon produced by Belching Cows, and unlike forests continue to hold the carbon in the ground, even after a wildfire. There are many studies that show this, and more being done every day, including here in Hawaii by the University of Hawaii. I would be happy to provide the committee with Citations if requested.

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 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: 6/22/2020 9:27:45 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sara Moore	Testifying for Kealia Ranch	Support	No

Comments:

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:22:07 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Morgan	Testifying for Kualoa Ranch	Support	No

Comments:

Aloha,

My name is John Morgan and i am the president of Kualoa Ranch. I strongly support HB 2035 and encourage you to pass it. Agriculture in general and cattle ranching in particular are vitally important to Hawaii. Farmers and cattle ranchers need land to operate and the State has ample and suitable lands that are necessary to help keep these industries viable. The less land that is in production, the weaker the whole industry is. The weaker that local agriculture is, the weaker the state of Hawaii is.

The State Department of Agriculture is the appropriate State agency to hold the lands that should be dedicated to ag and ranching. The DLNR is a hugely important state agency, but it has too many competing priorities.

Please pass HB 2035.

Mahalo

john

**HB-2035-HD-1**

Submitted on: 6/22/2020 8:15:21 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vanessa Stevens	Individual	Support	No

Comments:

We strongly support Bill HB2035. Having our lease transferred to HDOA and knowing our lease will stay with us and not be auctioned off at end of term, gives us security and reassurance in knowing that our continued investments in improving the land, building our herd, and conservation projects are for longevity in building our legacy as Hawaii Cattle Producers.

We appreciate your support in passing this Bill.

Thank you,

Charles & Vanessa Stevens

SC Ranch, Paaiuolo Hawaii

**HB-2035-HD-1**

Submitted on: 6/19/2020 7:50:48 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
james earl duffy	Testifying for 4-J Livestock Co.	Support	No

Comments:

I am strongly in support of this bill. Please call me if you have any questions 808-927-3261

Thank you,

Jim Duffy



June 19, 2020

Senator Kaialii Kahele, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair  
Senate Committee on Water and Land

Senator Mike Gabbard, Chair  
Senator Russell E. Ruderman, Vice Chair  
Senate Committee on Agriculture and Environment

**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; Effective 7/1/2050.)**

**Wednesday, June 24, 2020, 12:30 p.m., in Conference Room 229**

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 Chapter 166E, Hawaii Revised Statutes, 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.



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

SENATE COMMITTEES ON WATER & LAND AND AGRICULTURE & ENVIRONMENT  
Wednesday, June 24, 2020 — 12:30 p.m. — Room 229

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

Dear Chair Kahele, Chair Gabbard, and Members of the Committees:

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 freshwater and waste 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, the agricultural industry will 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: 6/22/2020 6:48:10 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ronald Weidenbach	Testifying for Hawaii Aquaculture & Aquaponics Association	Support	No

Comments:

The Hawaii Aquaculture and Aquaponics Association strongly supports HB2035 which is a critical to complete the transfer of all agricultural lands, including pasture lands for ranching of livestock, from DLNR to HDOA and to support the sustainable continuation of agriculture and local food production in Hawaii. The urgency of these leasehold transfers has been made ever more evident and timely given the food security lessons learned during the current COVID-10 pandemic.



June 20, 2020

COMMITTEE ON WATER AND LAND

Senator Kaiali'i Kahele, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

**Re: HB2035 Requiring DLNR to transfer to DOA specified non-agricultural park lands**

**In Strong Support**

Dear Sen. Kahele, Sen. Keith-Agaran, Sen. Gabbard, Sen. Ruderman and members of the Committees:

17 years has been a long time to wait for this land transfer, but this is a very good time to attend to it. The COVID-19 crisis has put a strain on Hawaii's economy that will be long-lasting. Let's make this DLNR land available for farming under DOA's lease program.

GreenWheel Food Hub works to support better health outcomes among Hawaii's citizens and to support our local farmers. We urge the Committees to pass this bill.

Larry Geller  
Nanette Geller  
Project Co-Directors  
GreenWheel Food Hub



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)

June 24, 2020

HEARING BEFORE THE  
SENATE COMMITTEE ON WATER AND LAND  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

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

Room 229  
12:30 PM

Aloha Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and Members of the Committees:

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.



SENATE COMMITTEE ON WATER AND LAND  
AND  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
June 24, 2020 – 12:30 PM - Room 229

**RE: HB 2035 HD1 - Relating to Non-Agricultural Park Lands –  
In Support**

Hawai'i Aquaculture &  
Aquaponics Association  
Hawai'i Cattlemen's Council  
Hawai'i Farm Bureau  
Federation  
Hawai'i Farmers' Union  
United  
Hawai'i Food Industry  
Association  
Hawai'i Food  
Manufacturers Association  
Kohala Center  
Land Use Research  
Foundation of Hawai'i  
Maui Farm to School  
Network (Maui F2SN)  
Ulupono Initiative  
College of Tropical  
Agriculture and Human  
Resources - University of  
Hawai'i at Manoa

Aloha Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman and Members of the Committees:

The Local Food Coalition supports, HB 2035 HD1 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 and requires DLNR and DOA to jointly report on the status of the land transfer.

Act 90 was passed in 2003 with the intent to transfer agricultural leases from DLNR to DOA. Today, there are still leases that DLNR has not transferred. This legislation will enforce Act 90 by a certain deadline, and ensure that all active agricultural leases are transferred to the DOA, and specify that pasture leases are agricultural leases and should be transferred.

The Local Food Coalition is an organization comprising of farmers, ranchers, livestock producers, investors and other organizations working to provide Hawaii's food supply.

We respectfully request your support of HB 2035 HD1. Thank you for the opportunity to submit testimony.

John Garibaldi  
808-544-8319  
[jgaribaldi@wik.com](mailto:jgaribaldi@wik.com)

**HB-2035-HD-1**

Submitted on: 6/22/2020 9:33:49 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

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

Comments:

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:42:41 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

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

Comments:

**HB-2035-HD-1**

Submitted on: 6/22/2020 8:11:56 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charles Stevens	Individual	Support	No

Comments:

I am in support of this bill because it is pertinent to our food production. The state and nation rely on us farmers and ranchers to supply the food chain. The confidence and security we will get with knowing our land and conservation improvements are part of OUR future with HDOA is immeasurable.

Please support this Bill.

Charles Stevens

SC Ranch Co

**HB-2035-HD-1**

Submitted on: 6/23/2020 10:02:17 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lani Petrie	Testifying for Kapapala Ranch	Support	No

Comments:

We strongly support HB2035. We in agriculture produce food that feeds our communities, especially in these uncertain times.



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

HB 2035hd1, Relating to Non-Agricultural Park Lands  
Sen WTL/AEN Hearing  
Wednesday, June 24, 2020  
12:30 pm  
Conference Room 229

Testimony By: Larry Jeffs  
Position: Support

Chair Kahele, Chair Gabbard and Vice Chair Keith-Agaran, Vice Chair Ruderman, and Members of the Senate WTL/AEN 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 creates 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.

**From:** [Jill Mattos, J.](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:10:10 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Jill Mattos  
Hawaii Beef Producers  
Hawaii Beef Producers  
PO Box 388  
Paauilo, HI 96776  
JMATTOSHBP@AOL.COM

**From:** [Marty Fernandes](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:10:12 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Marty Fernandes  
Horticulturist  
Na 'Aina Kai Botanical Gardens  
PO Box 1134  
Kilauea, HI 96754  
[horticulture@naainakai.org](mailto:horticulture@naainakai.org)

**From:** [Melvin Matsuda](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:20:08 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Melvin Matsuda  
Vice President  
Kahuku Farmers inc  
PO Box 36  
Kahuku, HI 96731  
melvin@kahukubrand.com

**From:** [John Gordines](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:20:08 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

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

**From:** [Stephanie whalen](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:20:11 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Stephanie whalen  
Ex Dir  
HARC  
PO Box 64  
Kunia, HI 96759  
[whaleinn1944@gmail.com](mailto:whaleinn1944@gmail.com)

**From:** [Alvin Tsuruda](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:30:12 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

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:** [Milton Agader](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:40:12 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Milton Agader  
The Brown Bottle  
The Brown Bottle  
PO Box 31  
Waialua, HI 96791  
miltonagader@yahoo.com



**From:** [ROBERT FERREIRA](#)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Tuesday, June 23, 2020 12:29:07 PM

---

Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land, Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

While the COVID-19 pandemic has exposed important issues to address, the transfer of these leases to DOA is still a pressing issue for Hawaii's ranchers and farmers. It is apparent, more so now than ever, that Hawaii needs to diversify its economy and support agriculture, an essential business. While we are working on increasing processing capacity, ranchers still need to be confident in their lease terms to make the shift to keep more cattle here in Hawaii. Ranchers need agriculture-appropriate lease terms and lease management to prudently increase the amount of local food they produce.

I support this bill which clarifies that pasture lands are agricultural, and sets a deadline for the Act 90 transfer of agricultural lands from DLNR to DOA so that they can get the appropriate lease terms they need to succeed.

Robert Ferreira,

Kaupo Ranch, LTD  
Consult Manager

**From:** [Peter Simmons](#)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Monday, June 22, 2020 1:50:12 PM

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Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land,  
Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and  
Environment,

COMMITTEE ON WATER, LAND & HAWIIAN AFFAIRS

Rep. Ryan I. Yamane, Chair

Rep. Chris Todd, Vice Chair

**HB2035**

The Hawaii Forest Industry Supports HB2035.

The clear intent of Act 90, which was passed into law in 2003, was to improve the States' management of its land assets by placing their responsibility in the hands of the State's departments that are most knowledgeable, capable and efficient at managing the various classes of assets. It seems peculiar and mis-guided to argue the definition of agriculture seventeen years after it was defined to include pastoral use as agriculture.

The challenge is how to optimize the use of our land for future generations. All of the large land uses like orchards, tree farms, commercial forests and, pasture management require long-term planning, day to day efforts of many focused individuals and multigenerational commitment of human and fiscal resources. Working landscapes are harmed under short-term agreements because many of the inputs necessary to keep the land healthy have long-term pay backs which don't work with short term agreements.

The State and landowners do have opportunities to adjust or repurpose their lands and many thousands of acres have been repurposed in the last couple of decades. There are tens of thousands of acres on Hawaii Island that have been repurposed by both the State and Private landowners. The State has moved thousands of acres of former grazing land in upper Hamakua with the intention of restoration of Habitat for the Palila bird. The State withdrew 1,000 acres from Kapapala Ranch in Kau almost 30 years ago to demonstrate sound forest management while providing Koa for cultural and economic enhancement of the community. In these and too many other cases the acquisition appetite of our government, along its good intentions, has not been matched with the resources to manage these important lands.

Unmanaged lands, in most cases, invites land degradation over time. The State has not been able to manage its lands as it knows they should be managed. The Division of Forestry and Wildlife employ a cadre of professionals that are very capable and dedicated. We, as a State, have not funded our agencies charged with resource management and the lands show it.

Neglected lands become weed forest with amazing speed. The Hawaii Forest Industry Association applauds the idea of managing land to promote healthy and productive forests but we believe that improved land management can be achieved through land use negotiations with willing and knowledgeable ranchers. HFIA recommends appropriate incentives to achieve clear forest stewardship goals.

Asking the State's DLNR to manage these working landscapes does not demonstrate wise stewardship, because they don't have the resources to manage what they are responsible for now. DLNR is so over-burdened with their core mission of Fire prevention and suppression, protecting our rare forest birds, improving high elevation forested watersheds, providing hunting programs etc. DLNR's Division of Forestry and Wildlife are too busy to manage the forests they have responsibility for now.

If the idea is to give more land to DOFAW to manage: regrettable that is not a good idea. We need DOFAW to continue to do what they now do better and we need DOFAW to manage the lands the way they would like to; which will take additional financial and human resources. It's simply the wrong time to burden DLNR and their DOFAW with additional responsibilities. Rather, we recommend that DOFAW be properly funded to carry out its existing mandates.

**From:** [Christine Brammer](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 2:00:20 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Christine Brammer  
Director  
Agricultural Leadership Foundation of Hawaii  
1020 Aoloa Pl Apt 106B  
Kailua, HI 96734  
[director@agleaderhi.org](mailto:director@agleaderhi.org)

**From:** [Jordan Jokiel](#)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Tuesday, June 23, 2020 11:58:57 AM

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Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land, Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

June 23, 2020

The Ecosystem Services Subcommittee of the Hawaii Cattlemen's Council **strongly supports HB2035.**

Agricultural leases administered by HDOA, rather than DLNR are oftentimes better tailored, not only to food production, but also management of important natural resources and ecosystem services. Appropriately managed leases, with longer and more favorable terms provided by DOA can significantly facilitate the ability of rangeland managers to continue to apply responsible land stewardship practices.

