



SB2812 SD1
RELATING TO AGRICULTURAL LANDS
Ke Kōmike ‘Aha Kenekoa o ke Ki‘ina Hana a me nā Kumuwaiwai

Pepeluali 20, 2020

10:35 a.m.

Lumi 211

The Office of Hawaiian Affairs (OHA) **OPPOSES** SB2812 SD1, 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, from potentially inappropriate agricultural uses on land parcels totaling 93,000 acres on Hawai‘i Island.

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 public trust kuleana, with regards to the protection and enhancement of 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. It is OHA’s understanding that this measure intends to mandate the transfer of parcels of “pasture” lands DLNR to the DOA. It is also OHA’s understanding that, despite their relatively non-descriptive categorization as “pasture” lands, such lands may in fact play critical roles in the protection and maintenance of the ‘āina, such as by serving as “buffer” zones between native forests and watersheds and more intensive human uses; hosting undeveloped and unique native ecosystems themselves; and providing critical habitat to endangered and other native species. While OHA recognizes and appreciates that there may be situations, as there have been in the past, where DLNR and DOA mutually agreed to transfer specific parcels based on a careful evaluation of each parcel’s various public trust roles, this measure’s mandate may foreclose any opportunity for due diligence on the part of the DLNR to determine whether the transfer of any identified parcel is appropriate. **Accordingly, OHA understands that the mandatory transfer of specified “pasture” 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 Board of Trustees **opposed** the original draft of this measure, due primarily to the extremely long-term, 99-year lease terms that they would authorize for public, public land trust, and "ceded" lands. As OHA has consistently noted on other measures, such long-term, multigenerational leases may tie the hands of future generations in ensuring the best use of public land trust lands and "ceded" lands, and may lead to a sense of entitlement on the part of lessees that can lead and has in the past led to the alienation of "ceded" lands. OHA further notes that the latest amendments made in the HD1 draft of HB2358 also stripped away important specified considerations that would have provided clear guidance on the DLNR's issuance of lease extensions, such as the extent to which a lease extension would support native forests, reforestation efforts, public hunting opportunities, and other important potential uses and roles of a leased pasture parcel. Should HB2358 HD1 be amended to remove its 99-year long-term lease provision, and to reinstate the specified lease extension considerations included in its original draft, OHA's Administration would consider recommending to the Board of Trustees a change in the agency's position, so as to provide DLNR with the flexibility they need while also maintaining their important oversight.

Accordingly, OHA urges the Committee to **HOLD** SB2812 SD1. Mahalo nui for the opportunity to testify on this measure.

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 Committee on
WAYS AND MEANS**

**Thursday, February 20, 2020
10:35AM
State Capitol, Room 211**

**In consideration of
SENATE BILL 2812, SENATE DRAFT 1
RELATING TO AGRICULTURAL LANDS**

Senate Bill 2812, Senate Draft 1 proposes to: 1) clarify that agriculture activities in non-agricultural park lands may include the care and production of pasture lands, 2) require the transfer of unspecified lands from the Department of Land and Natural Resources (Department) to the Department of Agriculture (DOA), 3) remove the list of 114 Hawaii Island tax map key parcels included in the original version of the bill, 4) remove and leave unspecified the date that the lands are to be transferred from the Department to DOA, 5) add language requested by DOA, and 6) make other changes. **The Department strongly opposes this measure.**

The bill proposes to amend the definition of “agricultural activities” under Section 166-2, Hawaii Revised Statutes (HRS), to include the “care and production of livestock, pasture lands, livestock products, poultry, or poultry products, or apiary, horticultural, or floricultural products, or the planting, cultivating, and harvesting of crops or trees, including tree farms.” The bill then proposes to direct the Department to transfer unspecified lands to DOA. The original version of the bill identified 114 parcels totaling more than 93,000 acres on Hawaii Island that were to be transferred.

These parcels included all the Department’s large pasture leases on Hawaii Island. 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 reforestation and endangered species. Although the bill in its present form no longer references any specific tax map key number, based on the bill’s preamble it is clear the intent remains to require the transfer to DOA many of these large of tracts of public trust lands currently in pasture use. This 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.

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

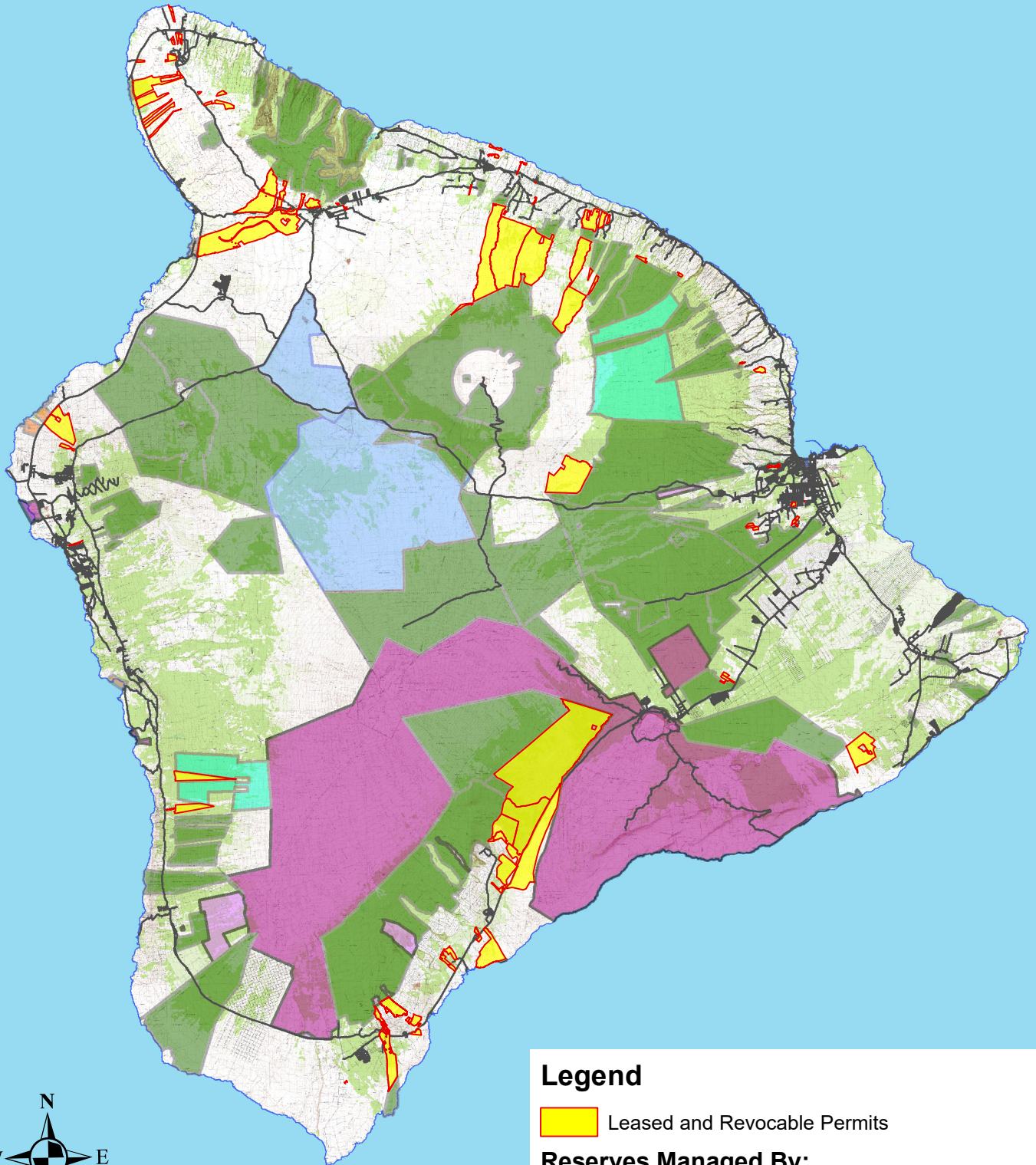
Pursuant to Act 90, Session Laws of Hawaii 2003, now codified as Chapter 166E, HRS, the Department has already transferred more than 18,000 acres of agricultural land to DOA, and additional transfers are in process – consisting of nearly all the agricultural crop land, such as former sugar cane land, 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 for management, traditional gathering, and public recreation including hunting and trails. 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.

