

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

MORRIS ATTA
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

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

**BEFORE THE HOUSE COMMITTEE ON
FINANCE**

**FEBRUARY 28, 2022
12:30 P.M.
VIA VIDEOCONFERENCE**

**HOUSE BILL NO. 1660 HD1
RELATING TO LAND**

Chairperson Luke and Members of the Committee:

Thank you for the opportunity to testify on House Bill 1660 HD1. The purpose of this bill is to restrict agricultural lands labeled “multi-use” by the Department of Land and Natural Resources from being considered for transfer to the Department of Agriculture. The Department of Agriculture (“Department”) has concerns regarding this measure.

The Department appreciates the time and effort expended by the Act 90 Working Group established by Act 139, Session Laws of Hawaii 2021 (“Working Group”) to resolve long standing issues regarding the transfer of non-agricultural park lands from the Department of Land and Natural Resources (“DLNR”) to the Department pursuant to Act 90, Session Laws of Hawaii 2003 (“Act 90”). In seeking to implement the findings of the Working Group, this measure prohibits the transfer of “Agricultural multi-use Lands” to the Department, however, provides no specific criteria to identify, characterize, and classify a parcel as agricultural multi-use.

Public lands of all classifications often include multiple features with public value benefits that include food production, conservation, natural and cultural resource protection, and recreation in varying degrees of significance. Most agricultural activity is generally rural in nature and often occurs on lands that abut or are adjacent to undeveloped areas or forests. The measure prescribes that the existence of any natural resource, conservation, or public recreation value, whether minimal or insignificant and without weighing or balancing the public purpose value of those criteria against the need for food production, mandates inclusion of such parcels in the classification, at the exclusive discretion of DLNR, and bars transfer to the Department. The Department



recommends that consultation with and concurrence by the Department occur prior to designation of a parcel as “agricultural multi-purpose lands” be required for those parcels on which the primary and dominant use is agriculture. In its current form, the measure may undermine Act 90’s original intent to maximize the State’s agricultural lands and activities under the Department’s jurisdiction, as the State’s subject matter authority for agriculture.

Thank you for the opportunity to testify on this measure.

HB-1660-HD-1

Submitted on: 2/27/2022 10:58:15 AM

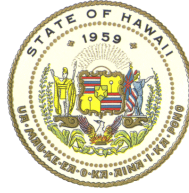
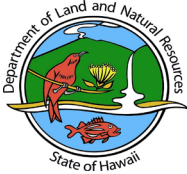
Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Morris Atta	Hawaii Department of Agriculture	Comments	Yes

Comments:

I am available to answer questions on behalf of the Department of Agriculture.

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
FINANCE**

**Monday, February 28, 2022
12:30 PM**

State Capitol, Conference Room 308 and Via Videoconference

**In consideration of
HOUSE BILL 1660, HOUSE DRAFT 1
RELATING TO LAND**

House Bill 1660, House Draft 1, proposes to: (1) Change existing law to provide that agricultural multi-use lands under the management of the Department of Land and Natural Resources (DLNR) are not subject to transfer to and management by Department of Agriculture (DOA); (2) require the DLNR to revise its statutory land classifications to include agricultural multi-use lands; and (3) Establish and appropriate funds for an agricultural multi-use lands specialist position. House Draft 1 of the measure also proposes to place the agricultural multiuse lands specialist position created by the bill in DLNR's Division of Forestry and Wildlife (DOFAW) instead of DLNR's Land Division, proposes to change the effective date to July 1, 2050 to encourage further discussion, and proposes to make technical, non-substantive changes for purposes of clarity, consistency and style. **DLNR appreciates the amendment to place the new position in DOFAW and strongly supports this measure, providing the following comments.**

As noted in the bill's preamble, this measure is intended in part to address a longstanding issue in the transfer of non-agricultural park lands from DLNR to DOA pursuant to Act 90 Session Laws of Hawaii (SLH) 2003, now codified at Chapter 166E, Hawaii Revised Statutes (HRS). Although the law provides for land transfers based on the mutual agreement of the Board of Land and Natural Resources and the Board of Agriculture, cattle ranching interests have argued that the law mandates the transfer of pasture lands even when DLNR desires to retain management of the lands for natural resource protection and public recreational purposes and even when DOA has not requested the transfer.

DLNR appreciates the solution provided in this bill that creates a new land classification under Chapter 171-10, HRS, for agricultural multi-use lands. Through an amendment of Section 166E-3, HRS, the bill would clarify that multi-use agricultural lands should remain with DLNR for management. Finally, this bill would create and fund a new agricultural multi-use lands

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

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

specialist position in DLNR's DOFAW to facilitate collaborative relationships between DLNR, DOA and agricultural multi-use land tenants and leverage federal funds from the National Resources Conservation Service and other funding sources to support natural land stewardship, reforestation, and other public purposes on agricultural multi-use lands.