Ranching operations in Hawai'i are critical to the health of Hawai'i's environment and people, and provide numerous, oftentimes unrecognized ecosystem services including biodiversity, carbon sequestration, soil health, watershed services, recreation, public hunting, fire-risk mitigation, and cultural richness.

Managed rangelands 1) manage livestock and pasture areas in ways that maintain productive vegetation cover and live roots; 2) apply resources and protocols to control highly invasive plants and feral ungulates such as goats and pigs that negatively impact pastures, watersheds, and conservation areas; 3) have managers who actively acknowledge, support, and engage with the interests of their neighbors and surrounding communities; and 4) apply management practices that protect critical habitat such as extant forests and riparian areas.

Ranches are often members of watershed partnerships and/or directly implement forest conservation and restoration activities on their land. They also provide the landscape scale management (e.g. invasive species and fire control) needed to protect native ecosystems. For Hawai'i and its people to thrive, we need to recognize the wide diversity of landscapes, land management practices, and the services they provide to people.

We respectfully ask that the committees support HB2035, and appreciate your time and attention on this important matter.

Jordan W. Jokiel  
Chair  
Ecosystem Services Subcommittee  
Hawaii Cattlemen's Council

**From:** [Mark Stoutemyer](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 2:20:10 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Mark Stoutemyer  
Research Scientist  
Corteva Agriscience  
PO Box 253  
Kunia, HI 96759  
mstoutemyer@hotmail.com

**From:** [Annette Nles](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 2:30:08 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

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

**From:** [Clyde Fukuyama](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Tuesday, June 23, 2020 11:10:17 AM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Clyde Fukuyama  
owner  
Matsuda-Fukuyama Farms  
PO Box 36  
Kahuku, HI 96731  
[clyde@kahukubrand.com](mailto:clyde@kahukubrand.com)



**From:** [LUANA BECK](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 3:10:05 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

LUANA BECK  
Owner  
Hooluana Ranch  
PO Box 711510  
Mountain View, HI 96771  
holuanaranch@yahoo.om

**From:** [Kurt Bosshard](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 3:10:05 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

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Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Kurt Bosshard  
KRB LLC  
3144 Elua St  
Lihue, HI 96766  
kboss@aloha.net

**From:** [Philippe Visintainer](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 3:20:07 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Philippe Visintainer  
Member  
HCP  
7600 Hana Hwy  
Haiku, HI 96708  
[philippe@coconutprotectors.com](mailto:philippe@coconutprotectors.com)

**From:** [Alan Tada](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 3:30:10 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

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Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

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

**From:** [Margaret Bukatz](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 4:00:13 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Margaret Bukatz  
President  
Hawaiian Music Walk of Fame  
2500 Kalakaua Ave  
Honolulu, HI 96815  
mbaui@aol.com

**From:** [Michael Kohn](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 4:30:12 PM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Michael Kohn  
Owner  
Equipment Team Hawaii  
PO Box 241  
Kunia, HI 96759  
[Hawaiiexport@aol.com](mailto:Hawaiiexport@aol.com)

**From:** [Susan Mulkern](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Tuesday, June 23, 2020 9:30:16 AM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Susan Mulkern  
Mulkern Landscaping & Nursery  
Mulkern Landscaping & Nursery  
408 Lani St  
Honolulu, HI 96821  
[susan@mulkernlandscaping.com](mailto:susan@mulkernlandscaping.com)

**From:** [robinsona015@hawaii.rr.com](mailto:robinsona015@hawaii.rr.com)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Tuesday, June 23, 2020 7:22:48 AM

---

Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land, Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

While the COVID-19 pandemic has exposed important issues to address, the transfer of these leases to DOA is still a pressing issue for Hawaii's ranchers and farmers. It is apparent, more so now than ever, that Hawaii needs to diversify its economy and support agriculture, an essential business. While we are working on increasing processing capacity, ranchers still need to be confident in their lease terms to make the shift to keep more cattle here in Hawaii. Ranchers need agriculture-appropriate lease terms and lease management to prudently increase the amount of local food they produce.

I support this bill which clarifies that pasture lands are agricultural, and sets a deadline for the Act90 transfer of agricultural lands from DLNR to DOA so that they can get the appropriate lease terms they need to succeed. We at Gay and Robinson currently have approximately 1000 acres of state land under DLNR control that has been leased to us on the year to year revocable lease permit. We are currently running roughly 250 head of cattle on this land as it is currently unirrigated pasture and our stocking rate is 1 animal every 4 acres due the dry nature of this acreage. We have water available to irrigate this land and then be able to double the stocking rate. Given the year to year lease agreement we are reluctant to spend the money to put in the irrigation infrastructure given the uncertainty of the lease length. My understanding is that DLNR does not have the ability to offer more than this year to year revocable lease while the DOA would be able to give an extended lease that would make us feel more comfortable with spending the funds to upgrade the current pastures thus increasing the value of the property.

Alan Robinson

President

Gay & Robinson





**From:** [Bryant Azevedo](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Tuesday, June 23, 2020 9:00:14 AM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Bryant Azevedo  
Owner  
Azevedo Farm  
PO Box 7255  
Hilo, HI 96720  
azevedofarm@live.com

**From:** [James Gomes](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Tuesday, June 23, 2020 7:50:12 AM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

James Gomes  
Opr Mgr  
Ulupalakua Ranch  
8640 Kula Hwy  
Kula, HI 96790  
[jag@urmaui.com](mailto:jag@urmaui.com)

**From:** [Stan Cypriano](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Tuesday, June 23, 2020 8:20:13 AM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

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:** [David Makaiwi](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Tuesday, June 23, 2020 8:30:15 AM

---

Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

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

**LATE**

**HB-2035-HD-1**

Submitted on: 6/23/2020 4:02:22 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Frances Kama-Silva	Testifying for Barbed S Ranch LLC	Support	No

Comments:

As a cattle producer we fully support the inclusion of a deadline for the transfer of lands from DLNR to the Department of Agriculture. These pasture lands are vital to the continuance and expansion of our cattle industry to defray the need and continued dependance of off-island beef importation. The type of long-term leases DOA offers are what ranchers require in order to invest the funds necessary to maintain quality pasturelands, fencing, water supplies etc. As demonstrated recently during this Covid pandemic, the availability of the most basic of human needs, food, can so easily become a point of panic when not locally available in adequate quantity. We need to support our Hawaii ranchers and provide them the means to raise and market their product to the Hawaii consumer. This Bill will go a long way in providing that.



**LATE**

COMMITTEE ON WATER AND LAND

Senator Kahele, Chair

Senator Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Gabbard, Chair

Senator Ruderman, 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. Effective 7/1/2050. (HD1)

Wednesday, June 24, 2020, 12:30 pm \* Conference Room 229, State Capitol \* 415 South Beretania Street

Chair Kahele, Vice Chair Keith-Agaran, and Members of the Committee on Water and Land,  
Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

Parker Ranch **strongly supports HB2035.**

Parker Ranch is one of the largest producers of locally raised beef in the State of Hawaii and, annually, we produce, and market 3,500 head thru various local distributors and retail outlets to feed our community. The COVID pandemic has highlighted the importance of local food production and keeping as much of our locally grown food here at home. Agriculture has always been a vital part of Hawaii's well-being, and our current situation highlights that importance even more. Finding ways to enable Ranchers and Farmers, both big and small, to increase local food production for our community, should be our number one priority.

One way to give agriculture in Hawaii the long-term support it needs, is to transfer agricultural lands to the Hawaii Department of Agriculture so they can manage leases to encourage stewardship and improvements to the land for the expansion of local food production.

The Hawaii Department of Agriculture already plays an important role in long term sustainability of agriculture in the State of Hawaii. Act 90 was passed in 2003 to support this mission and by allowing these lands to be transferred to and managed by the Hawaii Department of Agriculture (HDOA). Act 90 not only supports Governor Ige's Sustainable Hawaii initiative to improve local food production, but also HDOA's mission to improve agricultural production and to gain greater self-sufficiency in food in Hawaii. Ranchers and Farmers need agriculture-appropriate lease terms and lease management to prudently increase the amount of local food they produce. This bill will provide much needed support to keep agriculture running and feeding our local families.

**LATE**

**HB-2035-HD-1**

Submitted on: 6/24/2020 7:27:33 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emmanuel Zibakalam	Testifying for Hawaii Crop Improvement Association	Support	No

Comments:



**HB-2035-HD-1**

Submitted on: 6/23/2020 6:53:47 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeri Moniz	Individual	Support	No

Comments:

COMMITTEE ON WATER AND LAND Senator Kahele, Chair Senator Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT Senator Gabbard, Chair Senator Ruderman, 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. Effective 7/1/2050. (HD1)

Wednesday, June 24, 2020, 12:30 pm Conference Room 229, State Capitol 415 South Beretania Street

Chair Kahele, Vice Chair Keith-Agaran, and Members of the Committee on Water and Land,

Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

My name is Jeri Moniz. My family and I own KK Ranch on Hawaii Island and we strongly supports HB2035.

HB2035 clarifies that pastoral lease lands are to be included in the transfer of non-agricultural park lands from DLNR to HDOA. Because we were actively involved with the original Act 90 we can testify that the transfer of the pastoral leases was not only included but a major reason for it's initiation.

It is clear that beef cattle production is closely aligned with the mission of the HDOA and is frequently painted to be in conflict with DLNR's. There should be no question that leases utilized for beef cattle production should be transferred to and supported by the HDOA.

The beef cattle industry continues to re-establish its markets in Hawaii. Currently 100% of the cows and bulls harvested annually are marketed in the State. An increasing number of weaned calves are remaining in the State for finishing on grass for the local market also. I personally have been involved with programs to increase the marketing of locally produced beef. For over ten years I have chaired the Taste of the Hawaiian Range an annual program to educate our chefs, culinary students and consumers to utilize locally produced beef and other local agriculture produced products. As marketing chairperson for the Hawaii Cattlemen's Council I have also coordinated the donation of thousands of pounds of beef from our industry members to those in need through our various NGO food relief organizations during this CORVID-19 crisis. I was

not surprised that our beef cattle industry statewide stood ready, participated early and continues to donate. Product flowed and continues to flow to Hawaii NGOs as fast as our beef processing plants are able to process it.

It is discouraging to read opponents to HB2035 cite conservation as the major reason to oppose. To the contrary, ranchers are good stewards of the land. Both DLNR and HDOA leases require lessees to develop and maintain conservation plans. Those conservation plans are reviewed and approved by the Soil and Water Conservation Districts that come under the purview of the DLNR. As a result DLNR will continue to influence conservation practices on these State leases. In addition pastoral lessees are eligible for and routinely have acquired millions of federal cost share dollars for environmental quality incentive programs from USDA NRCS for the purpose of improving conservation practices on State pastoral leases. We will continue to be cooperators with our local Soil and Water Conservation Districts, participate in Watershed Partnerships and manage our conservation plans under DOA leases. We will

continue to fight invasive species and provide all of the other eco-system services we have always provided, all at no cost to the State or the general public.

The transfer of agricultural leases to the Department of Agriculture is long overdue and we respectfully ask that the committees support HB2035. We appreciate the opportunity to testify on this critical matter for our industry and food production for Hawaii.

Jeri Ann Moniz KK Ranch



# Environmental Caucus of The Democratic Party of Hawai'i

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Monday, June 22, 2020

House Bill 2035, HD 1  
Testifying in Opposition

Aloha Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and Members of the Committee on Water and Land, and Committee on Agriculture and Environment:

The Environmental Caucus of the Democratic Party of Hawaii stands in opposition to HB 2035, HD 1. This measure 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; and amends the definition of “agricultural activities” used in chapter 166E, HRS.

The purpose of this Act is to: (1) set a deadline for the transfer of certain non-agricultural park lands from the department of land and natural resources to the department of agriculture pursuant to Act 90, Sessions Laws of Hawaii 2003; and (2) clarify that the care and production of pasture land constitutes an “agricultural activity” for purposes of chapter 166E, Hawaii Revised Statutes. The definition of “Agricultural activities” is expanded to encompass, “the care and production of livestock or livestock products includes the care and production of pasture land.”

DLNR has more than 100,000 acres in pasture use in Hawai'i Island that are at risk of being transferred to the DOA. This is an unprecedented administrative change to transfer over 10 percent of the land under DLNR to HDOA. These public trust resources would be open to grazing without restriction, native trees could be clear cut, and public access could be blocked threatening cultural values and access to maintaining constitutionally protected cultural traditions. Transferring these lands to DOA would eliminate future opportunities for reforestation projects aimed at recovering endangered bird populations. Some of these pasture lands 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. The subject property includes crucial watershed lands necessary for healthy forests, robust drinking water supplies, and native species habitat. Carbon sequestration, wildlife management, wildfire protection and forest health, rather than for pasture purposes, would be the best practices for this land. It would be in the public's best interest to leave the property with the DLNR who is best suited to manage these lands without risk of loss of these valuable environmental resources to the State of Hawai'i.