The Department notes that Senate Bill 2812, Senate Draft 1 will not solve the food sustainability issue in the State of Hawaii. In 2018, over 43,000 head of cattle were exported to the mainland due to market conditions and better prices according to a Hawaii Beef Industry Council report. The bottom line is the transfer of these resource valued public trust lands to DOA will not increase local food sustainability in the State of Hawaii.

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

For these reasons, the Department respectfully urges the Legislature not to pass this bill (Senate 2812, Senate Draft 1), and instead support Senate Bill 2914 and allow the select pasture leases to remain under the Department’s management.

Thank you for the opportunity to comment on this measure.

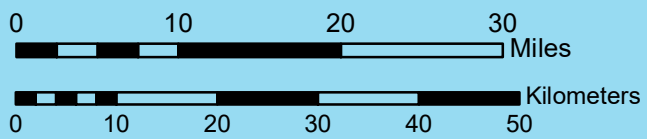
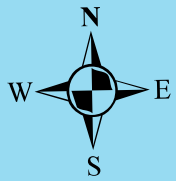


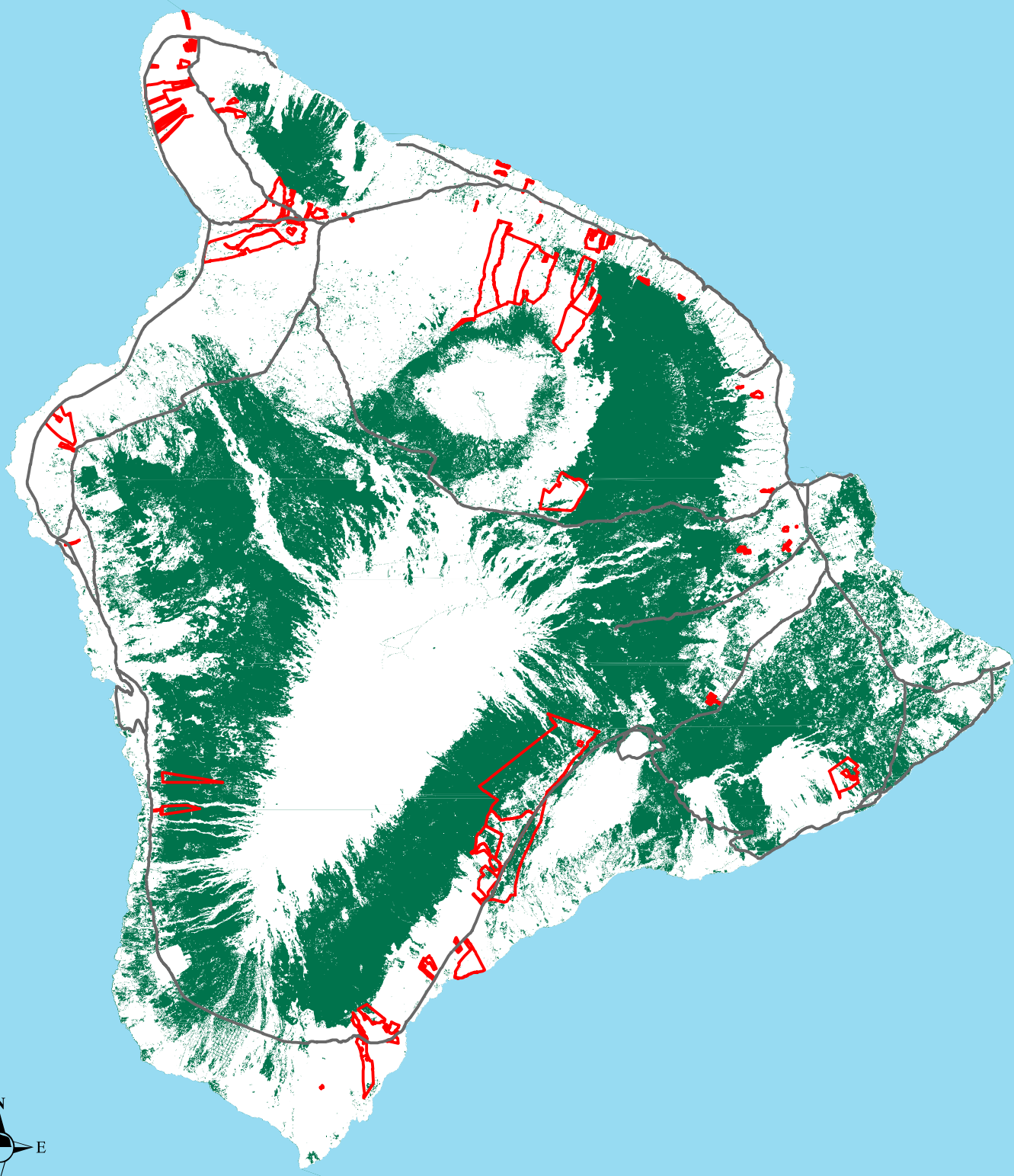
Legend

Leased and Revocable Permits

Reserves Managed By:

- Div. Forestry & Wildlife, or Jointly with Other Agency
- Div. State Park
- The Nature Conservancy
- U.S. Fish & Wildlife Service
- U.S. National Park Service
- U.S. Army








0 2.5 5 10 15 20
Miles

0 5 10 20 30 40
Kilometers

Legend











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

02/06/20

Parcels with Potential for Restoration Native Ecosystems Before Human Contact



Legend

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











0 2.5 5 10 15 20
Miles

0 5 10 20 30 40
Kilometers

Parcels with Potential for Restoration Remaining Native Ecosystems



Legend

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



0 2.5 5 10 15 20
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

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 COMMITTEE ON WAYS AND MEANS

FEBRUARY 20, 2020
10:35 A.M.
CONFERENCE ROOM 211

SENATE BILL NO. 2812, SD1
RELATING TO AGRICULTURAL LANDS

Chairperson Dela Cruz and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 2812, SD 1. This measure clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands; requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture; and requires reports to the Legislature on compliance with the land transfers.