As the preamble to House Bill 1660, House Draft 1 notes, DLNR has transferred more than 19,000 acres to DOA over the years pursuant to Act 90. However, pasture lands serve multiple purposes and are a critical part of DLNR's forest protection and restoration, traditional gathering, hunting, trails and other recreation responsibilities. The attached maps show the proximity of large tracts of pasture lands to forest reserves on Hawaii Island, and provide details on native ecosystems, the potential for restoration and the occurrence of endangered species. DLNR is retaining these multi-use lands and is willing to support extending and amending the pasture leases with DLNR under collaborative management terms compatible with both grazing and public trust natural and cultural resource protection and enhancement.

The Hawaii State Constitution, Article XI, Section 1, requires that "(f)or the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State." DLNR strongly believes this measure is a reasonable compromise that successfully fulfills the State's constitutional obligations.

The Act 90 Working Group Report found that DLNR should retain management of those agricultural lands designated as multiple-use agricultural lands. The Report states:

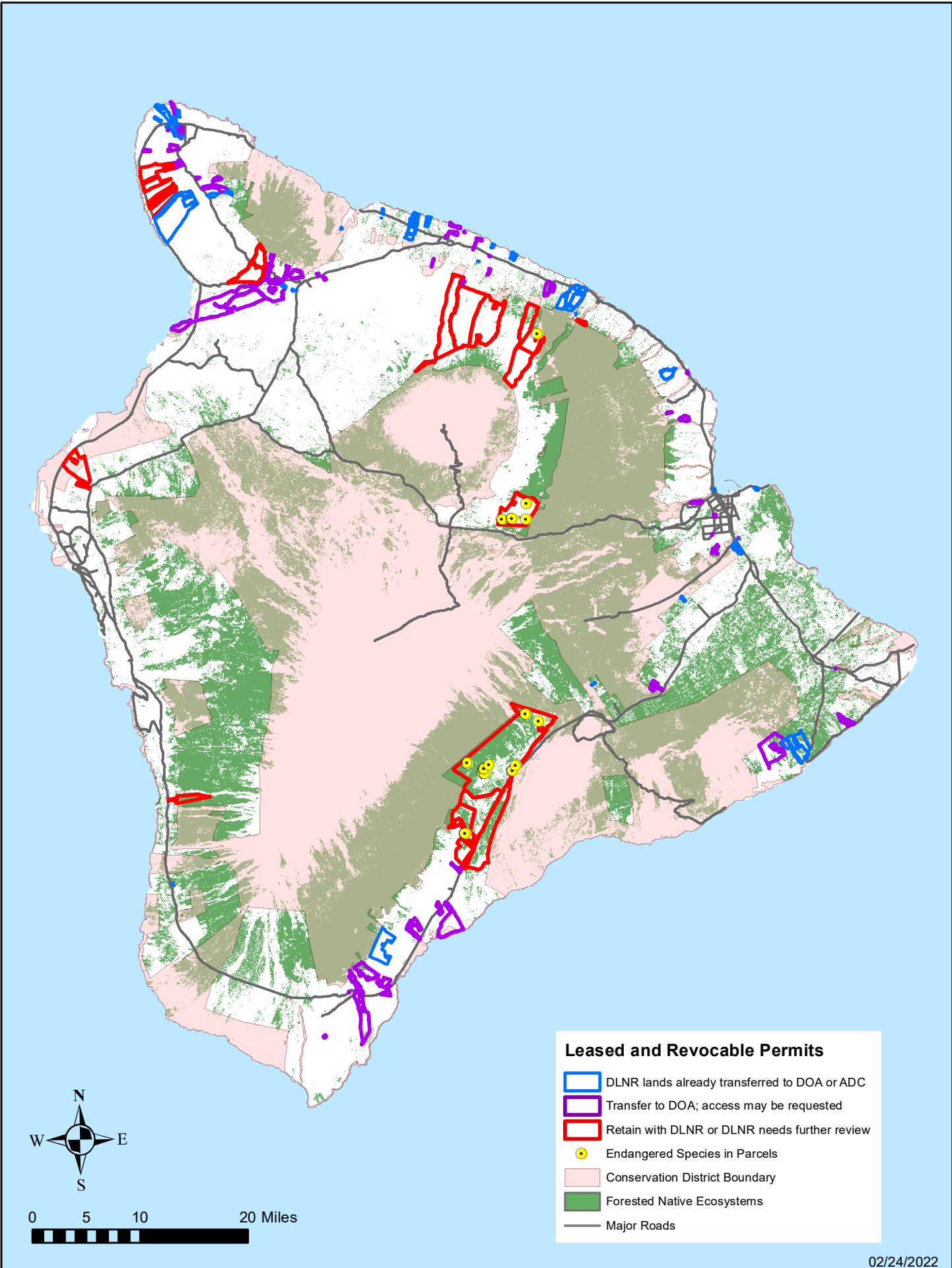
The Working Group further finds that certain agricultural lands under DLNR have multiple management objectives, which can include agricultural production, forestry, native forest restoration, watershed protection, habitat conservation, public recreation, fire fuel suppression, and other public purposes which clearly fall within DLNR's purview and mission. These multiple-use lands should remain under DLNR's management.