For these reasons, we urge you to oppose this bill which 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; and amends the definition of “agricultural activities” used in chapter 166E, HRS.

Mahalo for the opportunity to testify,

/s/ Melodie Aduja

Melodie Aduja  
Co-Chair, Green New Deal Committee  
Environmental Caucus  
Democratic Party of Hawaii  
Email: [legislativepriorities@gmail.com](mailto:legislativepriorities@gmail.com)

DEMOCRATIC PARTY OF HAWAI'I  
HAWAIIAN AFFAIRS CAUCUS

TESTIMONY - OPPOSITION  
HB2035, Relating to Non-Agricultural Park Lands  
Hearing, Wednesday, June 24, 12:30 p.m., Conf Rm 329

Senator Kaiali'i Kanehele, Chair  
Senator Gilbert S. C. Keith-Agaran, Vice Chair  
Members, Committee on Water and Land

Senator Mike Gabbard, Chair  
Senator Russell E. Ruderman, Vice Chair  
Committee on Agriculture and Environment

Aloha,

The Executive Committee of the Hawaiian Affairs Caucus of the Democratic Party of Hawai'i submits this testimony in opposition to HB2035, Relating to Non-Agricultural Park Lands. We stand in strong support of the testimony and concerns expressed by the Department of Land and Natural Resources and the Office of Hawaiian Affairs. They articulate clearly the problems with this measure.

The Hawai'i Department of Land and Natural Resources (DLNR) has more than 100,000 acres in pasture use on Hawai'i Island that are at risk of being transferred to the Hawai'i Department of Agriculture (HDOA). This represents an unprecedented administrative change of transferring over 10 percent of the land under DLNR to HDOA. We are concerned that these public trust resources would be open to grazing without restriction, native trees could be clear cut, and public access could be blocked threatening cultural values and access to maintaining constitutionally protected cultural traditions. Currently, many of these tracts of pasture lands maintain native forests, provide habitat for native and endangered plants and animals and offer opportunities for native reforestation efforts. The proposed wholesale transfer of over 100,000 acres without review of the land and tenant status could have unintended consequences detrimental to the public trust. 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.

Please do not pass this measure, but rather take the time to review the motivation for this measure to determine other means for fixing the root causes of concerns, such as leases and concerns of farmers and ranchers, that led to it.

Respectfully

Juanita Brown Kawamoto  
Chair





Young Progressives Demanding Action  
P.O. Box 11105  
Honolulu, HI 96828

June 24, 2020  
12:30 PM

**TO: Senate Committee on Water & Land (WTL)**  
**Senate Committee on Agriculture & Environment (AEN)**  
**RE: Testimony in Opposition to HB2035 HD1**

Aloha Chair(s) Kahele and Gabbard, Vice Chair(s) Keith-Agaran and Ruderman, Members of the Senate Committee on Water & Land and Members of the Senate Committee on Agriculture & Environment,

My name is Jun Shin. I am a Junior at the University of Hawai‘i at Mānoa and serve as the Environmental Justice Action Committee Chair for the Young Progressives Demanding Action (YPDA). YPDA advocates for public policies that reflect the values of young people throughout the State of Hawai‘i. One of those values is that public lands need to be taken care of and held to the highest standard for the public good. YPDA is in **Opposition** to **HB2035 HD1**, relating to non-agricultural park lands. This measure seeks to accomplish two things. (1) Setting a deadline for the transfer of certain non-agricultural park lands from the department of land and natural resources to the department of agriculture pursuant to Act 90, Session Laws of Hawaii 2003 and (2) Clarifying that the care and production of pasture land constitutes an "agricultural activity" for purposes of chapter 166E, Hawaii Revised Statutes.

93,000 acres of public lands, lands that are used for conserving native forests and endangered species, public hunting, as well as where many cultural sites are located, are at stake here. Lands that the public has access to. Lands that are important to all of us, where we may do recreational activities like hiking or field trips for school, but also for Native Hawaiians to practice their traditional and customary rights.

Public lands belong in public hands. These precious lands and the cultural and natural resources on it would be transferred to the Department of Agriculture for the benefit of the private ranching interests, and away from the Department of Land and Natural Resources (DLNR) if this measure passes. DLNR, "is responsible for managing, administering, and exercising control over public lands" as stated on their website. They have a responsibility to the public trust and

although the department is by no means a perfect trustee, it has the mission and the staff with the expertise that is needed in its divisions to take care of our public lands.

Not only does the Department of Agriculture lack these resources, but “agricultural developments” under HRS §166E-10, “may be exempt from all statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and construction of buildings.” This sets up a scenario in which private ranchers could potentially skirt much of our very important environmental and land use laws to negatively affect our natural and cultural resources, block access to cultural sites, and develop agricultural facilities that circumvent our laws. We need proper accountability and oversight in the name of public interest.

Everyone can share the land. 93,000 acres of public lands doesn’t need to specifically belong to one interest over everyone else. Private ranchers and their cattle are not in danger of losing access to our lands for their enterprise and we hope that they understand that as beneficiaries of the lands, they need to in turn be good stewards of it as well. Alongside hikers, hunters, Native Hawaiian cultural practitioners, conservationists, everyone can use this land together in harmony.

Young Progressives Demanding Action is in **Opposition** to **HB2035 HD1**. We respectfully ask for you to **HOLD** this bill.

Mahalo for the opportunity to testify,

Jun Shin,  
Environmental Justice Action Committee Chair  
Young Progressives Demanding Action (YPDA)  
Cell: 808-255-6663  
Email: junshinbusiness729@gmail.com  
CC: action@ypdahawaii.org





# KE ONE O KĀKŪHIHEWA

O'ahu Council of the  
Association of Hawaiian Civic Clubs

## COMITTEE ON WATER AND LAND

**AND**

## COMITTEE ON AGRICULTURE AND ENVIRONMENT

**WEDNESDAY, JUNE 24, 2020**

CONFERENCE ROOM 229

STATE CAPITOL

415 South Beretania Street

BENTON KEALII PANG, PH.D.-  
HAWAIIAN CIVIC CLUB OF  
HONOLULU  
PELEKIKENA

JACOB KA'ŌMAKAOKALĀ AKI-  
KING KAMEHAMEHA HCC  
HOPE PELEKIKENA

GEORGIANA NAVARRO-  
MĀKAHA HCC  
HOPE PELEKIKENA 'ELUA

ALBERTA LOW-PEARL HARBOR  
HCC  
PU'UKŪ

ROTH PUAHALA -KING  
KAMEHAMEHA HCC  
PELEKIKENA IHO NEI

TERI LOO-KO'OLAUPOKO HCC  
KĀKAU 'ŌLELO

CHRISTINE "CHRISSY" ANJO-  
PEARL HARBOR HCC  
HOLE KĀKAU 'ŌLELO

'AHAHUI SIWILA HAWAI'I O  
KĀPOLEI  
LANCE HOLDEN

ALI'I PAUAHI HCC  
KEHAULANI LUM

'EWA-PU'ULOLO HCC  
MARLEEN KAU'I SERRAO

HCC OF HONOLULU  
ANITA NAONE

KAILUA HCC  
MAPUANA DE SILVA

KALIHI-PĀLAMA HCC  
JUANITA BROWN  
KAWAMOTO

KING KAMEHAMEHA HCC  
LETANI PELTIER

KO'OLAULOLO HCC  
RANAE "TESSIE"  
FONOIMOANA

KO'OLAUPOKO HCC  
ALICE P. HEWETT

LUALUALEI HCC  
SHIRLINE HO

MĀKAHA HCC  
LUANN LANKFORD-  
FABORITO

MAUNALUA HCC  
ROSE KITTY SIMONDS

NA LANI 'EHA HCC  
R. KELANI RAMOS

NĀNĀIKAPONO HCC  
JAYCINE HICKS

PĀPAKŌLE'A HCC  
KEALI'I LUM

PEARL HARBOR HCC  
ANTOINETTE LEE

PRINCE KŪHIŌ HCC  
A. MAKANA PARIS

PRINCESS KAI'ULANI HCC  
RUSTY RODENHURST

QUEEN EMMA HCC  
RAWLETTE P. KRAUT

HCC OF WĀHIWA  
MARIE "MĀLIA" DOO

HCC OF WAIALUA  
MAKALAPUA CASSON-  
FISHER

WAI'ANĀE HCC  
CYNTHIA ENRIQUEZ

WAIKIKI HCC  
L. PI'KEA TOMCZYK

HCC OF WAIMĀNALO  
LOUANNA KAIO

Senator Kaiali'i Kahele, Chair  
Senator Gilbert S. C. Keith-Agaran, Vice Chair  
Members of the Committee on Water and Land

Senator Mike Gabbard, Chair  
Senator Russell E. Ruderman, Vice Chair  
Members of the Committee on Agriculture and Environment

My name is Benton Kealii Pang and I am the president for the O'ahu Council of the Association of Hawaiian Civic Clubs. I am writing on behalf of the board of directors to provide our **opposition** of **HB2035 HD1**, which requires the Department of Land and Natural Resources to transfer to Hawai'i Department of Agriculture specified non-agricultural park lands.

The Hawai'i Department of Land and Natural Resources (DLNR) has more than 100,000 acres in pasture use on Hawai'i Island that are at risk of being transferred to the Hawai'i Department of Agriculture (HDOA). This represents an unprecedented administrative change of transferring over 10 percent of the land under DLNR to HDOA. These public trust resources would be open to grazing without restriction, native trees could be clear cut, and public access could be blocked threatening cultural values and access to maintaining constitutionally protected cultural traditions. Currently, many of these tracts of pasture lands maintain native forests, provide habitat for native and endangered plants and animals and offer opportunities for native reforestation efforts.

We urge the committees to **HOLD** HB 2035 HD1 and protect the public trust resources on our limited public lands.

Mahalo for your consideration of our comments.

Ke One O Kākūhihewa is a native Hawaiian council made up of 24 civic clubs on the island of O'ahu. Our oldest member, Hawaiian Civic Club of Honolulu was established by Prince Jonah Kūhiō Kalaniana'ole on December 7, 1918.

Sincerely,

Benton Kealii Pang, Ph.D.

June 22, 2020



Subject: Testimony of KAHEA: The Hawaiian-Environmental Alliance to the Senate Committee on Water and Land and the Senate Committee on Agriculture and the Environment in opposition to HB 2035, HD1

Aloha e Regents,

I am writing on behalf of KAHEA: The Hawaiian-Environmental Alliance, a 501(c)(3) nonprofit organization. We oppose HB 2035, HD1, Relating to Non-Agricultural Park Lands.

KAHEA is a community-based organization working to improve the quality of life for Hawaii’s people and future generations through the revitalization and protection of Hawaii’s unique natural and cultural resources. We have been advocating for the protection of Mauna Kea for nearly the entire life of our organization, which was founded in 2000.

This bill would transfer over 100,000 acres of “pasture lands” containing native remnant forest, trails, endangered species habitat, and fragile cultural sites, from the Department of Land and Natural Resources to the Department of Agriculture (DOA) and specifically to the DOA’s non-ag park lands program which has major exemptions for environmental review and other oversight mechanisms.

DOA lacks the expertise and capacity to ensure the protection of these lands’ non-ranching resource values and the non-ag park program exemptions for construction, land development, etc. would exacerbate the risk. DOA has all but stated they will do whatever commercial ranchers want them to do to manage the lands. Support for this measure may be couched as a "beef security" even though the vast majority of cattle currently raised on these lands are sold on the continent.

The state has public trust obligations to protect these public lands and the critical natural and cultural resources on them. This bill’s proposal to transfer them to DOA wholesale is inconsistent with those obligations.

Mahalo for considering our testimony in OPPOSITION to HB2035, HD1. Please contact us with any questions.

Me ke aloha,  
Bianca Isaki, on behalf of  
2020 KAHEA Board and Staff

PROTECTING

NATIVE HAWAIIAN

CUSTOMARY & TRADITIONAL

RIGHTS AND OUR FRAGILE

ENVIRONMENT

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Mailing Address  
P.O. Box 37368  
Honolulu, HI 96837

toll-free phone/fax  
877.585.2432

www.KAHEA.org  
kahea-alliance@hawaii.rr.com

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KAHEA: the Hawaiian-Environmental Alliance is a non-profit 501(c)3 working to protect the unique natural and cultural resources of the Hawaiian islands. KAHEA translates to English as "the call."



