



OFFICE OF PLANNING STATE OF HAWAII

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GOVERNOR

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Statement of
MARY ALICE EVANS
Director, Office of Planning
before the
HOUSE COMMITTEE ON AGRICULTURE
Wednesday, March 17, 2021
10:00 AM
Via Videoconference

in consideration of
SB 489
RELATING TO AGRICULTURAL BUILDINGS.

Chair Hashem, Vice Chair Perruso, and Members of the House Committee on Agriculture.

The Office of Planning **supports** SB 489 which would amend Hawaii Revised Statutes (HRS) § 46-88 (a) to increase the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse exemptions from building permit and building code requirements from 20,000 to 60,000 square feet in size.

This measure is needed to promote the expansion and continued growth of various agricultural uses and activities on agricultural lots.

Thank you for the opportunity to testify.

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
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**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE

**MARCH 17, 2021
10:00 A.M.
VIA VIDEO CONFERENCE**

**SENATE BILL NO. 489
RELATING TO AGRICULTURAL BUILDINGS**

Chairperson Hashem and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 489. This measure amends Section 46-88, HRS by increasing the maximum area from 20,000 square feet to 60,000 square feet for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for exemption from building permits and building code requirements. The Department of Agriculture supports this measure as it appears to be clearly limited to agricultural structures meant for agricultural production and not to other buildings that may be used for purposes not related to agricultural activities.

Thank you for the opportunity to testify on this measure.





UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Agriculture
Wednesday, March 17, 2021 at 10:00 a.m.

By
Nicholas Comerford, Dean
College of Tropical Agriculture and Human Resources
University of Hawai'i at Mānoa

SB 489 – RELATING TO AGRICULTURAL BUILDINGS

Chair Hashem, Vice Chair Perruso, and members of the House Committee on Agriculture:

Thank you for the opportunity to provide testimony in strong support of SB 489. Our testimony relates to Section 1 (a) (3), (4) and (7) that apply to controlled environment agricultural (CEA) structures and other farm structures.

CEAs need to be an important component of agriculture in Hawai'i's future. The advantages of CEAs include:

- protection from insects and, hence, plant disease vectors;
- protection from invasive plants as pests;
- more efficient use of water resources (particularly where hydroponics is used within the structures);
- more efficient use, and hence less use, of pesticides required to control insect and plant pests;
- higher production per square foot of ground;
- higher quality of product allowing a better price and more income for the operator; and,
- easier and more efficient manner of meeting food safety requirements.

As an example of the advantage of a shade house CEA based on research from the College of Tropical Agriculture and Human Resources, a CEA resulted in:

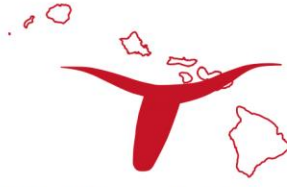
- a 50% reduction in insecticide use, and
- up to a 7-fold increase in marketable yields of cucumber, kale and zucchini.

This bill expands the opportunity and ease of increasing the CEA structures in Hawai'i. Given the known advantage of such structures, this bill has the potential to have a significantly large effect on Hawai'i agriculture.

Aquaculture/hydroponics can also be seen as a CEA structure. Approximately 63% of our

seafood is imported (<https://hdoa.hawaii.gov/ai/aquaculture-and-livestock-support-services-branch/aquaculture-in-hawaii/>). Aquaculture/aquaponics can be a growth industry in Hawai'i. This bill provides for a greater efficiency and ease of increasing the aquaculture/aquaponics industry.

We strongly support the concept of increasing the permissible size of these structures that are exempt from building permits and building code requirements. We understand that this is an important move to improving Hawai'i agriculture. However, we defer to the proper engineering/permitting authorities as to the details of such a bill.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON AGRICULTURE

Rep. Mark J. Hashem, Chair

Rep. Amy A. Perruso, Vice Chair

SB489

Relating to Agricultural Buildings

Wednesday, March 17, 2021 10:00 am

Via Video Conference

Chair Hashem, Vice Chair Perruso, and Members of the Committee,

The Hawaii Cattlemen's Council **supports SB489**, which would that would allow certain larger agricultural shade cloth structures, cold frames, or greenhouses to qualify for an exemption from building permit and building code requirements.