It is of the utmost imperative that multiple-use pasture lands at issue remain under the management of DLNR. There are significant resource values on these lands that require active management by DLNR to ensure their continued sustainability. Pursuant to Chapter 166E, HRS, under DOA management, these lands would be used solely for pasture purposes without regard to native forest restoration. DOA lacks the staffing and expertise to incorporate resource management activities into its land management practices. Furthermore, the use of these lands exclusively for pasture purposes would result in a significant detrimental impact on our environment. Without management by DLNR, these lands could be grazed without restriction, clear-cut and plowed, and public access could be blocked, threatening public trust natural and cultural values.

According to the United States Geological Survey, the impact of deforestation in Hawaii is severe. Hawaii's native wet and mesic forests store an average of 124 metric tons of carbon per acre. There are around 800,000 acres of native wet and mesic forest in Hawaii. Hawaii's

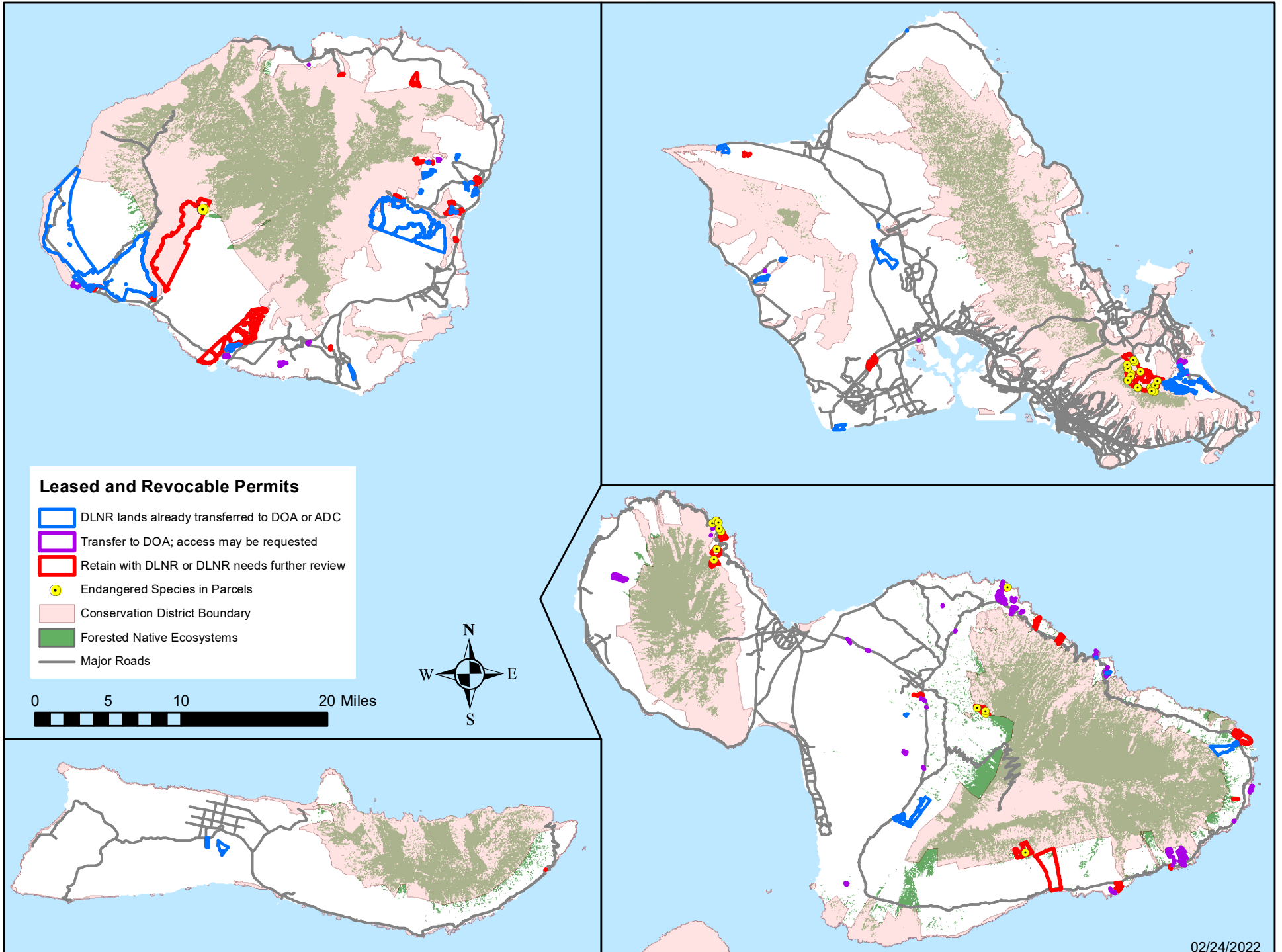
invasive wet and mesic grasslands store an average of 70 metric tons of carbon per acre. There are around 300,000 acres of invasive wet and mesic grasslands in Hawaii. When Hawaii's native forests are converted to grasslands, they lose about half of their stored carbon - a loss of 54 metric tons of carbon per acre. Reforesting grasslands is the largest carbon sequestration opportunity for Hawaii to reach the goal of carbon neutrality by 2045 (Act 15, SLH 2018). DLNR is inventorying lands that are not used for pasture, and planning combination grazing and reforestation projects. DLNR also offers voluntary incentive programs for ranchers to reforest lands and is developing standards for carbon credit projects that could further diversify revenues for ranchers.