Board of Directors:

Gary L. Hooser  
*President*

Andrea N. Brower  
Ikaika M. Hussey  
*Co-Vice Presidents*

Kim Coco Iwamoto  
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Paul Achitoff

Laura Harrelson

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Michael Miranda

Walter Ritte Jr.

Pua Rossi-Fukino

Karen Shishido

Leslie Malulani Shizue Miki

**Senate Committee on Water and Land  
Senate Committee on Agriculture and Environment**

**Hawaii Alliance for Progressive Action (HAPA)  
OPPOSES HB 2035**

Wednesday, June 24th, 2020 12:30 p.m. Conference Room 229

Aloha Chair Kahele, Chair Gabbard and Members of the  
Committees,

On behalf of the Hawai'i Alliance for Progressive Action (HAPA) I strongly urge you to **OPPOSE HB 2035**, the "pasture" lands transfer bill. HAPA is a statewide environmental, social and economic justice organization HAPA that engages over 10,000 local residents throughout Hawai'i annually.

By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws.

Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick,  
Executive Director



Hawai'i State Senate  
Committee on Water and Land  
Committee on Agriculture and Environment

*Pō'akolu, June 23, 2020*  
*Lumi 'Aha Kūkā 214*  
*Ke Kapikala Moku 'āina*  
415 South Beretānia Street

Re: HB2035 HD1 - RELATING TO NON-AGRICULTURAL PARK LANDS

*Aloha Luna Ho 'omalua Kaiali'i Kahele, Hope Luna Ho 'omalua Gilbert Keith-Agaran, Luna Ho 'omalua Mike Gabbard, Hope Luna Ho 'omalua Russell Ruderman and members of the Senate Committees on Water and Land and Agriculture and Environment:*

The Association of Hawaiian Civic Clubs **OPPOSES** HB2035 HD1. This bill requires DLNR to transfer to DOA specified non-agricultural park lands by a specified deadline. It further requires DLNR and DOA to jointly report on the status of the land transfer and also amends the definition of "agricultural activities" used in chapter 166E, HRS.

The Association stands in solidarity with Ke One o Kākuhihewa and Moku o Keawe, acknowledging that the Hawai'i Department of Land and Natural Resources (DLNR) has more than 100,000 acres in pasture use on Hawai'i Island that are at risk of being transferred to the Hawai'i Department of Agriculture (HDOA) through this bill if enacted. This represents an unprecedented administrative change of transferring over 10 percent of the land under DLNR to HDOA. These public trust resources could be open to grazing without restriction, native trees

could be clear cut, and public access could be blocked threatening cultural values and access to maintaining constitutionally protected cultural traditions. Currently, many of these tracts of pasture lands maintain native forests, provide habitat for native and endangered plants and animals and offer opportunities for native reforestation efforts.

This position taken by the Executive Board of the Association is in line with past resolutions that speak to support of our native ecosystems, care for watersheds, prohibiting the propagation of invasive species, standard of care for public trust lands, and access to sites for traditional and customary practices. Select resolutions include:

2005-30: ACKNOWLEDGING THAT NATIVE HAWAIIAN TRADITIONAL AND CULTURAL PRACTICES AND VALUES BE INTEGRATED INTO THE UPDATED HAWAII STATE OCEAN RESOURCE MANAGEMENT PLAN (ORMP)

2005-23: URGING THE HAWAII STATE LEGISLATURE TO ENACT LEGISLATION TO PROTECT HAWAII 'S FLORA AND FAUNA

2009-30: URGING A MORATORIUM ON ANY SALE, EXCHANGE OR ALIENATION OF CROWN AND GOVERNMENT LANDS, OF THE PUBLIC TRUST BY THE STATE OF HAWAII, UNTIL THE LEGAL, POLITICAL, AND MORAL CLAIMS OF THE NATIVE HAWAIIAN PEOPLES AGAINST THE UNITED STATES AND THE STATE OF HAWAII ARE RESOLVED

2011-16: RECOGNIZING THE UNITED STATES DEPARTMENT OF DEFENSE FOR ITS INITIAL OUTREACH EFFORTS TO THE NATIVE HAWAIIAN COMMUNITY AND ENCOURAGING CONTINUED ENHANCEMENTS OF THESE EFFORTS

2011-40: URGING THE STATE OF HAWAII AND HAWAII COUNTY AGENCIES TO PROTECT THE SUSTAINABILITY OF KONA'S FRESH GROUNDWATER AQUIFERS

2013-46: URGING THE UNITED STATES TO ADOPT FEDERAL POLICY TO PROHIBIT THE INTRODUCTION OF NON-NATIVE SPECIES, AND TO MANAGE AND PREVENT THE UNCONTROLLED PROLIFERATION OF INVASIVE SPECIES

2016-30: STRENGTHEN THE MAUNA KEA COMPREHENSIVE MANAGEMENT PLAN (CMP) TO REFLECT NATIVE HAWAIIAN STEWARDSHIP OF MAUNA KEA AND ENSURE COMPLIANCE WITH EXISTING CMP ACTIONS ITEMS

2018-35: EXPRESSING SUPPORT OF EFFORTS TO RESTORE WAI'ANAE KAI FOREST RESERVE AND WATER FLOW IN WAI'ANAE WATERSHED STREAMS FOR TRADITIONAL AND CUSTOMARY NATIVE HAWAIIAN PRACTICES

2018-38: STRONGLY CALLING FOR ALL HAWAI'I STATE GOVERNMENT LEADERS TO ENSURE THE RESTORATION OF ALL EAST MAUI STREAMS AS NOTED IN THE WORKS OF NĀ MOKU AUPUNI O KO'OLAU HUI TO BENEFIT THE LONG TERM STEWARDSHIP OF EAST MAUI FORESTS IN PROVIDING ENOUGH WATER TO MEET ITS PRIMARY TRUST RESPONSIBILITIES

Thus, the Association respectfully urges the committees to **HOLD** HB2035 HD1.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalanianaʻole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawaiʻi and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture, health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions.

*Mahalo* for allowing us to share our *mana* ʻo.

*Me ka ʻoia ʻi ʻo,*

A handwritten signature in black ink, appearing to read 'Hailama Farden', written in a cursive style.

Hailama Farden

*Pelekikena*

**LATE**



**Moku O Keawe**  
Hawai'i Council for the  
Association of Hawaiian Civic Clubs  
P.O. Box 7164 | Hilo, Hawai'i | 96720

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**Committees on  
Water and Land & Agriculture and Environment**

Wednesday, June 24, 2020 Conference Room 229

Re: HB2035 HD1 – RELATING TO NON-AGRICULTURAL PARK LANDS

Aloha Chair Kahele and Chair Gabbard and members of the Water and Land and Agriculture and Environment committees,

The Association of Hawaiian Civic Clubs – Hawai'i Council (AHCC – Hawai'i Council) **OPPOSES HB2035 HD1** which requires the Department of Land and Natural Resources (DLNR) to transfer to the Hawai'i Department of Agriculture (HDOA) specified non-agricultural park lands.

The DLNR has over 100,000 acres in pasture use on Hawai'i Island that are at risk of being transferred to the Hawai'i HDOA. This sets an unprecedented administrative change of transferring over ten percent of the land under DLNR to HDOA. These public trust resources would be open to grazing without restriction leaving native flora and fauna at risk, and public access could be blocked restricting cultural tradition protected by the state's constitution. Currently, these pasture lands maintain native forests and their habitat which offer opportunities for native reforestation efforts.

The Association of Hawaiian Civic Clubs (AHCC) have taken many positions and advocated for the Native Hawaiian's interest on ceded lands. The AHCC - Hawaii Council encourages the State Legislature to seek avenues on how it could address the interests of Native Hawaiians on ceded lands.

The AHCC - Hawai'i Council is composed of nine active Hawaiian Civic Clubs on the Island of Hawai'i who are chartered by the Association of Hawaiian Civic Clubs. We are part of a collective of fifty-one (51) other chartered clubs throughout the State of Hawai'i and the United States that meet annually to vote on resolutions that advocate for the betterment of the conditions for Native Hawaiians. Thank you for hearing our testimony. We urge the committees to **HOLD HB2035 HD1**.

Mahalo Nui,  
Shane Akoni Palacat-Nelsen  
Pelekikena

**HB-2035-HD-1**

Submitted on: 6/23/2020 5:08:57 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Albert Perez	Testifying for Maui Tomorrow Foundation, Inc.	Oppose	No

Comments:

***Maui Tomorrow Foundation opposes HB2035 HD1 because it will let private ranches ignore the public interest in up to 100,000 acres or more of public lands. It will enable the destruction of natural and cultural resources, the blocking of access to hunting grounds and cultural sites, and the development of agricultural facilities without environmental review or land use legal protections. Nothing is stopping private ranches from continuing to use public lands for their cattle operations, in balance with the many other interests and concerns of hikers, hunters, Native Hawaiian cultural practitioners, conservationists, and others in these lands. Please HOLD this measure and protect the public trust in our limited public lands.***

***Mahalo.***





## *Hawaii's Thousand Friends*

335 Hahani Street #342132 \* Kailua, HI 96734 \* Phone/Fax (808) 262-0682 E-Mail: [htff3000@gmail.com](mailto:htff3000@gmail.com)

June 24, 2020

### COMMITTEE ON WATER AND LAND

Senator Kaiali'i Kahele, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

### COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Russell E. Ruderman, Vice Chair

Members of the committees

HB 2035 HD1

RELATING TO NON-AGRICULTURAL PARK LANDS

Hawaii's Thousand Friends, a non-profit organization dedicated to ensuring that growth is reasonable and responsible and that planning and land use decisions protect natural and cultural resources and human health are implemented in conformity with the law, opposes HB 2035 that requires the Department of Land and Natural Resources (DLNR) to turn thousands of acres of pasture land to the Department of Agriculture (DOA).

The tens of thousands of pasture lands that this bill seeks to have DLNR turn over to DOA are remnant native forests that provide access to hiking trails, provide habitat for Hawaii's endangered flora and fauna, reduce erosion and are watersheds that protect water sources.

While cattle have grazed on pasturelands these lands have never been plowed or clear-cut. Thus, they conceal unknown archaeological sites and offer countless opportunities for reforestation.

With over half of Hawaii's forestlands gone it is critical that the remaining mauka forest and watershed lands be protected to provide clean safe water and habitat for Hawaii's endangered plants and birds.

DLNR has the responsibility of protecting the public trust as delineated in the Hawaii Constitution Article XI, Section 1 "For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals, and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation...."

We urge you to hold HB 2035 HD1 and reevaluate the consequences of Act 90 (2003) on Hawaii's finite natural and cultural resources with the understanding that DLNR cannot abrogate its public trust responsibilities.





COMMITTEE ON WATER AND LAND  
Senator Kaiali'i Kahele, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
Senator Mike Gabbard, Chair  
Senator Russell E. Ruderman, Vice Chair

TESTIMONY IN **STRONG OPPOSITION** TO HOUSE BILL 2035\_HD1

June 24, 2020, 12:30 p.m.  
State Capitol Room 325  
415 South Beretania Street

Dear Chairs Kahele and Gabbard, Vice-Chairs Keith-Agaran and Ruderman, and Members of the House Committee on Water, Land, and Hawaiian Affairs and the House Committee on Agriculture and Environment:

Earthjustice **strongly opposes** House Bill 2035\_HD1 ("HB 2035") because it would transfer nearly 100,000 acres of public lands from the Department of Land and Natural Resources ("DLNR") to the Department of Agriculture ("DOA"), without any consideration for the natural and cultural resources located on individual parcels. DOA lacks the institutional expertise and statutory mandate to manage and preserve intact native forests and other rare and valuable resources found on these lands. This wholesale transfer of public lands to an agency lacking the requisite management expertise is bad policy. It also violates the State's duty to manage its public trust resources with the same level of care as a trustee managing private resources.

As many others have testified over the course of hearings on this bill, the nearly 100,000 acres of public lands encompassed by HB 2035 encompass a diverse array of ecosystems and have value extending far beyond agricultural use:

- as watersheds;
- as habitat for endangered plant and animal species;
- as bio-cultural reservoirs for traditional practices; and
- as open spaces accessible to the public for hiking, hunting, and other activities.

Despite this rich set of resources, HB 2035 requires immediate transfer of an unidentified subset of these lands without any resolution of pending management, lease, or transfer issues.

Taking the agency guardrails off land transfers endangers the many acres of public trust lands and resources that aren't suitable for use as pasture or farmland, but will be placed under

DOA's single-use land management regime pursuant to HB 2035 nonetheless. Even worse, this legislation does so seemingly to benefit a narrow set of leasehold interests who believe the existing transfer process is too slow. Assuming some unnecessary delays have occurred for certain tenants, a more narrowly tailored solution must be crafted so as not to eviscerate existing management protections for lands that include multiple important resources.