The Department supports this bill, however, respectfully requests that SECTION 4 of this bill (page 5, line 10 – 19) be replaced by a one-time, general fund supplement into the Non-Agricultural Park Lands Special fund to be expended by the Department. This fund's current income source is lease rent from existing tenants whose rents are set via appraisal. We believe use of this fund to facilitate the transfer of additional parcels to the Department's inventory of agricultural lands would place an untenable additional burden on the program without the infusion of new funding. The Department notes that no transfer of funds, staffing, or other resources have occurred pursuant to Act 90. (2003), as amended, other than the transfer of management jurisdiction of agricultural lands.



Thank you for the opportunity to testify on this measure.

From: [Hawaii Beef LLC, J.](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:00:12 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Hawaii Beef LLC
operational Manager
Hawaii Beef Producers
PO Box 388
Paauilo, HI 96776
JMATTOSHBP@AOL.COM

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

SB2812sd1, Relating to Agricultural Lands
Senate WAM Decision Making Hearing
Thursday, February 20, 2020
10:35 am
Conference Room 211

Testimony by: Larry Jefts
Position: Support

Chair Dela Cruz, and Members of the Senate WAM Committee:

I am Larry Jefts, owner and operator of Larry Jefts 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).

Strong support is given to SB2812sd1 which clarifies that pastureland currently under DLNR's management is indeed land for agricultural production. Land management of pastureland for agricultural production and interface with ranchers for increasing Hawaii's beef cattle industry is best managed under the DOA, which provides long-term leases to ranchers. Without assurance of long-term leases, it is not prudent to invest in infrastructure for growth of operations.

Please support the transfer of pasturelands under DLNR to HDOA as statutorily established in 2003, Act 90.

Thank you for consideration of this testimony.

From: [County Farm Bureau](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:30:08 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

County Farm Bureau
6170 Hauiki Rd Unit G
Kapaa, HI 96746
jerrysfarmkauai@gmail.com

From: [Alan Tada](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:40:05 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Jill Pembrook](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:50:06 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Jill Pembrook
Pembrook Industries
PO BOX 904
LAWAI, HI 96765
jillpembrook@yahoo.com

From: [Phil Becker](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 1:00:12 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Brian Watanabe](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 1:10:08 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Brian Watanabe
President
HFP
94-340 UKEE ST
WAIPAHU, HI 96797
aipoohana@hawaiiantel.net

From: [hugh starr](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 1:20:07 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

hugh starr
Owner
Momona Farm
PO Box 33
Makawao, HI 96768
starr@maui.net

From: [Darren Strand](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 1:50:06 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Darren Strand
Manager
Mahi Pono
10 Hansen Rd Unit 1104
Puunene, HI 96784
darren.strand@mahipono.com

From: [Philippe Visintainer](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 2:40:09 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Edward Kawamura](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 7:50:07 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Edward Kawamura
President
M. Kawamura Farm
2824 Wehe Rd
Lihue, HI 96766
edward@kawamurafarm.com

From: [Joe Munechika](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 9:20:06 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Joe Munechika
Owner
Wines of Kauai, LLC
4689 Pohina St
Lihue, HI 96766
joe.munechika@gmail.com

From: [Alvin Tsuruda](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 9:40:05 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Kaohi Mokuhalii](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:07 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Amy Chun](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 12:00:05 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Amy Chun
Member
Consult & Construct, LLC
5831 Kawaihau Rd
Kapaa, HI 96746
achun@hawaiiantel.net

From: [Sarah Styan](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 6:30:09 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Sarah Styan
President & CEO
Kauai Community Science Center
PO Box 402
Hanapepe, HI 96716
sarah.styan@hawaiiintel.net



Meadow Gold Dairies



**Written Testimony By: Glenn Muranaka
SB2812sd1, Relating to Agricultural Lands
Sen WAM Decision Making Hearing – 10:35am
Thursday, February 20, 2020 – Room 211**

Position: Support

Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Senate WAM Committee:

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

Your support for SB2812sd1 is requested for what appears to be an enabling measure to move forward with the transfer of certain non-agricultural parklands from the Department of Land and Natural Resources to the Department of Agriculture. This was authorized by the Hawaii State Legislature in 2003 and despite notification to lessees of large acreages of land, mostly farmers and ranchers, no lands have been transferred.

SB2812sd1 makes clear that pastureland is included in the definition of agricultural activities. Acknowledgement of needed appropriations to manage this transfer and ongoing management of these lands is appreciated and supported.

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

From: Clyde Fukuyama
To: WAM Testimony
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:05 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Clyde Fukuyama
owner
Matsuda-Fukuyama Farms
PO Box 36
Kahuku, HI 96731
clyde@kahukubrand.com

From: [Paul Russell](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Paul Russell
Farm Operations Manager
Hartung Brothers
PO Box 823
Kekaha, HI 96752
paul.kimo.russell@gmail.com



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

SB 2812

Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires reports to the Legislature on compliance with the land transfers. Appropriates funds.

Friday, February 20, 2020, 10:35 am
Conference Room 211, State Capitol
415 South Beretania Street

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee on Ways and Means,

The Hawaii Cattlemen's Council **strongly supports SB2812.**

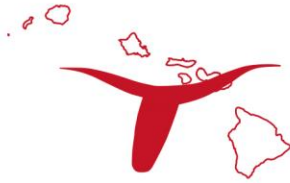
We firmly believe that Act 90, 2003 refers to pasture leases—the intent of this bill is to fully clarify that. Act 90 clearly defines agricultural activities as, “the care and production of livestock, livestock products, poultry, or poultry products, or apiary, horticultural, or floricultural products,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

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

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

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





Hawaii Cattlemen's Council, Inc.

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

The transfer of these leases to HDOA is long overdue and we respectfully ask that the committee consider including a deadline for enforcing Act 90, 2003 and specify leases to transfer, as the SB2812 originally stated. Please restore the original language from SB 2812 as follows:

SECTION 3. (a) No later than June 30, 2021, the board of land and natural resources shall transfer to the department of agriculture, lands of the following tax map key numbers:

And add back all the listed TMKs.

Without these specifications, it is likely that these leases will not be transferred to HDOA, as they have not been since 2003. We support **SB2812** and we appreciate the opportunity to testify on this critical matter for our industry.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



SB-2812-SD-1

Submitted on: 2/18/2020 11:53:11 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

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

Comments:

The HAAA strongly supports this measure to require DLNR to transfer all lands used for agricultural purposes, including pasture lands for ranching, to HDOA ,as indicated by Act 90 seventeen years ago.