Thank you for the opportunity to comment on this measure.



Leased and Revocable Permits

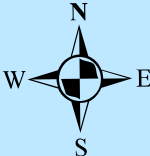
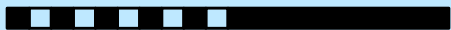
- DLNR lands already transferred to DOA or ADC
- Transfer to DOA; access may be requested
- Retain with DLNR or DLNR needs further review
- Endangered Species in Parcels
- Conservation District Boundary
- Forested Native Ecosystems
- Major Roads



Leased and Revocable Permits

- DLNR lands already transferred to DOA or ADC
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- Endangered Species in Parcels
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- Major Roads

0 5 10 20 Miles





SUMMARY

DESCRIPTION

EXPECTED BENEFITS





2022 LEGISLATIVE PROPOSALS

The DLNR seeks greater flexibility under Chapter 166E, HRS to amend, extend, and issue new leases by negotiation. The perceived need to transfer pasture leases to the DOA can be relieved by providing the DLNR with statutory powers similar to those exercised by the DOA in the management of its leases.



PASTURE LAND CONSERVATION VALUES



Water



Fire & Forest Health



Native Ecosystems



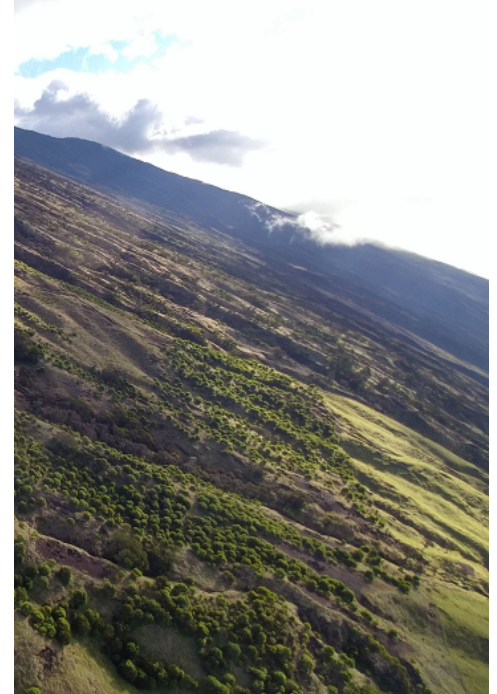
Forestry



Recreation

DLNR PARTNERSHIPS WITH RANCHERS

CLIMATE CHANGE AND CARBON NEUTRALITY



CONTACT PERSON

HB-1660-HD-1

Submitted on: 2/27/2022 11:48:32 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Russell Tsuji	DLNR	Support	Yes

Comments:

I am available for questions to DLNR. Please allow me Zoom access.

HB-1660-HD-1

Submitted on: 2/27/2022 11:52:05 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ian Hirokawa	DLNR	Support	Yes

Comments:

I am available for questions to DLNR. Please allow me Zoom access.