Because this legislation improperly reduces management protection for public trust resources by placing public lands better managed by DLNR under the control of DOA, Earthjustice respectfully requests that the Committees **hold** this bill. Further, a major alteration in the management regime for the State's public lands should not be undertaken in this emergency funding session, when the Committees lack the benefit of more engaged public testimony. Earthjustice therefore encourages the Committees to (at minimum) hold this bill until the public is able to fully participate in live or video hearings that allow for a back and forth exchange with the individual members of the Committees.

Thank you for the opportunity to submit this testimony.

Leinā'ala L. Ley



Attorney  
Earthjustice



# SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER AND LAND

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

June 24, 2020 12:30 PM Room 229

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

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Aloha Chair Kahele, Chair Gabbard, and members of the committees,

On behalf of our 27,000 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 SB916(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".

Marti Townsend  
Chapter Director

**From:** [Nicole Busto](#)  
**To:** [WTL Testimony](#); [AEN Testimony](#)  
**Subject:** Opposition to HB2035  
**Date:** Monday, June 22, 2020 7:13:51 PM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,  
Mrs. Nicole Busto

Maui Nutritional Therapy  
Nicole Busto NTP, CGP  
808-463-7783



**Conservation Council  
for Hawai'i**

*Hawai'i's voice for wildlife*

*Kō Hawai'i, leo no nā holoholona lōhiu*



**Submitted to the Senate Committee on Water and Land  
and Senate Committee on Agriculture and Environment  
Wednesday, June 24, 2020  
Conference Room 229  
HB 2035, HD 1**

**LATE**

Conservation Council for Hawaii (CCH) opposes House Bill 2035 House Draft 1, relating the transfer of Agricultural lands from the Department of Land and Natural Resources to the Department of Agricultural. Our forested lands are important to the overall health of our diverse ecosystems here in Hawai'i, maintaining healthy watersheds, protecting native flora and fauna, and native species are imperative to maintaining balance. Transferring of forest lands to the Department of Agricultural would negatively impact our delicate ecosystems by opening up the opportunity for grading and plowing to accommodate for production crops which would increase erosion, destroy forests that are important in carbon reduction, and endanger native species.

With our water resources already limited here in the islands, ensuring that our watersheds are protected and maintained so that our aquifers can be replenished is not negotiable. CCH supports the Department of Land and Natural Resources maintaining the lands stated in HB 2035 HD1, their game management plans, Forest Stewardship plans, and partnerships with ranchers and private landowners to preserve watershed has proven beneficial and CCH would like to see this work continued.

CCH opposes this measure and requests that the committee HOLDS on the passage of HB2035 HD1.

**Telephone/Fax: 808.593.0255 | email: [info@conservehi.org](mailto:info@conservehi.org) | web:  
[conservationcouncilhawaii.org](http://conservationcouncilhawaii.org)**

**P.O. Box 2923 | Honolulu, HI 96802 | Office: 250 Ward Ave. Suite 215 | Honolulu, HI 96814**

**President Rachel Sprague | Vice President: Lisa Hinano Rey | Secretary: Julie Leialoha**

**Treasurer: Sunshine Woodford | Directors: Robin Kaye, Steven Lee Montgomery**

**National Wildlife Representatives: Les Welsh, Rachel Sprague**

**Executive Director: Moana Bjur | Operations and Events Director: Jonnetta Peters**





**LATE**

**HB-2035-HD-1**

Submitted on: 6/23/2020 3:26:41 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff McDevitt	Testifying for PATH	Oppose	No

Comments:

PATH is a nonprofit that is devoted to connecting people and places on the island of Hawaii with trails, and therefore supports DLNR in opposing this bill because of its potential to limit public access to such forest reserve lands and the potential for clearcutting of native forest lands.

**LATE**

**HB-2035-HD-1**

Submitted on: 6/23/2020 4:45:55 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Oppose	Yes

Comments:

**HB-2035-HD-1**

Submitted on: 6/19/2020 3:49:58 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gordon Inouye	Individual	Support	No

Comments:

Dear members of the House,

I support HB2035. Pasture land is clearly agricultural land and should be treated as such.

Sincerely,

Gordon Inouye

**HB-2035-HD-1**

Submitted on: 6/19/2020 7:01:57 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Woody Child	Individual	Support	No

Comments:

**HB-2035-HD-1**

Submitted on: 6/19/2020 8:17:09 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephen A. De Luz	Individual	Support	No

Comments:

I am a 2nd generation rancher, I have been ranching here in Hawaii all my life. I have experienced first hand the loss of prime ranch land to other interest groups. Approximately 20% of our state lands are in ranching and the rest is in forestry or are encumbered, it is so important these lands stay in the ranching industry so we can support our local markets. I have always felt the need for Hawaii to be self-sufficient in our food production, with Covid19 changing our way of living, we need agriculture more than ever.

Act 90 was passed in 2003 and the transfer of agriculture leases has been delayed for nearly 17 years. We kindly ask that you support HB2035 to keep Hawaii strong.

Thank you for the opportunity to address this crucial matter for the ranchers & farmers

**HB-2035-HD-1**

Submitted on: 6/22/2020 5:28:22 AM

Testimony for WTL on 6/24/2020 12:30:00 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: 6/22/2020 10:04:40 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Bryan	Individual	Support	No

Comments:

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:33:58 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Wood	Individual	Support	No

Comments:



**HB-2035-HD-1**

Submitted on: 6/22/2020 10:43:04 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda DeSilva	Individual	Support	No

Comments:

To whom it may concern:

I, Amanda (Freitas) DeSilva and my entire family has been part of Kapapala Ranch for over 30 years. It all started when my father started raising cattle with Mr. Gordon Cran. I grew up learning many life lessons on this ranch. It wasn't just about working cows. I learned about dedication, responsibility and compassion just to name a few. It has taught my entire family what it is means to be a family. If we work together nothing is impossible. I want the same opportunity and values that we had growing up at Kapapala Ranch for my son and my nieces and nephews to enjoy and learn from. We have gone through many trials and tribulations from droughts, floods, fires, lava, and to the loss of love ones and the births of new loves. We have stuck together as one at Kapapala Ranch. There is nothing that we can't accomplish together. I humbly ask that you pass this bill HB2035 so that we may enjoy another 30+ years together and make countless more memories.

Thank you

**HB-2035-HD-1**

Submitted on: 6/22/2020 11:38:37 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gregory FRIEL	Individual	Support	No

Comments:

**HB-2035-HD-1**

Submitted on: 6/22/2020 11:47:25 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cindy Goldstein	Individual	Support	No

Comments:

I support HB20135 HD1 because the Department of Agriculture is a more appropriate agency for oversight of the lands currently under DLNR jurisdiction. DLNR is tasked with administration and oversight of specified non agricultural park lands and farmers would be better served if this was transferred to HDOA. State agencies are stretched thin and are tasked with oversight of land and programs they don't have the capacity to handle. DLNR does not seem to have the capacity to manage or prioritize agricultural needs and activities. As a supporter of Hawaii agriculture and Hawaii farmers, I urge passing HB2035HD1 which gives farmers more opportunity for certainty in their land use and more opportunity to thrive.

**HB-2035-HD-1**

Submitted on: 6/22/2020 1:41:49 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Heather Leong	Individual	Support	No

Comments:

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo,

Heather Leong

**HB-2035-HD-1**

Submitted on: 6/22/2020 9:56:06 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anthony Freitas	Individual	Support	No

Comments:

To whom it may concern:

I, Anthony Freitas jr. and my entire family has been part of Kapapala Ranch for over 30 years. It all started when my father started raising cattle with Mr. Gordon Cran. I grew up learning many life lessons on this ranch. It wasn't just about working cows. I learned about dedication & responsibility just to name a few. It has taught my family how to work together and be a team. If we work together nothing is impossible. I want the same opportunity and values that we had growing up at Kapapala Ranch for my sons, daughter, and nieces and nephews to enjoy and learn life lessons that I was taught at Kapapala ranch. We have gone through many trials and tribulations from droughts, floods, fires, lava, and to the loss of love ones and the births of new loves. We have stuck together as one at Kapapala Ranch. There is nothing that we can't accomplish together. I have been going to Kapapala ranch for over 30 years and cannot imagine a life without Kapapala. My family wouldn't be where we are today without Kapapala ranch. I humbly ask that you pass this bill HB2035 so that we may enjoy another 30+ years together and make countless more memories

Thank you

**HB-2035-HD-1**

Submitted on: 6/23/2020 6:01:50 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jody Fergerstrom	Individual	Support	No

Comments:

**In SUPPORT of HB2035**

**The purpose of this Bill is to put a timeline to Act 90 signed into law in 2003 providing agriculture entities a landlord that is more in line with supporting their mission of producing food in our State. Longer leases with favorable terms will allow lessees to invest in their infrastructure, their future, their planning and budget.**

**While pristine forests are a lovely goal, huge tracts of idle or fallow land do not manage themselves. A State employee receives their paycheck regardless of the management, or lack of management, of resources in their care. They have no skin in the game. Conversely, the need for an economic return directly impacts the choices made by farmers and ranchers regarding their expenditures of time, money and resources. I feel this makes them highly motivated stewards of our Public Lands.**

**Long gone is the practice of clearing native forests for pastureland. Those methods from decades ago have long since been replaced by mindful, scientific range management and modern farming practices that complement and enhance native and endangered plants and wildlife, and protect critical habitats along with natural and cultural resources. With the DOA as a landlord, existing public access to forest reserves, trails and hunting will continue. Soil and Water conservation plans and watershed partnerships will not change. Grasslands, along with forests, will still play their vital role in the carbon cycle. Food production will increase with access to long term planning and budgeting.**

**With changes in DLNR leadership, the Department now opposes this bill. However, Committee reports show the DLNR did support this as SB 1034 when Act 90 was passed in 2003. Link here - [https://www.capitol.hawaii.gov/session2003/commreports/SB1034 HD2 HSCR1461 .htm](https://www.capitol.hawaii.gov/session2003/commreports/SB1034_HD2_HSCR1461.htm) or shortlink - <https://bit.ly/2YZVkyJ>**

**Sincerely submitted:**

**Jody Fergerstrom**

**Captain Cook, HI 96704**

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:19:23 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keone DeSilva	Individual	Support	No

Comments:

To whom it may concern

I, Keone DeSilva has been a part of Kapapala Ranch for the last 3 years.

In that short time I feel that I have become a part of the Kapapala Ranch family. Ranching is truly a family affair. Lessons are taught from one generation to the next. Being a new parent myself I can't wait to pass what I have learned to my son. I humbly ask that you pass this bill HB2035 so that the ranching tradition at Kapapala Ranch can continue for many more years and many more generations.

Thank you



**HB-2035-HD-1**

Submitted on: 6/23/2020 7:35:51 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aileen K . F. Yeh	Individual	Support	No

Comments:

It is long over due.

**HB-2035-HD-1**

Submitted on: 6/23/2020 9:37:35 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaila Quintal	Individual	Support	No

Comments:

Ag feeds our community year around and especially during times of crisis. We in Ag diversity the tax base of our state economy, We do not need any more land in our conversation which produces nothing! I support the land that porduces food for our cominuty and feeds our families

**HB-2035-HD-1**

Submitted on: 6/23/2020 11:39:24 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

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

Comments:

To Whom It May Concern:

We strongly support HB 2035 as to the issue of the transferring of DLNR leases to the Dept. of Ag. We feel this bill will help with the continuation of ranching and farming in the Hawaiian Islands. If this pandemic has taught us anything it is how vulnerable our food supplies are and we need to be sustainable. Without a strong agricultural basis the entire system and nation will collapse. This 17 year delay has not done anything to help agriculture and everything to hurt it.

Everyone is always talking about sustainability and now is the time to prove we mean what we say and get the help to the farmers and ranchers that are always struggling but are hurting even more with the world situation;.. Agriculture should be one of our number one industries. Ranchers and farmers are the number one stewards of the land. They are on the land on a daily basis and have a vested interest in the well being of the land as their well being depends on it.

We can not wait another 17 years for there will be nothing left.

Respectfully submitted

Bud and Katy Gibson

**HB-2035-HD-1**

Submitted on: 6/23/2020 11:55:11 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Judith Epperson	Individual	Support	No

Comments:

I support HB2035 as the logical way to manage agricultural lands. Large ranches produce cattle and manage and care for pasture lands, this is agricultural in nature and should be managed by the Department of Agriculture. This was slated to be done 17 years ago and it is way overdue. The Department of Land and Natural Resources is not an appropriate body to manage the leases of these agricultural lands. This should be done by July 1, 2020.