LAND USE RESEARCH
FOUNDATION OF HAWAII

1100 Alakea Street, Suite 408
Honolulu, Hawaii 96813
(808) 521-4717
www.lurf.org

February 18, 2020

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Testimony in Support of SB 2812, S.D.1, Relating to Agricultural Lands (Clarifies that agricultural activities in non-agricultural park lands may include the care and production of pasture lands; requires transfer of certain lands from the Department of Land and Natural Resources [DLNR] to the Department of Agriculture [DOA]; requires DLNR to accept and return to its land inventory, any parcel or portion thereof that the DOA has determined to be unsuitable or unnecessary for agricultural use; requires reports to the legislature regarding land transfers; and appropriates funds.)

Thursday, February 20, 2020, 10:35 a.m., in Conference Room 211

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 SB 2812, S.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.

SB 2812, S.D.1. This bill proposes to clarify that the care and production of pasture lands shall be included as agriculture activities in non-agricultural park lands; require the transfer of certain lands from the DLNR to the DOA; require the DLNR to accept and return to its land inventory, any parcel or portion thereof transferred pursuant to this measure that the DOA has determined to be unsuitable or unnecessary for agricultural use; and requires the DLNR and DOA to jointly submit reports to the legislature with recommendations regarding future transfer of lands and the departments' efforts to work together to allow continued management and stewardship of these public trust and agricultural lands.

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 should 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 SB 2812, S.D.1** and respectfully urges your favorable consideration.

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

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

SB 2812

Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires reports to the Legislature on compliance with the land transfers. Appropriates funds.

Friday, February 20, 2020, 10:35 am
Conference Room 211, State Capitol
415 South Beretania Street

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee on Ways and Means,

McCandless Ranch **strongly supports SB2812** in that it finally and clearly defines agricultural activities in Act 90 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.

Unfortunately, Ranchers and conservationists are often pitted against each other, when in fact, the values of both parties overlap. Ranchers are proponents for stewarding the land well and will continue to implement conservation practices when leases are transferred to HDOA—the health of the land allows ranchers to continue their production. With long-term leases based on agricultural production, ranchers will be even better situated to invest in long-term conservation practices. They will continue to be cooperators with their Local Soil and Water Conservation Districts, housed under DLNR’s, and manage their conservation plans. They will continue to be valued partners in their Local Watershed Partnerships, housed under DLNR. The ranchers will continue to ranch, and continue to be excellent land stewards, and continue to provide public access and access for hunters, all as required in the lease whether it is managed by DLNR or HDOA. They will also continue to fight invasive species, provide watershed management, and carbon sequestration, and provide all of the other eco-system services they have always provided, all at no cost to the State or the general public. Only the State agency which administers the leases will change.

This is a win-win situation. Agricultural production and conservation work.

The transfer of these leases to HDOA is long overdue and we ask that this bill include a deadline for enforcing Act 90, 2003. We respectfully ask this committee to support **SB2812** and we appreciate the opportunity to testify on this critical matter for our industry.

Keith K. Unger
McCandless Ranch
HCC President

SB-2812-SD-1

Submitted on: 2/18/2020 3:55:50 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

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

Comments:



SENATE COMMITTEE ON WAYS AND MEANS

February 20, 2020 – 10:35 AM - Room 211

RE: SB 2812 SD1 - Relating to Agricultural Lands – In Support

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee:

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

The Local Food Coalition supports SB 2812 SD1 which clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands, and requires the transfer of certain lands from the Department of Land and Natural Resources (DLNR) to the Department of Agriculture (DOA), among other things.

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 and ensure that all active agricultural leases are transferred to the DOA, and specify that pasture lands are included in the definition of agricultural activities.

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 SB 2812 SD1. Thank you for the opportunity to submit testimony.

John Garibaldi
808-544-8319
jgaribaldi@wik.com



HAWAII CROP IMPROVEMENT ASSOCIATION

Board of Directors 2018 - 2020

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Joshua Uyehara

Vice-President
Warren Mayberry

Secretary
Dawn Bicoy

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Laurie Yoshida

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Leslie Campaniano
Michelle Starke
Joshua Uyehara
Warren Mayberry

President Emeritus
Alan Takemoto

TESTIMONY FROM THE HAWAII CROP IMPROVEMENT ASSOCIATION

In Support of SB2812
Relating to the Agricultural Lands

Senate Committee on Ways and Means
Thursday, 02-20-20 at 10:35AM
Senate conference room 211

Chair Dela Cruz, Vice-Chair Keith-Agaran and members of the committee:

The Hawaii Crop Improvement Association (HCIA) is in support of SB2812, which would clarify that agriculture activities in non-agricultural park lands may include the care and production of pasture lands and require the transfer of certain lands from the Department of Land and Natural Resources to the Hawaii Department of Agriculture (HDOA).

It has been 16 years since the passage of Act 90, yet there has been little progress in transferring the land. 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 key to meeting the State's sustainability goal to double local food production. Ranchers need long-term leases to invest in infrastructure improvements on leased land. This measure will help reinforce the original intent of the legislature regarding the appropriate allocation of land in agricultural use.

Please support SB2812 to make agriculture more sustainable for our farmers and ranchers. Mahalo for your time and consideration.

Respectfully,

Emmanuel Zibakalam
Program Director, Hawaii Crop Improvement Association

The Hawaii Crop Improvement Association is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration, and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy economy.



Ponoholo Ranch Limited

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

COMMITTEE WAYS & MEANS SENATOR DONOVAN DELA CRUZ, CHAIR

DATE: Thursday, February 20, 2016
TIME: 10:35 a.m.
PLACE: Conference Room 211

SB 2812 SD1– RELATING TO AGRICULTURAL LANDS

Clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands. Requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture. Requires 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. Requires reports to the legislature on implementing the land transfers, addressing the concerns about stewardship, and compliance with the land transfers. Appropriates funds. (SD1)

Chair Dela Cruz, Vice Chair Keith-Agaran 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** SB 2812 SD1 **and request certain language be added back to the Bill.**

Certain language was removed from the bill when heard in its subject matter committees. As it reads now, the Bill accomplishes little, specifically section 3(a). We propose that the bill be restored as follows:

SECTION 3. (a) No later than June 30, 2021 , the board of land and natural resources shall transfer to the department of agriculture, ~~the following lands: —~~ lands of the following tax map key numbers:

And then list the detailed TMK's included in the original bill SB 2812.

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

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

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

In fact, two Ponoholo Ranch leases and one Revocable Permit previously held under DLNR were transferred by Executive Order to HDOA in 2019, based on an agreement with DLNR that Ponoholo Ranch would be a test case, and then others would follow. Ponoholo Ranch was a successful test case, and DLNR after a visit to Ponoholo by the Chair, Deputy and several key employees, was very happy with the work Ponoholo was doing stewarding the land and providing access for hunters. However, since that meeting in 2018 and agreement, no other pasture leases have been transferred as DLNR had agreed. Its time more pasture leases are transferred as agreed.