HB-1660-HD-1

Submitted on: 2/28/2022 8:03:07 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brian Kau	Dept of Ag - Ag Resource Management Division	Comments	Yes

Comments:

I am available for questions, if necessary.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
HOUSE BILL NO. 1660, H.D. 1

February 28, 2022
12:30 p.m.
Room 308 and Videoconference

RELATING TO LAND

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 1660, H.D. 1: specifies that agricultural multi-use lands under the management of the Department of Land and Natural Resources (DLNR) are not subject to transfer to and management by the Department of Agriculture; requires DLNR to revise its land classifications to include agricultural multi-use lands; and appropriates an unspecified amount of general funds for FY 23 to establish one full-time Agricultural Multi-Use Lands Specialist position in DLNR's Division of Forestry and Wildlife.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.



February 25, 2022

Representative Sylvia Luke, Chair
Representative Kyle T. Yamashita, Vice Chair
House Committee on Finance

Testimony in Opposition to HB 1660, H.D. 1, Relating to the Transfer of Non-Agricultural Park Lands (Specifies that agricultural multi-use lands under the management of the Department of Land and Natural Resources [DLNR] are not subject to transfer to and management by the Department of Agriculture [DOA]; requires the Board of Land and Natural Resources [BLNR] to revise its land classifications to include agricultural multi-use lands; establishes and appropriates funds for an agricultural multi-use lands specialist position; effective 7/1/2050.)

Monday, February 28, 2022, 12:30 p.m.; Conference Room 308, Via Videoconference

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 present testimony **in opposition to HB 1660, H.D. 1** on behalf of the various agricultural stakeholder groups who defend the goals of viable agricultural operations and the conservation and protection of agriculture in Hawaii.

HB 1660, H.D. 1. The underlying intent of this bill is reportedly to effectuate and facilitate the transfer of certain public lands classified for agricultural use from the DLNR to the DOA pursuant to Act 90, Session Laws of Hawaii (2003) (Act 90); Chapter 166E, Hawaii Revised Statutes; and for the purposes and in a manner consistent with Article XI, Section 10, of the Hawaii Constitution, which establishes that "the public lands shall be used for the development of farm and homeownership on as a widespread a basis as possible, in accordance with procedures and limitations prescribed by law."

In furtherance of said transfer of public lands, an Act 90 working group was established by Act 139, Session Laws of Hawaii, which group has determined that lands under the DLNR used for “the primary and substantial management objective of agricultural production” should be transferred to the DOA.

The stated specific purpose of this bill is to adopt recommendations from the Act 90 working group regarding agricultural multi-use lands, including specifying that such lands under the management of DLNR are not subject to transfer to and management by DOA; requiring that BLNR revise its land classifications to include agricultural multi-use lands; and establishing and appropriating funds for an agricultural multi-use lands specialist position.

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.

Many farmers and ranchers have been awaiting the transfer of their land leases from the DLNR to the DOA pursuant to Act 90, which was enacted to ensure long-term productive use of public agricultural lands to be managed by the DOA, which department is better suited to administer agricultural lands. The now 19-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.

LURF appreciates the intent of this bill to the extent it recognizes the significance of effectuating and facilitating the transfer of certain public lands classified for agricultural use from the DLNR to the DOA pursuant to Act 90, and attempts to effectuate the recommendations made by the Act 90 working group, however, **the proposed outright specification that agricultural multi-use lands NOT be made subject to transfer to and management by DOA; and the proposed requirement that BLNR revise its land classifications to include agricultural multi-use lands**, appears to **unreasonably and unjustifiably expand the group’s actual findings and completely fails in LURF’s opinion, to promote cooperation between the DOA and DLNR regarding the classification and management of such lands**, which is critical in order that the DOA can best advance and sustain the needs of agriculture and the agricultural industry in this State.

Moreover, it is LURF’s understanding that the “**multi-use**” designation would be a **disincentive** for farmers and ranchers to employ renewable energy, sustainable practices, and other innovative uses and conservation activities, lest their leased agricultural lands be classified as “multi-use” rather than being transferred to the DOA. In consideration of the DLNR’s lack of support of agricultural endeavors over the past decades during which said department has held those multi-use leases, agricultural stakeholders would prefer to enter into leases with the DOA, which comprehends agricultural production and recognizes the need to be flexible regarding the terms of agricultural leases; the business aspect of agriculture, and the use of agricultural lands.

Acknowledging the importance of, and need to assist the local agriculture industry, and implementing measures which help to support the viability and maintenance of agriculture in the State **ideally through the collaboration between the DOA and the DLNR**, as well as with other State departments, would significantly help to promote economically viable agriculture, increased food production, and food self-sufficiency in Hawaii.