**HB-2035-HD-1**

Submitted on: 6/23/2020 12:08:27 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Racquel Achiu	Individual	Support	No

Comments:

As someone who is heavily involved in my community as well as an active rancher and farmer, I support HB2035. The time is NOW to support a viable Agriculture Industry as a whole.

Although I have always believed that Agriculture as a primary economic foundation has been misplaced, or thrown away, with the focus on the Tourism Industry. The wake of COVID-19, has brought the realization of our Agriculture industry and its significance to the forefront yet again. The importance of our local ranchers and farmers, their existence and operation, has become evident and increasingly critical to our local economy.

Please support HB2035 to allow our ranchers and farmers the ability to work with an agency that has the ability, knowledge & resources to truly understand the Agriculture Industry in Hawaii. The opportunity for growth, knowledge and operation for our ranching and farming communities can exist with the Department of Agriculture.

Bottom line, Our ranchers and farmers, strong and positive stewards of our Ag Lands, NEED support. It is my belief, based on discussions with fellow ranchers and farmers, HB2035 gives them the opportunity to work towards a positive and secure future in the pursuit of productive & successful ranching & farming activities.

MAHALO

**HB-2035-HD-1**

Submitted on: 6/23/2020 12:19:53 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalani	Individual	Support	No

Comments:

My family and I are in very strong support for this bill.

1. Hawaii needs more food self-sufficiency. Everyone agrees on this -- now more than ever.
2. Farmers and ranchers can't be productive without long-term leases and the security that will assure them they should make long term investments in the land and in their business.
3. Although DLNR now says it can do better to manage agricultural leases, it's very obvious that they don't have the will to do so; what have they done over the last 17 years since Act 90 passed?
4. DLNR says it needs to retain this ag land for conservation purposes, but look at what's happening all over the state on DLNR lands. Destructive invasive species have taken over and are spreading all over the island -- under the "management" of DLNR. It is obvious that DLNR does not have the resources or the will to manage the ag and other lands it has under its jurisdiction.
5. This bill will allow DOA to manage leases on these ag lands -- it's a win-win because farmers will have security to invest and continue to manage these lands appropriately while producing more food for Hawaii's communities.
6. If the concern is that conservation efforts will not be conducted unless DLNR retains the land, this is just incorrect. DOA and the BOA can place conditions on the ag leases to ensure environmental protection.

Please pass this bill! Thank you.

**HB-2035-HD-1**

Submitted on: 6/23/2020 12:29:02 PM

Testimony for WTL on 6/24/2020 12:30:00 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 bill!

It is beyond belief that here we are 17 years after the legislature mandated this transfer of ag lands from DLNR to DOA (Act 90, 2003) and **farmers and ranchers are still waiting**. What is the justification for the 17-year delay? How is this bringing us closer to food self-sufficiency?

Farmers need stable, long term leases to invest in their business to produce more food.

DLNR is not able to effectively manage its lands, just look at its track record in preventing the takeover by invasive species.

At transfer, DOA can make sure that the ag leaseholders conserve and protect the land and environment --- it can be part of the lease conditions.

There is no good reason to hold this bill. Please pass it!

Thank you.

**From:** [Michelle Gorham](#)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Sunday, June 21, 2020 9:37:31 AM

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Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land, Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

The transfer of these leases to DOA is still a pressing issue for Hawaii's ranchers and farmers demanding your attention for Hawaii's food security, especially in the time of Corona. Frailty in land access, unrealistic pricing, and Tenuous lease agreements perpetuates a weak agricultural system. What parent wants to recommend their keiki farm When faced with these challenges? People opposing this bill often do so fueled by crops, eggs, milk, cheese, and beef. Ironic, no? Our climate and environment depend on balanced systems of economy, environment, and society. Farmers and ranchers are a critical part of this equation. We can't support these partners in name only, we must take action. Support the farmers and ranchers. Support the lease transfer.

It is apparent, more so now than ever, that Hawaii needs to diversity its economy and support agriculture, an essential business. While we are working on increasing processing capacity, ranchers still need to be confident in their lease terms to make the shift to keep more cattle here in Hawaii. Ranchers need agriculture-appropriate lease terms and lease management to prudently increase the amount of local food they produce. I support this bill which clarifies that pasture lands are agricultural, and sets a deadline for the Act90 transfer of agricultural lands from DLNR to DOA so that they can get the appropriate lease terms they need to succeed and support all of hawaii.

Thank you,  
Michelle Gorham

--

Warm Regards,  
Michelle Gorham  
808-729.1676

---

OACA MISSION:  
To support the development and implementation of sustainable agriculture and conservation practices through education, research, and partnerships.

"In the end we will conserve only what we love; we will love only what we understand; and we will understand only what we are taught." - Baba Dioum, 1968.



**From:** [Billy Bergin](#)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Sunday, June 21, 2020 3:07:58 PM

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Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land, Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

While the COVID-19 pandemic has exposed important issues to address, the transfer of these leases to DOA is still a pressing issue for Hawaii's ranchers and farmers. It is apparent, more so now than ever, that Hawaii needs to diversify its economy and support agriculture, an essential business. While we are working on increasing processing capacity, ranchers still need to be confident in their lease terms to make the shift to keep more cattle here in Hawaii. Ranchers need agriculture-appropriate lease terms and lease management to prudently increase the amount of local food they produce.

I support this bill which clarifies that pasture lands are agricultural, and sets a deadline for the Act90 transfer of agricultural lands from DLNR to DOA so that they can get the appropriate lease terms they need to succeed.

My opinion on this matter is qualified; my entire life from age 12 forward, has been immersed in the agricultural industry, specifically cattle ranching. Aside from a decade in Kansas and Kentucky, securing a solid education in this field, my professional life of more than 50 years here on the Big Island has been dedicated to the health and welfare of livestock. Despite lofty goals of the State's desire to support agriculture, I have witnessed the profound decline in government kokua and the handling of State lease lands is a prime example of the decay in attention to food production. Please do enact HB 2035, getting the responsibility for such lease administration from DLNR to DOA. Act90 needs immediate attention. Dr Billy Bergin, Kamuela, Hawaii

**From:** [Kaelin Sylva](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 12:40:10 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Kaelin Sylva  
HFBF  
1521 Alexander St  
Honolulu, HI 96822  
kaelins@hawaii.edu

**From:** [Bart Lofton](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 1:40:12 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Bart Lofton  
95-208 Kaeonui Pl  
Mililani, HI 96789  
[bart\\_lofton@yahoo.com](mailto:bart_lofton@yahoo.com)

**From:** [greenwell.jimmy@gmail.com](mailto:greenwell.jimmy@gmail.com)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Monday, June 22, 2020 1:43:35 PM

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Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land, Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

I am writing in strong support of HB2035. This lease transfer issue has been around for some time and needs to be completed. I believe this bill will help to bring some closure to the process which Act 90 envisioned many years ago by setting a deadline and clarifying an important definition that the care and production of pasture land is included in the definition of “agricultural activity”.

The State’s agricultural lands can play a key role in strengthening our economy and food production base provided they are available to qualified farmers and ranchers on lease terms and conditions appropriately tailored to ag production. This is best accomplished through our Department of Agriculture.

There are many critical issues which we understand need attention during these uncertain times; however I believe that passing this bill now will be a big step in the right direction.

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

Jim Greenwell

**From:** [paul kaneshiro](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 4:50:07 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

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

**From:** [Keaka Lee](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 8:00:05 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Keaka Lee  
Restaurant Owner  
Kapa Hale  
4614 Kilauea Ave Ste 102  
Honolulu, HI 96816  
keakah3@gmail.com

**From:** [Corey Barth](#)  
**To:** [WTL Testimony](#)  
**Subject:** I support HB2035 HD1  
**Date:** Monday, June 22, 2020 11:40:06 PM

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Dear Chairman Kahele,

Aloha Chair Kahele and Gabbard, Vice-Chair Keith-Agaran and Ruderman, and members of the committees,

I strongly support HB2035 HD1, which will ensure the long term productive use of certain public lands leased for agricultural use. It also clarifies that the use of pasture land for raising livestock or growing crops is an agricultural activity.

This bill reinforces Act 90, enacted in 2003, which was passed to transfer certain lands from DLNR to DOA. Farmers and ranchers have been waiting 17 years for this because DOA can provide the proper oversight and lease terms needed for them to further invest in the land, increase local food production, and maintain good stewardship of the resources.

Thank you for the opportunity to submit testimony.

Mahalo

Sincerely,

Corey Barth  
54 Halelani Pl  
Kihei, HI 96753  
[barth.corey@icloud.com](mailto:barth.corey@icloud.com)



**From:** [William and Anne Marie Jacintho](#)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Support  
**Date:** Tuesday, June 23, 2020 9:46:15 PM

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Chair Kahele, Vice Chair Keith-Agaran, Members of the Committee on Water and Land, Chair Gabbard, Vice Chair Ruderman, and Members of the Committee on Agriculture and Environment,

**I support bill HB 2035, which clarifies that pasture lands are agricultural, and sets a deadline for the Act90** transfer of agricultural lands from DLNR to DOA so that they can get the appropriate lease terms they need to succeed.

In checking things out further, here are some edited quotes of the things that are happening on our Ranches..... "in Ka'u, last year, the DLNR revoked the permits from two ranches and turned the land over to DHHL without giving them any notice. One guy had just rebuilt major fence lines when he got the letter." "We don't want the DLNR to be able to "cherry pick" what they will turn over and what they won't like they have been doing. They turned over" some areas, "but want to keep" other areas. "DOFAW is just moving into a ranch right now, like they don't exist. They do what they want when they want without talking to us." "The other ranchers don't know yet what's in store for them if this legislation doesn't pass."

There is a group called Grand Theft Aina strongly opposing this bill.

The link is here <https://www.grandtheftaina.org/blog/category/sb2812hb2035>

I was able to get this of the internet. Might be a good idea for you to check it out, to get an idea of what these people are getting at. I'm trying to figure them out. I know what Ranchers are basically trying to do for years, and that is simply transferring DLNR lease management to Dept. of Ag., and trying to get people to understand that Pasture Grazing is Ag Producing, just like farming food is, aquaculture, nursery production.... This group doesn't think so.

The first photo in this blog of the confined livestock feeding area, is of an organic dairy in Aurora. (far from Hawaii DLNR Lands) The photo of the White Brahman cattle in the revolving four photo's are from the 2019 floods in Queensland, where thousands of cattle were feared dead. (far away from Hawaii) Two other are photo's from Kau Forest, (roadway) that doesn't look abused by cattle, and the other, also from Kau (rock wall) - lands for Legacy Land Conservation.... The final photo, I believe is from The Kapapala Koa Canoe Forest. Not sure if in grazing areas, but the three local photo's tells me we're doing it right. The first two is just bs, that is making false impressions and accusations, on the Hawaii Livestock Industry, if a picture is worth a thousand words. We may have a case of false representation if someone want's to make something of it. I see no reason that properly managed cattle grazing on non-sensitive forest buffer areas can be very compatible, and beneficial to both parties. These are the kind of areas that have been occupied by livestock for that very reason, and declared so by DLNR back in the day.

The part of the Grand Theft Aina article/blog that throws me the most, is that it sounds like they support cattle production for local food sustainability, but not for exporting cattle out of the State. With that said, one would think the Grand Theft Aina people should be advocating for the transfer of leases, and at the same time, encouraging the livestock industry to stay local, which many would, if we had the local support and sources to buy the beef product. We all know what that hurdle is like. Their efforts and energy could be spent in that direction instead of the way it's going with the hatchet approach.



While the COVID-19 pandemic has exposed important issues to address, the transfer of these leases to DOA is still a pressing issue for Hawai's ranchers and farmers. It is apparent, more so now than ever, that Hawaii needs to diversity its economy and support agriculture, an essential business. While we are working on increasing processing capacity, ranchers still need to be confident in their lease terms to make the shift to keep more cattle here in Hawaii. Ranchers need agriculture-appropriate lease terms and lease management to prudently increase the amount of local food they produce.

Thank you,  
William G. Jacintho

**HB-2035-HD-1**

Submitted on: 6/19/2020 3:39:24 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Hanada	Individual	Oppose	No

Comments:

Please hold hb2035. I do not believe it is in the best interest of the people of Hawaii. Thank you.

**HB-2035-HD-1**

Submitted on: 6/19/2020 4:25:12 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica dos Santos	Individual	Oppose	No

Comments:

Dear Senators of the AEN and WTL Committees,  
I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. There is nothing in this bill to require that ranchers actually contribute to our local food supply, rather than continue to sell 80 percent or more of their livestock to the mainland market. There is nothing in this bill to protect our watersheds and protein-rich reefs that may be harmed by livestock grazing and agricultural construction projects without the DLNR's oversight. Please do not pass this measure during the 2020 session.