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

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

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

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

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



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

February 7, 2020

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

TESTIMONY ON SB 2812
RELATING TO AGRICULTURAL LANDS

Room 224
1:35 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 supports SB 2812, which clarifies that agriculture activities in non-agricultural park lands may include the care and production of pasture lands, requires the transfer of certain lands from the Department of Land and Natural Resources to the Department of Agriculture, requires reports to the Legislature on compliance with the land transfers.

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.

KAPAPALA RANCH

P. O. Box 537

Pahala, HI 96777

808-936-2922

Kapapala.ranch@aol.com

February 19, 2020

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Ways and Means Committee.

We strongly support SB2812 and feel that the HDOA's mission can provide a solid and trustworthy platform for us to operate on. Our livelihood hinges on the outcome of this legislation.

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

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

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

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

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

The Department in consideration of our concerns promised to have us a draft lease to look at in about six months (January 2020) and we were to be included in the process in order that we could have input. We have not received even a phone call in the last seven months. Until it was announced at the November Cattleman's Convention we had no idea of the Department's plans to initiate HB 2358 (SB 2914) giving the DLNR equivalent leasing authority as the HDOA.

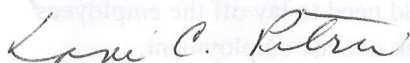
In my time here, there have been three major fires outside the Ranch, two in the National Park at the Mauna Loa Strip and one in the Kapapala Forest Reserve. Each fire blazed over several thousand acres. The Ranch, with reduced fuel loads, provided a buffer from the fires spreading from one conservation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

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

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

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

Respectfully submitted,



Lani C. Petrie



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WAYS AND MEANS

February 20, 2020 10:35 AM Room 211

In **OPPOSITION** to **SB2812 SD1**: Relating to Agricultural Lands

Aloha Chairs Kahele and Gabbard, and members of the joint committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **STRONGLY OPPOSES SB2812** 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. It is incorrect to refer to these as agricultural lands, as the title of this bill does.

It is appropriate for the agency responsible for managing the state's watersheds for healthy forests, robust drinking water supplies, and native species habitat should be responsible for managing these high-value lands. The Department of Land and Natural Resources is that agency, not the Department of Agriculture.

Fix DLNR's leasing, licensing, and permitting process

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

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

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

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

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

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

For these reasons, we urge this committee to **HOLD** this bill. Thank you very much for this opportunity to provide testimony in **opposition to SB2812**.

Mahalo,

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

Marti Townsend
Chapter Director

SB-2812-SD-1

Submitted on: 2/19/2020 10:31:56 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan W Braley	Testifying for New Island Feed, Inc	Support	No

Comments:

New Island Feed Solutions is committed to serving the farmers and ranchers of the state of Hawaii. Pasture land is an important resource for ranches and should be designated appropriately. We strongly support SB2812.

From: [Ann Attenasio](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:04 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Ann Attenasio
Farmer
Hawai'i Farm Bureau Federation
PO Box 253
Kunia, HI 96759
cito.farm.hawaii@gmail.com

From: [Christian Mathias](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:04 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Christian Mathias
Agronomist
PO Box 253
Kunia, HI 96759
christian.94m@gmail.com

From: [Mr. & Mrs. Melvin Kunitake](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:06 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Joni Kamiya](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:06 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Stephanie whalen](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:50:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Mark Phillipson](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 8:20:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Mark Phillipson
Principal
Pacific Ag Consultants
2801 Coconut Ave Apt 4E
Honolulu, HI 96815
reelrelaxed@gmail.com

From: [Adam P. Killermann](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 6:50:06 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Adam P. Killermann
Presy
Ajar Inc.
PO Box 738
Kalaheo, HI 96741
apkajar@gmail.com

From: [Melvin Matsuda](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 10:00:14 AM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

LATE

SB-2812-SD-1

Submitted on: 2/19/2020 1:10:26 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

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

Comments:



LATE

Email: communications@ulupono.com

SENATE COMMITTEE ON WAYS & MEANS
Thursday, February 20, 2020 — 10:35 a.m. — Room 211

Ulupono Initiative supports SB 2812 SD 1, Relating to Agricultural Lands.

Dear Chair Dela Cruz and Members of the Committee:

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

Ulupono supports SB 2812 SD 1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands, and requires the transfer of certain lands from the Department of Land and Natural Resources (DLNR) to the Department of Agriculture (DOA).

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

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

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

As Hawai'i's local food issues become increasingly complex and challenging, organizations need additional resources and support to address and overcome them. We appreciate this committee's efforts to look at policies that support local food production.

Thank you for this opportunity to testify.

Respectfully,

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

Investing in a Sustainable Hawai'i

LATE

SB-2812-SD-1

Submitted on: 2/19/2020 2:25:38 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Montgomery & Anita Manning	Testifying for Ahahui Malama I Ka Lokahi /Hawaiians for the Conservation of Native Ecosystems	Oppose	Yes

Comments:

SB 2812 SD1

RELATING TO AGRICULTURAL LANDS

Senate Committee on Ways and Means

February 20, 2020

Ahahui Malama I Ka Lokahi firmly opposes this bill, which would abandon the careful process called for by Act 90, SLH 2003. When the Polynesian Voyaging Society searched for big koa trees to build voyaging canoes, sadly, they had to go to Alaska due to the damage by cattle to local forests. In 1913, the first botanist working for the Territory, Joseph Rock, published the classic *Indigenous Trees of Hawaii*, in which he writes:

"The whole forest has suffered greatly, not only from the invasion of cattle, but also by forest fires, which have destroyed large areas." On p. 175: "Cattle are the great enemy of the Koa". On p. 31 he notes the Volcano Park was rescuing a Manele grove in Kipuka Puaulu, where he had just discovered wonderful new trees barely saved while it was used to fatten cattle.

As we meet in this Capitol building well adorned by forest products from Hawaiian Koa, we must conclude this bill is not prudent with its capricious decree that so many upland sites, never once plowed or clearcut of trees, would be placed without "mutual agreement" under an agency lacking the expertise to manage or restore native ecosystems of forests, wildlife and shrublands.

(See section **166E-3 "Transfer ...of non-agricultural park lands ... to department of agriculture.** Upon mutual agreement and approval of the board (of Ag) and the board of land and natural resources."

The bill does not again require, as the 2003 Leg. did: "(1) The lessee or permittee shall perform in full compliance with the existing lease or permit;

(2) The lessee or permittee shall not be in arrears in the payment of taxes, rents, or other obligations owed to the State or any county; (3) The lessee's or permittee's agricultural operation shall be economically viable"

law.justia.com/codes/hawaii/2012/title-11/chapter-166e/section-166e-3/

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=2812&year=2020

It is unclear what problem is to be solved, but the bill does lead to new ones, so the following must be addressed: The Bill benefits mostly current land lessees who stand to profit, not the landscape or general public.

Long-term, multigenerational leases may cut out changes by future generations desiring better uses of public trust lands and ceded lands, and can lead to a sense of entitlement on the part of lessees

Fenced forests on mauka borders will have cattle escapes into natural habitats and cause damage, so enforcement duties will remain for LNR.