For the reasons stated above, LURF **opposes HB 1660, H.D. 1** and respectfully urges that this bill be held in this Committee.

Thank you for the opportunity to present comments and concerns regarding this measure.



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e-mail info@hfbf.org; www.hfbf.org

February 28, 2022

HEARING BEFORE THE
HOUSE COMMITTEE ON FINANCE

TESTIMONY ON HB 1660, HD1
RELATING TO LAND

Conference Room 309 & Videoconference
12:30 PM

Aloha Chair Luke, Vice-Chair Yamashita, and Members of the Committee:

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

The Hawai'i Farm Bureau greatly appreciates the work of the Act 90 Working Group to make recommendations to help resolve the stalemate with regard to transfers of non-agricultural park lands by DLNR to the department of agriculture. **Unfortunately, we must oppose HB 1660, HD1** and implore this Committee to realistically address the problem that our local farmers, especially ranchers face. This measure will continue the status quo, with DLNR retaining "multi-use" agricultural lands.

Since Act 90 in 2003, and despite that law, as little as 14% of the agricultural acreage inventory within the DLNR has been transferred to the DOA. Although DLNR states that it has identified for transfer 31% of its agricultural inventory, these lands have not been transferred. DLNR has publicly stated that it intends to retain a full 54% of its public agricultural lands for non-agricultural potential purposes.

Hawai'i's agricultural community is frankly devastated that despite the purpose and intent of Act 90, agricultural lessees under the DLNR continue to be in an untenable state of limbo and are unable to conduct long-term planning and make necessary investments in the land.

Please don't let another year go by without swiftly and realistically addressing this pressing concern of our farmers and ranchers.

Thank you for the opportunity to provide our comments and thank you for your continued support of Hawai'i's agricultural community.

HB-1660-HD-1

Submitted on: 2/26/2022 1:13:59 PM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alan Gottlieb	Ponoholo Ranch Limited	Oppose	No

Comments:

While we appreciate the Act 90 Working group’s efforts to find solutions, the concept outlined in this bill is counter to supporting agriculture and fulfilling the purpose of Act 90, 2003 to ensure the long-term productive use of public lands leased or available to be leased by the department of land and natural resources for agricultural purposes by allowing these lands to be transferred to and managed by the department of agriculture. Ranchers are effective stewards of the land, ensuring that management and food production occurs into the future. However, this bill disincentivizes ranchers from seeking out engagement in conservation activities, as it could classify them as “multi-use” and therefore eliminate their chances of being transferred to the Department of Agriculture where they will be the lease terms they need, and management by a department that prioritizes food production. Agricultural leases that remain with DLNR are under a department that has an important mission, but one that does not include agriculture. Rancher’s operations as cattle producers will always be less valued than other priorities that are in the DLNR’s mission and expertise. DLNR does not have a track record of encouraging agriculture on their lands, and these multi-use lands would be subject to conversion to other uses.

We agree that more collaboration is needed between the departments and the leaseholders, but this collaboration can be achieved when agricultural lands are transferred to the Department of Agriculture. This will allow for the multi-use goals to be met, but ensure that lands remain in agricultural production.



COMMITTEE ON FINANCE
Rep. Sylvia Luke, Chair
Rep. Kyle T. Yamashita, Vice Chair

HB1660, HD1
Relating to Land

Monday, February 28, 2022, 12:30 PM
Conference Room 308
VIA VIDEOCONFERENCE

Aloha Chair Luke, Vice Chair Yamashita, and Members of the Committee,

My name is Bobby Farias, rancher and part owner of Hawaii Meats, and **I strongly oppose HB1660, HD1**. I believe it's in the best interest of the land and the producer for agriculture lands to be transferred to DOA and managed by DOA. The DOA is best equipped to work closely with the agricultural producers and do what's needed to promote local agriculture. The DOA is also best equipped for managing agriculture lands.

It's crucial now more than ever that the DOA controls all the agriculture lands in Hawaii in order to find food stability and create a positive opportunity for all agriculture operators.

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

Sincerely,

Bobby Farias



Email: communications@ulupono.com

HOUSE COMMITTEE ON FINANCE
Monday, February 28, 2022 — 12:30 p.m.

Ulupono Initiative respectfully opposes HB 1660 HD 1, Relating to the Land.

Dear Chair Luke 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 the 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 respectfully opposes HB 1660 HD 1, which specifies that agricultural multi-use lands under the management of DLNR are not subject to transfer to and management by HDOA; requires BLNR to revise its land classifications to include agricultural multi-use lands; and establishes and appropriates funds for an agricultural multi-use lands specialist position.