The agricultural building permit exemption statute helps Hawaii's agricultural producers become more efficient and grow, in order to further the State's goal of doubling food production and becoming more self-sufficient. The foremost consideration when considering exemptions is to ensure the safety of building occupants, neighbors, and the general public. Importantly, the proposed amendment is strictly limited to only certain low-risk agricultural structures. Allowing these larger structures is appropriate and necessary, as modern agriculture evolves towards using bigger and more cost-effective protective structures to shelter crops from pest infestation, from extreme temperatures, excessive rains, or long droughts, and hungry feral animals.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



Testimony of
Alec Sou
Aloun Farms
on
S.B. No. 489
Relating to Agricultural Buildings
Committee on Agriculture
Wednesday, March 17, 2021, 10:00 a.m.

Thank you for the opportunity to testify in support of S.B. No. 489, which proposes to increase the size of greenhouse structures that are exempt from building permit and building code requirements from 20,000 square feet to 60,000 square feet.

Viable and growing agricultural operations now have to be able to compete on a large scale. A few years ago, Aloun Farms received a proposal from an agricultural operation called Noroo, proposing an agricultural operation involving the building of three greenhouses, each 1 hectare in size (107,639.4 sq. ft.). The City's main concern when we approached them was that the buildings were commercially designed and manufactured, and that the project meet the electrical and plumbing code requirements.

We support the intent of S.B. No. 489, and ask that you consider removing the size limit and establish compliance with electrical and perhaps plumbing requirements. The size should be determined by what the operator is willing to invest in the operation.

Thank you for the opportunity to testify on S.B. 489.



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March 17, 2021

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON SB 489
RELATING TO AGRICULTURAL BUILDINGS

Conference Room 325
10:00 AM

Aloha Chair Hashem, Vice-Chair Persusso, and Members of the Committee:

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

The Hawaii Farm Bureau supports SB 489, which would allow certain larger agricultural shade cloth structures, cold frames, or greenhouses to qualify for an exemption from building permit and building code requirements.

The agricultural building permit exemption statute was developed over years of intense discussion between legislators and stakeholder groups including diversified crop farmers, ranchers, aquaculturists, firefighters, county planning departments, and many others. The purpose of this effort was to help Hawaii's agricultural producers become more efficient and grow, in order to further the State's goal of doubling food production and becoming more self-sufficient.

The foremost consideration when considering exemptions is to ensure the safety of building occupants, neighbors, and the general public. Importantly, the proposed amendment is strictly limited to only certain low-risk agricultural structures. Allowing these larger structures is appropriate and necessary, as modern agriculture evolves towards using bigger and more cost-effective protective structures to shelter crops from pest infestation, extreme temperatures, excessive rains, or long droughts, and hungry feral animals.

Although the entire chapter is not copied within the bill, please note that these larger structures must still comply with all applicable state and county zoning codes. In addition, no electrical power or plumbing systems can be connected to the structure without first obtaining the appropriate county permits, and any wastewater disposal must comply with State department of health regulations.

Thank you for your continued support for Hawaii farmers and ranchers.



Email: communications@ulupono.com

HOUSE COMMITTEE ON AGRICULTURE
Wednesday, March 17, 2021 — 10:00 a.m.

Ulupono Initiative supports SB 489, Relating to Agricultural Buildings.

Dear Chair Hashem and Members of the Committee:

My name is Micah Munekata, and I am the Director of Government Affairs at Ulupono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food; renewable energy and clean transportation; and better management of freshwater and waste.

Ulupono supports SB 489, which increases the maximum area of agricultural shade cloth structures, cold frames, and greenhouses that qualify for an exemption from building permit and building code requirements.

As Hawai'i's local food issues become increasingly complex and challenging, local producers will need additional resources and support to address and overcome them. Ulupono supports efforts to increase local food production here in the state, while also decreasing and eliminating the hurdles that exist for those looking to invest in new opportunities for Hawai'i agricultural production. Section 46-88, Hawai'i Revised Statutes, allows local food production operations to bypass an unnecessarily lengthy and costly permitting process.

We believe that opening the door to new investments in agricultural infrastructure will directly support more local food production and an economically robust homegrown agriculture industry, which strengthens our community with fresh, healthy food.

Thank you for this opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i

SB-489

Submitted on: 3/16/2021 5:41:30 AM

Testimony for AGR on 3/17/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
vincent george batha	big island produce	Support	No

Comments:

I am in strong support of HB2192, as it will make farming on the big island more productive and profitable for farmers and help get Hawaii to its self-sustaining food production goals.