DLNR has transferred to DOA 18,000 acres of crop lands, but since cattle grazed lands offers partnership programs for ranchers to protect endangered species, plant trees for habitat, carbon sequestration, and forest products, and reduce fuel loads to lower risk of wildfires. It is critical that these lands remain with DLNR to protect their public trust natural and cultural values. The DLNR has provided for ranchers interested in growing trees along with other agricultural products, and for carbon sequestration & sustainable harvest of wood as the expert agency on forestry. We should retain the close working relationships DLNR provides to facilitate diverse economic viability options in mauka landscapes in the forest belt.

Mauna Kea Forest Restoration Project is an example of ongoing tree planting in upper mamane tree belt.

North Kona at Puuwaawaa is a huge tract that can be a model for recovery of special native forests from livestock grazing. This dry zone was economically marginal for ranching, so in 2002 to protect endangered species, plant trees for habitat recovery, and lower risk of wildfires, the DLNR has set up an innovative protect the natural and cultural values. The Board transferred responsibility to the Division of Forestry and Wildlife These lands represent a remarkable diversity of historical, natural, cultural and recreational resources: archaeological and cultural sites, a rich history of ancient and contemporary human use, livestock grazing and hunting.

Steven Lee Montgomery, Ph. D., Board Member
Ahahui Malama I Ka Lokahi /Hawaiians for the Conservation of Native Ecosystems
P.O. Box 720, Kailua, HI 96734 www.ahahui.net

To practice, promote and perpetuate a modern native Hawaiian conservation ethic that provides for a healthy Hawaiian ecosystem nurtured by human communities and serving as a model for local and global resource management.

LATE

From: [Brad Seymour](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 6:20:08 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Brad Seymour
Manager
SR Hawaii
390 Hale Pl
Kapaa, HI 96746
brad@seymourresourcehawaii.com



Conservation Council
for Hawai'i

Hawai'i's voice for wildlife
Kō Hawai'i, leo no nā hola

LATE

**Submitted to the Senate Committee on Ways and Means
Hearing: February 20, 2020
State Capitol, Conference Room 211
SB2812, SD1: Relating to Agricultural Lands**

Conservation Council for Hawaii (CCH) opposes Senate Bill 2812 relating the transfer of Agricultural lands from the Department of Land and Natural Resources to the Department of Agriculture. CCH maintains that 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. DLNR has the expertise, institutional knowledge and most importantly, trained personnel to manage these lands. The Department of Agriculture simply does not. To do otherwise would be a breach of public trust mandated within the statutes of the DLNR. Transferring forest lands to the Department of Agriculture would negatively impact our delicate ecosystems by opening up the opportunity for grazing, grading and plowing to accommodate for increased livestock and production crops which would increase erosion, destroying forests that are important in carbon reduction, and endangering native species.

CCH believes that we need to address food security across the islands; however, transferring lands that are remnant Native Forests, near Natural Area Preserves, and sites for potential reforestation efforts, will not benefit our food sources. In 2018 approximately 79% of the cattle raised on current pasture lands on Hawaii Island were exported to the mainland due to market conditions and better prices according to the Hawaii Beef Industry Council -- leaving only a small percentage for local consumption.

Thank you for the opportunity to submit testimony in opposition of bill SB2812, SD1.

**Telephone/Fax: 808.593.0255 | email: info@conservahi.org | web:
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



From: [David Makaiwi](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Thursday, February 20, 2020 9:50:06 AM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Paula Carroll](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:00:11 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Paula Carroll
4791 Analii St
Honolulu, HI 96821
paula-carroll@hotmail.com

From: [Eric Hansen](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:00:12 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Eric Hansen
PO Box 1764
Lihue, HI 96766
ewhansen@hawaii.edu

From: [Stefanie Delmont](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:30:07 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Stefanie Delmont
74-5576 Pawai Pl Ste J PMB 697
Kailua Kona, HI 96740
bluejourney@aol.com

From: [Kylie Matsuda-Lum](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 4:20:05 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Kylie Matsuda-Lum
56-800 Kamehameha Hwy
Kahuku, HI 96731
kylie@kahukufarms.com

From: [Donald Lau](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 4:40:05 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Iris Shimabukuro](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 7:50:04 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Iris Shimabukuro
1590 Hau St
Honolulu, HI 96817
iris@hawaiianeggcompany.com

From: [Gilly Jackson](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 7:10:10 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Gilly Jackson
94-163 Kiaha Loop
Mililani, HI 96789
gilly.jackson@yahoo.com



From: [Jamie Barton](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 10:00:15 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Jamie Barton
PO Box 253
Kunia, HI 96759
jaymebee@gmail.com

SB-2812-SD-1

Submitted on: 2/15/2020 6:52:49 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Ward	Individual	Oppose	No

Comments:

Aloha Chair Dela Cruz and members of the WAM committee.

I strongly oppose SB2812, which would transfer 93,000 acres of pasture lands from the Department of Land and Natural Resources to the Department of Agriculture. These lands are critical watershed forests that protect native plant and animal habitat. I hike in these areas, and regognize the damage that has taken place in lands that could support native plants and animals. These lands have tremendous potential for large-scale reforestation and tree planting efforts, and the current uses are marginal at best, and encourage invasive non-native plants and animals. These lands should remain under the care of DLNR. I oppose this bill and ask you to please defer it in committee.

SB-2812-SD-1

Submitted on: 2/17/2020 12:05:31 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Oppose	No

Comments:

Hello Chair Dela Cruz and members of the WAM committee,

I oppose SB2812, which would transfer 93,000 acres of pasture lands from the Department of Land and Natural Resources to the Department of Agriculture. These lands are critical watershed forests that protect native plant and animal habitat. Hawai'i also has a goal of being carbon neutral by 2045 and these lands have the best potential for large-scale reforestation and tree planting efforts. These lands are not meant for agricultural uses and should remain under the care of DLNR. I oppose this bill and ask you to please defer it in committee.

me ke aloha 'Ä• ina,

Nanea Lo

SB-2812-SD-1

Submitted on: 2/18/2020 9:48:59 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Boisvert	Individual	Oppose	No

Comments:

Dear Chair Dela Cruz and WAM committee members,

I STRONGLY OPPOSE SB2812. Please do not pass this out of committee. These watershed forests are critical for native plant and animal habitats and should be kept under the care of DLNR.

Sincerereely,

Denise Boisvert

SB-2812-SD-1

Submitted on: 2/18/2020 9:51:07 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jimmy Gomes	Individual	Support	No

Comments:

SB-2812-SD-1

Submitted on: 2/18/2020 10:21:52 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Jorgensen	Individual	Oppose	No

Comments:

I cannot possibly more STRONGLY OPPOSE SB2812 than I already do.

The watershed is a critical component of the state's ecosystem; it is not just a simple matter of destroying native plant and animal habitats for agriculture. Please do not pass this out of committee.