Ulupono appreciates the efforts of the Working Group established by Act 139, SLH 2021, which was established to find potential remedies to fulfill the purposes of Act 90, SLH 2003. We recognize the importance of this group's task in helping the State address the appropriate management of active agricultural leases.

The local livestock industry prides itself on being stewards of the land, providing needed conservation efforts to increase productivity and yields while also supporting Hawaii's natural resources. This bill inadvertently disincentivizes such common agricultural practices as all conservation efforts could, in theory, place such land within the purview of the DLNR as "multi-use." The definition of "agricultural multi-use" lands is vague and poses problems to any future Act 90 (2003) transfers.

Ulupono supports the local livestock industry and its efforts to provide fresh, healthy products for Hawai'i's consumers. We still believe that DOA's affordable, long-term leases allow local ranchers to immediately take advantage of existing, appropriate lease structures that incentivize long-term investments into their respective operations, improving the economic viability and increasing local food production for the state.

Investing in a Sustainable Hawai'i



Although this bill seeks to balance two competing interests, there is no need to recreate an existing structure within DLNR to manage agricultural lands. By doing so, local ranchers will be at the mercy of a lengthy rule-making process that will undoubtedly delay any potential benefits to local ranchers for many years to come.

Recently, the pandemic, along with devastating natural disasters and shipping supply issues, have heightened local food insecurity in our communities. With many leaders across our state saying that local agriculture can play an important role in our economic and social recovery, one theme around local food production rises to the top: the time to act is now. Local producers, like our ranchers, are a critical component of Hawai'i's food security. The local ranching community deserves our State's support by managing crucial, food-producing pasture leases within the DOA, a department whose mission and expertise to manage agricultural activities and related natural resources, including pastureland production, promotes local food production and directly supports State sustainability goals.

Thank you for the opportunity to testify on this measure.

Respectfully,

Micah Munekata
Director of Government Affairs

Chair Tarnas, Vice Chair Branco and Members of the Committee,

Mahalo for your commitment to fulfilling the purpose of Act 90, 2003 - to ensure that long-term leases are transferred from DLNR to DOA.

However, HB1660 is not the answer.

Multi Use lands, while only a subset of the total lands involved, provide interesting talking points for the ongoing Act 90 discussion.

Historically, DLNR has been under-funded and under-staffed to fully manage all the lands they are entrusted with. Transferring Multi Use lands to the DOA would encourage cooperation between DOA and DLNR, and motivate the rancher to continue agricultural production, and carry out conservation work.

For the agricultural portion of the lease, production continues. For the more sensitive sections of the lease, DLNR, DOA and the rancher cooperate in partnerships to manage for conservation.

This transfer would be fully aligned with the intent of Act 90 and would promote the state's goals of conservation and food sustainability, while having a minimum impact on DLNR's budget.

Keith Unger
McCandless Ranch

HB-1660-HD-1

Submitted on: 2/27/2022 9:05:06 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Doug Beaton	Hawaii Cattlemen's Association	Oppose	No

Comments:

Aloha,

Hawaii Cattlemen’s Association opposes HB 1660. This bill does help Hawaii's range lands. This will keep productive Range lands from being fully utilized for both production and conservation. DLNR in our eyes is not supporting Hawaii’s Range lands in their ability to be more productive while utilizing conservation practices . Our Hawaii Island Ranchers are the on the ground stewards of the land. The put conservation practices into their ranches to help the land and its productivity. DOA is Hawaii's agricultural arm. They understand Agriculture and what Ranchers and Farmers need to be successful.

Please do not pas this bill.

Mahalo

Hawaii Cattlemen’s Association President

Doug Beaton



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON FINANCE
Rep. Sylvia Luke, Chair
Rep. Kyle T. Yamashita, Vice Chair

HB1660 HD1
Relating to Land

Monday, February 28 2022, 12:30 PM
VIA VIDEOCONFERENCE

Chair Luke, Vice Chair Yamashita, and Members of the Committee,

The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

The Hawaii Cattlemen's Council **strongly opposes HB1660 HD1** to specify that agricultural multi-use lands under the management of DLNR are not subject to transfer to and management by HDOA.