In modern greenhouse production, scale is everything. Small greenhouses (less than 1 acre) are important but more suitable for growing at a farmers market level. For production to reach the purchasing needs of the Hawaiian Island market, large economical greenhouses are needed. Growing crops in greenhouses for wholesale purchase in the islands requires facilities that are large enough to grow thousands of pounds of produce daily. Cucumber production for example needs to have 6 crops at different stages of life constantly growing in order to have a steady supply of cucumbers every day. If the greenhouses were only 20,000 sq ft, it would take 12 greenhouses each with extra setbacks around the house and would not be an economical use of land. Added to that, the extra costs associated with building small individual greenhouses compared to large greenhouses is substantial.

Raising the size of exempted greenhouses to at least 60,000 sq ft would drastically cut construction costs and conserve land that would be needed for open areas between many smaller greenhouses.

FYI

Why not just go through the building permit process for these larger footprint buildings?

The current interpretation being used by the county planners requires buildings larger than the 20,000 sq ft code exempted greenhouses to have huge setbacks from property lines and adjacent buildings of any type if they are constructed with anything more than a polyethylene covering. Polyethylene or "poly" for short is a clear lightweight plastic like saran wrap and it will not hold up in Hawaii with our strong winds and direct sunshine. The alternative, Polycarbonate, (the clear stuff over your lanai) will hold up

for 15 years and does not have to be changed every windstorm at tremendous cost to the farmer and burdens to our landfills for the ruined poly. Unfortunately the county building department forces a greenhouse with this polycarbonate covering to have 60' setbacks all around the perimeter of the greenhouse.

This code interpretation by the county building department is based on the flammability of poly vs polycarbonate. This is an outdated concept as modern polycarbonate used on greenhouses will not self sustain burning but polyethylene will not only burn, but burn hot and fast and does not need a fire source to keep it burning.

Rather than go through a lengthy code revision, this simple change to allow up to 60,000 sq ft greenhouses to be built without permits would solve this problem. These greenhouses are built on agricultural land with very little around them but other ag land. The restrictive setbacks that are currently being enforced are removing valuable producing farmland from our farmers. Remember, greenhouses need to be put on level land and Hawaii does not have an abundance of this in agricultural zoning especially on the Big Island.

I am in strong support of HB 2192 as it will make farming on the big island more productive and profitable for farmers and help to get Hawaii to it's self sustaining food production goals.

Vince Batha

Big Island Produce asset holdings llc

March 15, 2021

RE: SB 489 – Relating to Agricultural Buildings – In Support

To: House Committee on Agriculture

Chair Mark Hashem, Vice Chari Perruso, and members of the committee

Scheduled: Wednesday, March 17, 2021, 10:00 a.m.

Thank you for this opportunity to provide my personal testimony in **strong support of SB 489**, which increases the maximum area from 20,000 square feet to 60,000 square feet for each agricultural shade cloth, cold frame, and greenhouse that could qualify the structure for exemption from building permits and building code requirements.

The organization I work for, The Kohala Center, provides technical assistance in business development to cooperatives, farmers, ranchers, and other food producers in order to increase the *economic, social, cultural, and ecological* viability of their operations. Our co-op development efforts ensure business entities are able to take advantage of the economic and socio-cultural opportunities that are derived from collective work. And our financial capitalization team connects businesses with appropriate federal, state, county, and private grant and loan opportunities that will best help them meet their business goals.

We currently work with over 150 agricultural clients a year from across the state. As producers work to scale their operations they face considerable challenges in accessing capital, acquiring additional land, finding and keeping a skilled workforce, and so on. This bill will promote the development and continued growth of agricultural businesses utilizing these structures as means to control their growing environment, which allow for increased production while at the same time allowing for the more efficient use of water and pesticides, positively impacting our islands' natural resources. Additionally, as Hawai'i's farms work to meet the new federal requirements for food safety, the ability to scale greenhouse operations will facilitate the growth of the industry while helping to ensure safe produce is available to Hawai'i's residents and tourists.

For these reasons, I respectfully request your support of SB 498. Thank you for the opportunity to submit testimony.

Respectfully,



Nicole Milne
Vice President of Food and Agriculture Initiatives
Personal Testimony

SB-489

Submitted on: 3/16/2021 1:51:50 AM

Testimony for AGR on 3/17/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

Our farmers need up to date support to protect them from the harms of heat, sun, and other elements of weather.