SB-2812-SD-1

Submitted on: 2/18/2020 12:07:10 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

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

Comments:

SB-2812-SD-1

Submitted on: 2/18/2020 12:09:16 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gregory FRIEL	Individual	Support	No

Comments:

SB-2812-SD-1

Submitted on: 2/18/2020 12:18:08 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Morgan	Individual	Support	No

Comments:

Aloha Senators,

My name is John Morgan and i am president of Kualoa Ranch. I strongly support SB2812 and ask that you support it too. Hawaii's ranchers are the right stewards for much of the lands in question and moving them to the Department of Ag will help them continue to provide these valueable ecosystem services.

SB-2812-SD-1

Submitted on: 2/18/2020 12:26:59 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Taylor Kellerman	Individual	Support	No

Comments:

SB-2812-SD-1

Submitted on: 2/18/2020 12:27:28 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin	Individual	Support	No

Comments:

I am writing to **strongly support SB2812** as I firmly believe that Act 90, 2003 refers to pasture leases and the intent of this bill is to fully clarify that. Act 90 clearly defines agricultural activities to include "the care and production of livestock", which requires pasture land.

The spotlight lately has been on increasing local food production for food security, and ensuring our existing farmers and ranchers can continue to operate their business and plan for the future is the best way to accomplish this.

SB-2812-SD-1

Submitted on: 2/18/2020 1:15:01 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Harry von Holt	Individual	Support	No

Comments:

SB-2812-SD-1

Submitted on: 2/18/2020 2:45:25 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David S. De Luz, Jr.	Individual	Support	No

Comments:

SB-2812-SD-1

Submitted on: 2/18/2020 10:36:35 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Moana Kea Among	Individual	Support	No

Comments:

I strongly support SB2812 as originally submitted as Act 90 2003.

As Act 90 was passed in 2003 and should have been implemented many years ago to promote the long term sustainability of land for agricultural use. SB2812 should be passed WITHOUT changes or amendments and the HDOA should waste no time in helping Hawaii's Cattle Ranchers and Farmers to promote the Long Term Sustainability of the Hawai'i Agriculture Industry.

Hawai'i had the opportunity to become less dependant on imported food, keeping food prices down with our soaring high cost of living, yet Act 90 was not implemented to help the Agriculture Industry. Not having the availability to do long term planning of crops or replenishing or expanding cattle herds without assurances for long term, renegotiable leases to keep the productivity and sustainability for the Agriculture Industry in Hawai'i.

If SB2812 is not passed as originally submitted as Act 90 in 2003 the Agriculture Industry cannot and will not be able to help Hawai'i and our people become independent from the ever increasing prices of importing plant and protein adding more financial burden to us all.

Respectfully Submitted

Moana Kea Among

SB-2812-SD-1

Submitted on: 2/19/2020 8:19:33 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maggie Kramp	Individual	Support	No

Comments:

SB-2812-SD-1

Submitted on: 2/19/2020 8:33:12 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

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

Comments:

Testimony of Jeri Moniz

KK Ranch

PO Box 428

Paauilo, HI 96776

Chair De la Cruz and the members of the Senate Ways and Means committee, my name is Jeri Moniz. My family and I are the owners of KK Ranch and we **strongly support SB 2812**. We have ranched the past 30 years on a state lease on the northern slope of Mauna Kea. Over the past twelve years I also worked to promote local beef through participating in and chairing the Taste of the Hawaii Range, an annual agricultural event geared towards educating our island chefs, culinary students, and the public consumer on local agriculture. I also chair the marketing committee in the statewide Hawaii Cattlemen's Council organization.

I can testify that the 2003 Act 90 was clearly written to transfer pastoral leases along with other non-agricultural park agriculture leases from the DLNR to the HDOA. The genesis of Act 90 in large part resulted from a withdrawal without adequate compensation we and other ranchers endured as DLNR lessees. We support SB 2812 clarifying that the 2003 Act 90 clearly included pastoral leases.

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

the agriculture industries including the beef cattle industry and has always been strong advocates and supporters of ranching and farming. They are working closely with us to achieve the food sustainability goal for Hawaii.

It is clear that DLNR has other mission priorities, some conflicting, even to the point of viewing cattle and other livestock production as a threat. Chairperson Case's testimony presented in opposition of SB 2812 clearly demonstrates this conflict. At best she demonstrated that DLNR views cattle grazing as a potential tool for their use believing they can cut up our leases, impose restrictions and requirements that have no impact to our businesses. She presented the attached map in her testimony that clearly demonstrates that pastoral leases make up the minority of the State lands under their control and yet they want more? Ranchers should not be penalized for preserving remnant forests that have not been destroyed by historical wildfires by having those portions of their leases taken away. She provided a picture of the devastation caused by the two line spittlebug to a pasture in Kona and instead of offering assistance like the HDOA does she demonstrates an eagerness to capitalize on the industries misfortunes by replacing pasture with trees.

I apologize for taking of the gloves with this testimony but it is important for you to understand it from the cattle industries perspective. Please pass SB 2812 to move these leases to the HDOA and thank you for hearing these concerns and allowing my testimony.

SB-2812-SD-1

Submitted on: 2/19/2020 9:39:51 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher English	Individual	Support	No

Comments:

SB-2812-SD-1

Submitted on: 2/19/2020 1:29:07 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Thorne Abbott	Individual	Oppose	No

Comments:

I strongly oppose the transfer of lands from DLNR to DOA. I strongly support granting DLNR greater flexibility in its ability to manage and lease lands for grazing and pasture land. The DLNR also supports and pursues conservation and multiple use of these important lands for the public's benefit. Therefore, please do not pass the bill out of committee. Mahalo!

From: [Kristen Ma](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 11:40:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Kristen Ma
PO Box 51042
Eleele, HI 96705
kristenleema@gmail.com

From: [Robert Paull](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:00:08 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Jimmy Nakatani](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:00:10 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Amy Martens](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:00:12 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Laurie Yoshida](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:00:17 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Laurie Yoshida
PO Box 3717
Lihue, HI 96766
lauriyoshida@gmail.com

From: [Sandi Kato-Klutke](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 12:10:06 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Randy Cabral](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 1:10:06 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Mae Nakahata](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 1:20:07 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Mae Nakahata
75 Kawehi Pl
Kula, HI 96790
mnakahata@gmail.com

From: [Helena Miguel](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 1:50:08 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Mr. & Mrs. Stephen Takamiyashiro](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 2:10:05 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Stephen Takamiyashiro
1518 Paula Dr
Honolulu, HI 96816
pamtaka14@gmail.com

From: [Justin Cadiz](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 2:20:05 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Justin Cadiz
91-1028 Hokuimo St
Kapolei, HI 96707
justin.cadiz16@gmail.com

From: [Lucinda Tasaka](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 3:40:06 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Lucinda Tasaka
PO Box 253
Kunia, HI 96759
akuasabeu@gmail.com