Mahalo,

Jessica dos Santos

**HB-2035-HD-1**

Submitted on: 6/19/2020 4:47:47 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Momi Ventura	Individual	Oppose	No

Comments:

**HB-2035-HD-1**

Submitted on: 6/20/2020 5:49:51 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Massie	Individual	Oppose	No

Comments:

Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees, I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. There is nothing in this bill to protect our watersheds and protein-rich reefs that may be harmed by livestock grazing and agricultural construction projects without the DLNR's oversight. Please do not pass this measure during the 2020 session. Ranchers already pay just dollars an acre for the thousands and thousands of public lands they have occupied for years, if not decades. By letting the Department of Agriculture grant them decades-long leases, without any public auction requirement or carefully tailored environmental protections, this measure would just give them even more leeway to ignore the public interest in the public lands they occupy.

The Hawaii government should act on behalf of its people and environment. Ranching is bad for the climate and environment. The Hawaiian community and population are not all ranchers, and this bill only works in favor of ranchers, not the people or the environment.

Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Mahalo,

Anne K. Massie

**HB-2035-HD-1**

Submitted on: 6/20/2020 6:31:06 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephen Canham	Individual	Oppose	No

Comments:

HB2035 strikes me as an exceptionally bad bill, essentially a give-away of reserve lands to potentially commercial purposes. While I understand the need for ag and food self-sufficiency, opening the door to exemptions and development is not the way to go. Leave public watershed lands alone.

**HB-2035-HD-1**

Submitted on: 6/20/2020 6:48:58 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory Harden	Individual	Oppose	No

Comments:

Aloha leigslators,

The land is for everyone, not to enrich a few people by degrading the land and shipping cattle off-island, Department of Agriculture lacks the background to care for the land. Please oppose this bill.

Mahalo!

Cory Harden

**HB-2035-HD-1**

Submitted on: 6/20/2020 7:41:50 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
carol lee kamekona	Individual	Oppose	No

Comments:



**HB-2035-HD-1**

Submitted on: 6/20/2020 8:35:43 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dyson Chee	Individual	Oppose	No

Comments:

**HB-2035-HD-1**

Submitted on: 6/20/2020 8:58:43 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Natalie	Individual	Oppose	No

Comments:

Dear Senate Agriculture and Environment and Senate Water and Land Committees,

The Department of Land & Natural Resources (DLNR) is by no means a perfect trustee of public lands, but it has the legal obligation and staff with the expertise that is needed to take care of our lands. A controversial bill such as HB2035 should not be passed when the public isn't able to fully participate in the legislative process. There is nothing in this bill to protect our watersheds and protein-rich reefs that may be harmed by livestock grazing and agricultural construction projects without the DLNR's oversight. Access to cultural sites for Native Hawaiians would be at risk as well. Ranchers already pay just dollars an acre for the thousands and thousands of public lands they have occupied for years, if not decades. By letting the Department of Agriculture grant them decades-long leases with the potential to be exempted from our environmental and land use laws, this will continue to build a sense of entitlement over public lands.

Thank you for your time,

Natalie Toma, (808)797-9399, 94-1042 Mahinahina St., Waipahu

**HB-2035-HD-1**

Submitted on: 6/20/2020 9:43:04 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dylan Ramos	Individual	Oppose	No

Comments:

Aloha,

I would like to express my opposition to HB2035, the "pasture" lands transfer bill.

The 93 thousand acres of public lands that would be transferred under this bill are crucial watershed lands that have been used on a temporary basis for cattle grazing. If transferred to the Department of Agriculture, these public lands would be open to ranching activities including unrestricted grazing and clear cutting of forests, not to mention public access to these lands for hiking, hunting, and cultural traditions would be jeopardized. 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.

Under the Department of Land and Natural Resources' management, ranchers already only pay a few dollars per acre, year after year, to use thousands of public lands for their commercial benefit. Under the Department of Agriculture, the ranching industry could pay even less for our public trust resources and could exempt development on these lands from state and county environmental and development laws.

It is likely that ranchers pushing this bill will argue that this bill will promote the local production of beef to meet our islands' "meat security" needs, particularly in light of the COVID-19 pandemic. However, the vast majority of cattle - 80% - raised in Hawai'i is actually exported to the mainland. There is nothing in this bill that would ensure that beef raised on public land will be sold on the local market. Exporting cattle does not help meet our local food security needs, and the damage to watersheds and reefs by livestock grazing and agricultural development projects on 100,000-plus acres of public lands removed from DLNR oversight will only jeopardize our islands' self-sufficiency.

Mahalo,

Dylan Ramos

Honolulu, HI



**HB-2035-HD-1**

Submitted on: 6/20/2020 11:02:35 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tina Taniguchi	Individual	Oppose	No

Comments:

The lands that DLNR care for are crown lands and deserve respect and preservation. There are many lands available for agricultural purposes. There would be much more agricultural lands if the county would stop changing zoning and allowing large developments on agricultural land. Stop taking and misusing and start protecting use what is available! Stop changing the zoning, keep ag land for what it is and protect our sacred lands!

**HB-2035-HD-1**

Submitted on: 6/21/2020 9:43:42 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rynette Keen	Individual	Oppose	No

Comments:

***Dear Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and members of the Senate Water and Land and Agriculture and Environment Committees,***

***â€œ***

***I AM IN STRONG OPPOSITION to HB2035 HD1 because it will let private ranches ignore the public interest in up to 100,000 acres or more of public lands, by enabling the destruction of natural and cultural resources, the blocking of access to hunting grounds and cultural sites, and the development of agricultural facilities without environmental review or land use legal protections. Nothing is stopping private ranches from continuing to use public lands for their cattle operations, in balance with the many other interests and concerns of hikers, hunters, Native Hawaiian cultural practitioners, conservationists, and others in these lands. Please HOLD this measure and protect the public trust in our limited public lands.***

***We must always remember that you are public servants and, as such, serve all the citizens of our beloved islands and not just selected special interest groups. Again, I strongly OPPOSE HB2035 HD1, and I hope that you will recognize that this bill is not in the best interest of food security or sustainability.***

***Mahalo,***

***R. Ipo Keen***

***Constituent and Resident of Maui***

***ipokeen808@gmail.com***

**HB-2035-HD-1**

Submitted on: 6/21/2020 3:09:10 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
De Austin	Individual	Oppose	No

Comments:

Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I strongly oppose HB2035, the "pasture" lands transfer bill.

By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. •

Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

There should be extended, detailed and public conversation on this process and, really, on ANY process in Hawaii regarding land use, where we are an archipelago with limited land and natural resources.

Thank you,

Dezireen Austin

**HB-2035-HD-1**

Submitted on: 6/21/2020 5:11:48 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Ware	Individual	Oppose	No

Comments:

Dear Chair and Committee Members,

My name is Diane Ware and I live on Hawai'i island. I strongly oppose this measure which risks our precious 'Ohi'a native forests and agree with testimony of SC, OHA and DLNR. There is precious little native forest left (40% of all land) and as a volunteer in forest reforestation I have experienced first hand the difficulty and cost of this process which truly cannot replace the diversity of even partially dozed or plowed areas. I have experienced loose cows in Cymbidium Acres subdivision in Volcano which muck up the ground and eat every hapu'u frond before it uncurls--absolute devastation to rare native understory making it impossible to restore cleared areas without fencing.

Where there is no native forest, there are no native birds and most are now on the verge of extinction. Good quality native forests are not compatible with ungulates. There is no justification to destroy more of 'ohia forest for agricultural uses when tens of thousands of acres of cleared land lies fallow and can be used for agriculture. Our natural and cultural resources are to be protected and conserved under the public trust doctrine for future generations.

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 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 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).



Please preserve native forests, watersheds and birds by Opposing this measure.

Sincerely,

**HB-2035-HD-1**

Submitted on: 6/22/2020 3:58:41 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nanea Lo	Individual	Oppose	No

Comments:

Hello,

My name is Nanea Lo and I am a lifelong resident and lineal descendant of the Hawaiian Kingdom. I strongly APPOSE this bill.

This bill would transfer 93,000 acres of public lands, literally close to 70,500 football fields from the Department of Land & Natural Resources (DLNR) to the Department of Agriculture (DOA) to renegotiate and issue new favorable leases to ranches for unrestricted cattle grazing and livestock production. The cattle raised in Hawai'i go to the continent this will not bolster our food sustainability efforts.

There is a balance that exists in these lands between hunters, hikers, ranchers, watersheds, Native Hawaiian cultural practitioners, endangered species, etc. Unfortunately ranchers pushing for this bill want to break that delicate balance for their private gain. The DOA lacks the expertise and the staff that DLNR has to preserve and protect these lands. This is not in the public's interest and could hurt the environment and restrict access to hiking and cultural sites.

Please do not support this bill.

me ke aloha 'Ä• ina,

Nanea Lo

**HB-2035-HD-1**

Submitted on: 6/22/2020 6:32:36 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Lacques	Individual	Oppose	No

Comments:

â• This controversial measure should not be considered at this time because of the limited opportunity for public participation due to COVID 19.

**HB-2035-HD-1**

Submitted on: 6/22/2020 8:10:02 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Milholen	Individual	Oppose	No

Comments:

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:07:08 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Rudolph	Individual	Oppose	No

Comments:

Oppose.

Dept. of Ag lacks the personnel & the will - to protect our ag lands. No transfer.

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:31:03 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Fisher	Individual	Oppose	No

Comments:

Aloha,

I would like to express my **strong opposition** to HB2035, the "pasture" lands transfer bill, which the legislature appears intent on passing over the next two weeks. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form. **There is nothing in this bill to require that ranchers actually contribute to our local food supply, rather than continue to sell 80 percent or more of their livestock to the mainland market.** There is nothing in this bill to protect our watersheds and protein-rich reefs that may be harmed by livestock grazing and agricultural construction projects without the DLNR's oversight.

Ranchers already pay just dollars an acre for the thousands and thousands of public lands they have occupied for years, if not decades. By letting the Department of Agriculture grant them decades-long leases, without any public auction requirement or carefully tailored environmental protections, this measure would just give them even more leeway to ignore the public interest in the public lands they occupy.

Please do not pass this measure during the 2020 session.

Mahalo nui,

Scott Keli'i Fisher

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:47:55 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Olan Leimomi Fisher	Individual	Oppose	No

Comments:

Aloha mai,

I would like to express my **strong opposition** to HB2035, the "pasture" lands transfer bill, which the legislature appears intent on passing over the next two weeks. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form. **There is nothing in this bill to require that ranchers actually contribute to our local food supply, rather than continue to sell 80 percent or more of their livestock to the mainland market.** There is nothing in this bill to protect our watersheds and protein-rich reefs that may be harmed by livestock grazing and agricultural construction projects without the DLNR's oversight.

Ranchers already pay just dollars an acre for the thousands and thousands of public lands they have occupied for years, if not decades. By letting the Department of Agriculture grant them decades-long leases, without any public auction requirement or carefully tailored environmental protections, this measure would just give them even more leeway to ignore the public interest in the public lands they occupy.

Please do not pass this measure during the 2020 session.

Mahalo nui,

Olan Leimomi Fisher

**HB-2035-HD-1**

Submitted on: 6/22/2020 10:54:52 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Momi Morgan	Individual	Oppose	No

Comments:

I would like to express my **strong opposition** to HB2035, the "pasture" lands transfer bill, which the legislature appears intent on passing over the next two weeks. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form. **There is nothing in this bill to require that ranchers actually contribute to our local food supply, rather than continue to sell 80 percent or more of their livestock to the mainland market.** There is nothing in this bill to protect our watersheds and protein-rich reefs that may be harmed by livestock grazing and agricultural construction projects without the DLNR's oversight.

Ranchers already pay just dollars an acre for the thousands and thousands of public lands they have occupied for years, if not decades. By letting the Department of Agriculture grant them decades-long leases, without any public auction requirement or carefully tailored environmental protections, this measure would just give them even more leeway to ignore the public interest in the public lands they occupy.

Please do not pass this measure during the 2020 session.



**HB-2035-HD-1**

Submitted on: 6/22/2020 12:24:50 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thorne Abbott	Individual	Oppose	No

Comments:

Please strongly oppose this bill. Among other reasons, the individual Counties, not a state agency, should have autonomy over the use of lands within their locality and island. Mahalo for your consideration!