From: [Susan Cabral](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 5:00:04 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Susan Cabral
PO Box 337
Volcano, HI 96785
s.kronecabral@gmail.com

From: [Diane ChChuensanguansat](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 6:20:06 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Diane ChChuensanguansat
PO Box 860898
Wahiawa, HI 96786
dina@hawaii.rr.com

From: [Frederick Mencher](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 8:40:03 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

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

From: [Michelle Gorham](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Tuesday, February 18, 2020 10:30:04 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Michelle Gorham
1813 10th Ave Apt A
Honolulu, HI 96816
michelle.gorham@gmail.com

From: [Laurena Silva](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 12:20:03 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Laurena Silva
Opu Road Nursery
4571 Opu Rd
Kalaheo, HI 96741
opuroad2@msn.com

From: [Judy Brogle](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 2:20:03 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Judy Brogle
Ms.
2140 Kuhio Ave Apt 1993
Honolulu, HI 96815
Vates1oki@gmail.com

From: [Dexter Jacinto](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 5:20:08 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Dexter Jacinto
Owner
YardTamers
3140 Poipu Rd # 2
Koloa, HI 96756
yardtamers@gmail.com

From: [Roberta Puakea](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 7:10:08 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Roberta Puakea
Administrative Assistant
PO Box 518
Kekaha, HI 96752
rp96752@gmail.com

From: [Mary Offley](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 10:10:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Mary Offley
6781 Kawaihau Rd
Kapaa, HI 96746
kathy808kauai@gmail.com

From: [Christine Brammer](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 1:20:06 PM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Christine Brammer
1020 Aoloa Pl Apt 106B
Kailua, HI 96734
christine.brammer@gmail.com

From: [Sylvian Cho Moody](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 3:40:04 PM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Sylvian Cho Moody
937 18th Ave
Honolulu, HI 96816
schomoody@hawaii.rr.com

LATE

SB-2812-SD-1

Submitted on: 2/19/2020 10:38:45 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jesse Owens	Individual	Oppose	No

Comments:

Dear Committee on Ways and Means,

Please oppose this bill and other attempts to wholesale transfer DLNR "pasture" lands to DOA. Act 90, SLH 2003 sought to transfer lands only with the mutual agreement of the Board of Land and Natural Resources and the Board of Agriculture, to ensure a public process that considers various uses and stakeholders. While many areas were transferred, these Boards agreed that in some cases it was not in the best interest of the public trust to transfer these lands, and that they were better suited for DLNR for forestry, hunting, gathering, and hiking.

This bill would inappropriately skip that public process where each parcel is examined carefully and individually to truly determine whether pasture or other uses are the priority for these lands. The decision to manage lands under DLNR vs DOA is an enormously impactful and permanent. It should be done with care, close examination of each individual parcel, and public input. This bill sacrifices decisionmaking through a public process (the BLNR and BOA) for the special benefit of ranchers. Every interest group should have their voices equally able to be heard via the existing public process. Keep a public process for deciding the fate of our public lands.

This bill also sacrifices the opportunity to consider these lands for watershed protection, hiking, and hunting. Some of these lands contain old growth koa forests and endangered plants and animals. It would be counter the state's sustainability goals to forever commit these forests to agriculture. Again, each parcel is different and should be examined individually to determine what is most pono for the future of these vast landholdings.

Mahalo,

Dr. Jesse Owens

Ala Moana

From: [Carolynn Lum](#)
To: [WAM Testimony](#)
Subject: I support SB2812 SD1
Date: Wednesday, February 19, 2020 11:20:07 AM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz and Vice-Chair Keith-Agaran, and members of the committee,

I support SB2812 SD1, which clarifies that agriculture activities on non-agricultural park lands may include the care and production of pasture lands. It also requires DLNR to transfer certain non-agricultural park lands to DOA.

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

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Carolynn Lum
2746 Apapane St
Lihue, HI 96766
hawaii96766@yahoo.com

SB-2812-SD-1

Submitted on: 2/19/2020 4:04:06 PM

Testimony for WAM on 2/20/2020 10:35:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Bud & Katy Gibson	Individual	Support	No

Comments:

Having had experience with both DLNR and DOA we greatly support this bill to do the right thing and complete the transfers from DLNR to DOA of all agricultural leases.

Mahalo

Bud and Katy Gibson

SB-2812-SD-1

Submitted on: 2/19/2020 1:58:39 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Vanessa Stevens	Individual	Support	No

Comments:

LATE

SB-2812-SD-1

Submitted on: 2/19/2020 11:18:38 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
J Ashman	Individual	Support	No

Comments:

Those of us who have been trying for decades to keep agriculture alive and growing in Hawaii, **STRONGLY SUPPORT the original draft of this measure**. We too are environmentalists, conservationists, and especially, stewards of Hawaii's natural resources. These responsibilities are not mutually exclusive with farming and ranching, and in many cases, agricultural lessees are better positioned than DLNR itself to care for the land.

Act 90 was enacted nearly 17 years ago to authorize the transfer of certain lands from DLNR to DOA. That did not occur. **SB 2812 would require the transfer** to occur so that farmers and ranchers may finally have some modicum of security to continue to invest in infrastructure on their leased lands, and succeed in producing more local food for Hawaii.

This 17-year old law should have been implemented many, many years ago. Some of Hawaii's best farmers and ranchers are going to be dead by the time their leases are transferred and equitably managed by the state. Please don't let that happen.

Thank you.

LATE

SB-2812-SD-1

Submitted on: 2/19/2020 11:52:16 AM
Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Newbold	Individual	Oppose	No

Comments:

I strongly oppose SB2812 to transfer unspecified lands from Department of Land and Natural Resources (DLNR) to the Department of Agriculture as such transfer clearly will not solve the issue of food sustainability in Hawaii. Instead, it is more likely to do the opposite. We've already seen that cattle raised in Hawaii are exported to the US mainland rather than kept in Hawaii to feed our people.

The lands in question, currently overseen by the DLNR, have great natural resource value; many include native wildlife and plants; others have great potential for reforestation, cultural use, and public recreation. Also, globally we are seeing the need for more forest land to absorb carbon from the atmosphere. Such land has great value to the State of Hawaii in terms of "carbon credits".

I urge the Senate to support SB 2914, instead of the ill-conceived SB 2812; doing so will leave the lands under the oversight of the Department of Land and Natural Resources where they are desperately needed by our residents and visitors.

LATE

SB-2812-SD-1

Submitted on: 2/19/2020 11:53:24 AM

Testimony for WAM on 2/20/2020 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jennifer valentine	Individual	Oppose	No

Comments:

I oppose SB2812, which would transfer 93,000 acres of pasture lands from the Department of Land and Natural Resources to the Department of Agriculture. These lands are critical watershed forests that protect native plant and animal habitat. Hawai'i also has a goal of being carbon neutral by 2045 and these lands have the best potential for large-scale reforestation and tree planting efforts. These lands are not meant for agricultural uses and should remain under the care of DLNR. I oppose this bill and ask you to please defer it in committee.