**HB-2035-HD-1**

Submitted on: 6/23/2020 8:04:34 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Thomas	Individual	Oppose	No

Comments:

Dear Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and members of the Senate Water and Land and Agriculture and Environment Committees,

â€‹

I OPPOSE HB2035 HD1 because it will let private ranches ignore the public interest in up to 100,000 acres or more of public lands, by enabling the destruction of natural and cultural resources, the blocking of access to hunting grounds and cultural sites, and the development of agricultural facilities without environmental review or land use legal protections. Nothing is stopping private ranches from continuing to use public lands for their cattle operations, in balance with the many other interests and concerns of hikers, hunters, Native Hawaiian cultural practitioners, conservationists, and others in these lands. Please HOLD this measure and protect the public trust in our limited public lands.

Thank you,

Steven Thomas

**HB-2035-HD-1**

Submitted on: 6/23/2020 8:08:36 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Deborah Chang	Individual	Oppose	No

Comments:

HB 2035 HD1 proposes an artificial and unrealistic deadline for the automatic transfer of 100s of acres of public lands to private agricultural interests without careful assessment of the public values (conservation, watershed, cultural, recreational, etc.) that could be within those lands. This would be a major land grab of public lands by private interests with potentially dire consequences for future generations.

Mahalo for considering my testimony,

Deborah Chang (resident of Hawai`i Island)

**HB-2035-HD-1**

Submitted on: 6/23/2020 10:16:19 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Toni Withington	Individual	Oppose	No

Comments:

I strongly oppose this bill. It is a bad bill and attempts to pass it during a time of little exposure for the public to voice its objections is wrong.

The laws and procedures for transfer some of the conservation land to DOA is already in motion. Each of these parcels within the over 100,000 acres subject to this bill should be evaluated individually to assess the cultural and public access values before any transfer is being made.

As a longtime resident of North Kohala, where many of these parcels are located, I know that they contain cultural, historic and access rights that need to be protected for the public interest. Ancient trails, sites, gathering areas. Only the DLNR has the staff and regulations to monitor, steward and protect these elements from damage. DOA has no resources to do these valuable tasks.

Please vote this bill down. Let the DLNR continue to assess these lands to see which can be transferred and which not.

Toni Withington

Hawi, Hawaii

**From:** [mdeycaza](#)  
**To:** [WTL Testimony](#)  
**Subject:** Testimony in opposition to HB2035- pasturelands transfer bill  
**Date:** Sunday, June 21, 2020 12:13:35 AM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I strongly oppose HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you, Michael deYcaza

**From:** [H B](#)  
**To:** [WTL Testimony](#)  
**Subject:** Testimony in opposition to HB2035- pasturelands transfer bill  
**Date:** Sunday, June 21, 2020 10:09:21 AM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,  
Henry Boothe

**From:** [Sayaka Ueno](#)  
**To:** [WTL Testimony](#); [AEN Testimony](#)  
**Subject:** Oppose HB2035! Please protect Hawai'i's public lands  
**Date:** Sunday, June 21, 2020 2:07:00 PM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,  
Sayaka Ueno

**From:** [Karen Comcowich](#)  
**To:** [AEN Testimony](#); [WTL Testimony](#)  
**Subject:** Oppose HB2035  
**Date:** Sunday, June 21, 2020 9:44:43 PM

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Aloha Chair Kahele, Chair Gabbard, and WTL and AEN Committee members,

I strongly oppose the "pasture" lands transfer bill, HB2035, . Transferring almost 100,000 acres of public lands from the DLNR to the Department of Agriculture could allow the ranching industry to clear cut our forests which are necessary for a healthy watershed and vital habitat for native species. This would also allow ranchers to pay even less for our PUBLIC trust resources, and possibly exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed, especially since there has been limited opportunity for public participation and dialogue regarding the amended form.

Mahalo,  
Karen J. Comcowich

Sent from Yahoo Mail. [Get the app](#)



**From:** [Anna Chua](#)  
**To:** [WTL Testimony](#)  
**Subject:** Testimony in opposition to HB2035- pasturelands transfer bill  
**Date:** Sunday, June 21, 2020 10:57:20 PM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I strongly oppose HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,  
Anna Chua

**From:** [David Westerfield](#)  
**To:** [WTL Testimony](#)  
**Subject:** Testimony in opposition to HB2035- pasturelands transfer bill  
**Date:** Monday, June 22, 2020 12:52:26 AM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,  
(your name)

**From:** [Debbie Ward](#)  
**To:** [WTL Testimony](#)  
**Subject:** Re: Testimony in opposition to HB2035- pasturelands transfer bill  
**Date:** Monday, June 22, 2020 3:34:46 AM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I strongly oppose HB2035, the "pasture" lands transfer bill.

I have worked as a UH Extension Agent for 23 years with the ranchers in Kau, and they are friends and colleagues. I have hiked and worked on these lands. The land, forests, birds, and watershed deserve more protection, not less. and a transfer to DOA would provide far less oversight, and could cause far more harm to the critical watershed services these lands provide.

By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,  
Deborah Ward

**From:** [Michael Richards](#)  
**To:** [WTL Testimony](#)  
**Subject:** Please OPPOSE HB2035  
**Date:** Monday, June 22, 2020 8:53:24 AM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,

Michael Richards  
Kaneohe, Hawaii

**From:** [Sean Nagamatsu](#)  
**To:** [WTL Testimony](#); [AEN Testimony](#)  
**Subject:** Oppose HB2035- Protect Hawai'i's public lands!  
**Date:** Monday, June 22, 2020 10:45:44 AM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill. Please protect our public lands and our future! By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,  
Sean Nagamatsu

**From:** [sauchai@aol.com](mailto:sauchai@aol.com)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 HD1  
**Date:** Monday, June 22, 2020 11:43:22 AM

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***Dear Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and members of the Senate Water and Land and Agriculture and Environment Committees,***

***I STRONGLY OPPOSE HB2035 HD1. It will allow private ranches to ignore the public interest in up to 100,000 acres or more of public lands, by enabling the destruction of natural and cultural resources, the blocking of access to hunting grounds and cultural sites, and the development of agricultural facilities without environmental review or land use legal protections.***

***Nothing is stopping private ranches from continuing to use public lands for their operations, but it is very important that other interests are also considered, such as concerns of hikers, hunters, Native Hawaiian cultural practitioners, conservationists, and others in these lands. Please HOLD this measure.***

***Aloha,  
Charles Morgan, Mililani HI***

**From:** [Karynne Morgan](#)  
**To:** [WTL Testimony](#)  
**Subject:** HB2035 - Pasture Lands Bill  
**Date:** Monday, June 22, 2020 12:02:03 PM

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Dear Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and members of the Senate Water and Land and Agriculture and Environment Committees,

I STRONGLY OPPOSE HB2035 HD1. It will allow private ranches to ignore the public interest in up to 100,000 acres or more of public lands, by enabling the destruction of natural and cultural resources, the blocking of access to hunting grounds and cultural sites, and the development of agricultural facilities without environmental review or land use legal protections.

Nothing is stopping private ranches from continuing to use public lands for their operations, but it is very important that other interests are also considered, such as concerns of hikers, hunters, Native Hawaiian cultural practitioners, conservationists, and others in these lands. Please HOLD this measure.

Aloha,  
Karynne Chong Morgan, Mililani HI

**From:** [David K Shizuma](#)  
**To:** [AEN Testimony](#); [WTL Testimony](#)  
**Subject:** HB2035 (OPPOSE)  
**Date:** Monday, June 22, 2020 3:37:32 PM

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Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

I strongly oppose HB2035, the "pasture" lands transfer bill. By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws.

While I understand that ranchers pushing this bill will argue that this will promote local production of beef, there is also nothing in this bill that would ensure that beef raised on public land will be sold on the local market. Exporting cattle does not help meet our local food security needs.

The damage to watersheds and reefs by livestock grazing and agricultural development projects on 100,000-plus acres of public lands removed from DLNR oversight will only jeopardize our islands' self-sufficiency.

Mahalo for your time,  
David Shizuma





**From:** [Trinette Furtado](#)  
**To:** [AEN Testimony](#); [WTL Testimony](#)  
**Subject:** Testimony in Opposition of HB2035  
**Date:** Tuesday, June 23, 2020 1:25:32 PM

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Aloha Mai Chair Kahele, Chair Gabbard and members of the WTL and AEN committees,

My name is Trinette Furtado and I live on the moku of Maui. I strongly oppose this piece of legislation (the "pasture" lands transfer bill) that would transfer nearly 100,000 acres of public lands from DLNR to the DoA and could give the ranching industry access to denude and heavily impact our aina.

I urge you to vote NO on this bill and stand firmly in opposition to it.

There is nothing in this bill that would discourage or prohibit the ranching industry from clear cutting watershed forests and native species habitat, possibly be exempt from some of our most important state and county environmental laws and pay little to nothing for our public trust resources.

Given the inability for the public to truly engage and participate in meaningful and fruitful dialogue on this due to our current quarantine situation, such a controversial measure should NOT be passed in its current form.

I hope that you will see the need for more input and transparency and vote NO on this measure.

Mahalo for your time and consideration,

Trinette Furtado  
Kula, Maui, Hawai'i

"Its never too late to be what you might have been."  
Sent from my iPad

**LATE**

**HB-2035-HD-1**

Submitted on: 6/23/2020 1:34:43 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaimo Muhlestein	Individual	Oppose	No

Comments:

**LATE**

**HB-2035-HD-1**

Submitted on: 6/23/2020 3:19:06 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rayne Kauhi	Individual	Oppose	No

Comments:

**LATE**

**HB-2035-HD-1**

Submitted on: 6/23/2020 3:45:43 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelley Muneoka	Individual	Oppose	No

Comments:

Aloha Chair Kahele, Chair Gabbard, and members of the WTL and AEN Committees,

My name is Shelley Muneoka and I'm writing to you as a resident of Makiki and He'eia. I would like to express my strong opposition to HB2035, the "pasture" lands transfer bill.

By transferring nearly 100,000 acres of public lands from the Department of Land and Natural Resources to the Department of Agriculture, the ranching industry could clear cut watershed forests and native species habitat, pay even less for our public trust resources, and even exempt development on these lands from state and county environmental and development laws. •

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.

It is likely that ranchers pushing this bill will argue that this bill will promote the local production of beef to meet our islands' "meat security" needs, particularly in light of the COVID-19 pandemic. However, [the vast majority of cattle - 80% - raised in Hawai'i is actually exported to the mainland.](#) There is nothing in this bill that would ensure that beef raised on public land will be sold on the local market. Exporting cattle does not help meet our local food security needs, and the damage to watersheds and reefs by livestock grazing and agricultural development projects on 100,000-plus acres of public lands removed from DLNR oversight will only jeopardize our islands' self-sufficiency.

Such a controversial measure should NOT be passed in light of the limited opportunity for public participation and dialogue over its final amended form.

Thank you,

Shelley Muneoka

**LATE**

**HB-2035-HD-1**

Submitted on: 6/23/2020 10:28:56 PM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jesse Owens	Individual	Oppose	No

Comments:

Dear Members of the WTL Committee,

This bill would lead to far-reaching and long-lasting negative impacts to vast areas of wilderness on Hawaii island. Many of these lands contain native forests, endangered species, hunting lands, trails, and other resources that are best managed by the Department that specializes in natural resource protection. This wholesale transfer of these lands without looking at each parcel individually is reckless, and even less justifiable during this period of no public testimony and where the legislature's attention is better served on COVID related matters.

Hawaii has a long history of cattle ranching replacing millions of acres of native Hawaiian rainforests. The Legislature talks about following the UN's Sustainable Development goals, reducing greenhouse emissions, and protecting our watersheds. However, this one bill could foreclose the opportunity for reforestation and DLNR oversight of a hundred thousand acres of forests, reversing so much of the progress gained and investments in protecting lands. Please oppose this rash and damaging bill.

**LATE**

**HB-2035-HD-1**

Submitted on: 6/24/2020 2:04:19 AM

Testimony for WTL on 6/24/2020 12:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carrie Ann Shirota	Individual	Oppose	No

Comments:

*Dear Chairs Kahele and Gabbard, Vice Chairs Keith-Agaran and Ruderman, and members of the Senate Water and Land and Agriculture and Environment Committees,*

*I OPPOSE HB2035 HD1 because it will let private ranches ignore the public interest in up to 100,000 acres or more of public lands, by enabling the destruction of natural and cultural resources, the blocking of access to hunting grounds and cultural sites, and the development of agricultural facilities without environmental review or land use legal protections.*

*Nothing is stopping private ranches from continuing to use public lands for their cattle operations, in balance with the many other interests and concerns of hikers, hunters, Native Hawaiian cultural practitioners, conservationists, and others in these lands.*

*Please HOLD this measure and protect the public trust in our limited public lands.*

Sincerely,

Carrie Ann Shirota