While we appreciate the Act 90 Working group's efforts to find solutions, the concept outlined in this bill is counter to supporting agriculture and fulfilling the purpose of Act 90, 2003 to ensure the long-term productive use of public lands leased or available to be leased by the department of land and natural resources for agricultural purposes by allowing these lands to be transferred to and managed by the department of agriculture. Ranchers are effective stewards of the land, ensuring that management and food production occurs into the future. However, this bill disincentivizes ranchers from seeking out engagement in conservation activities, as it could classify them as "multi-use" and therefore eliminate their chances of being transferred to the Department of Agriculture where they will be the lease terms they need, and management by a department that prioritizes food production. Agricultural leases that remain with DLNR are under a department that has an important mission, but one that does not include agriculture. Rancher's operations as cattle producers will always be less valued than other priorities that are in the DLNR's mission and expertise. DLNR does not have a track record of encouraging agriculture on their lands, and these multi-use lands would be subject to conversion to other uses.

We agree that more collaboration is needed between the departments and the leaseholders, but this collaboration can be achieved when agricultural lands are transferred to the Department of Agriculture. This will allow for the multi-use goals to be met, but ensure that lands remain in agricultural production.

Thank you for the opportunity to testify on this important matter for Hawaii's ranchers.

Nicole Galase
Hawaii Cattlemen's Council





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

HOUSE COMMITTEE ON FINANCE
February 28, 2022 – 12:30 p.m. – Via Videoconference

RE: HB 1660 HD1 – Relating to Land – Oppose

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

The Local Food Coalition respectfully **opposes** HB 1660 HD1, which specifies that agricultural multi-use lands under the management of the Department of Land and Natural Resources (DLNR) are not subject to transfer and management by the Department of Agriculture (DOA); requires the Board of Land and Natural Resources to revise its land classification to include agricultural multi-use lands; and establishes and appropriates funds for an agricultural multi-use lands specialist position.

While we greatly appreciate the work of the Act 90 Working Group during the interim to identify the challenges and potential remedies to fulfill the purposes of Act 90, SLH 2003, we do not believe this bill will help in fulfilling the purpose and goals of Act 90. The Local Food Coalition supports the local livestock industry; they are a key component to Hawaii's food security. This bill disincentivizes ranchers from engaging in conservation activities as it could classify them as "multi-use", thereby decreasing opportunities for their leased lands to be transferred from the DLNR, whose priority is not food production.

Farmers and ranchers need long-term leases in order to reasonably invest in infrastructure improvements on the leased land. Lands in active agricultural production should be transferred to the DOA, so that long-term planning can be implemented. The success of farmers and ranchers is essential to the State's goal to double local food production.

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

Thank you for the opportunity to submit testimony.

Kendall Matsuyoshi
808-544-8345
kmatsuyoshi@wik.com

HB-1660-HD-1

Submitted on: 2/28/2022 8:14:24 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lani Petrie	Kapapala Ranch	Oppose	No

Comments:

I oppose HB1660 as a stand alone bill from HB1657, HB1658, and HB1659 as it lacks context without the four bills together.

I am an advocate for resource management planning between the lessee and lessor to perpetuate sound land management decisions.

HB-1660-HD-1

Submitted on: 2/26/2022 6:09:42 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Woody Child	Individual	Oppose	No

Comments:

I strongly oppose HB1660.

HB-1660-HD-1

Submitted on: 2/26/2022 8:09:33 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jimmy Gomes	Individual	Oppose	No

Comments:

I oppose this bill as per Hawaii Cattlemen's Council testimony

HB-1660-HD-1

Submitted on: 2/26/2022 1:38:09 PM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Randy Cabral	Individual	Oppose	No

Comments:

Strongly oppose

HB-1660-HD-1

Submitted on: 2/27/2022 7:14:22 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Theresa M Thompson	Individual	Oppose	No

Comments:

I oppose HB1660 HD1.

Theresa Thompson

HB-1660-HD-1

Submitted on: 2/27/2022 8:51:53 AM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John Douglas Beaton	Individual	Oppose	No

Comments:

As a rancher on Hawaii Island I oppose this Bill. DLNR is Not in support of Hawaii agriculture. The state goal of being sustainable is being held back by DLNR. DLNR is in support of forestry which is good for our water sheds and I agree with this. But we have limited agricultural land left in Hawaii and we need to make sure they stay productive. DOA is our states agricultural arm and should be in control of all productive lands , crops and Range lands. As an example of the lack of support of Agriculture DLNR has is lake Wilson. This is a major watercourse for Oahu agriculture and in the news the other day DLNR was not in support of the purchase because they felt they did not have the resources to take it on. This is Water which is life! DLNR needed to take a stance that we will figure out the resource to take this on since it will support food production for an Island state. They did not. Please for Hawaii agriculture sustainability do not pass this bill

Mahalo

John Beaton

HB-1660-HD-1

Submitted on: 2/27/2022 1:04:37 PM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
J Ashman	Individual	Oppose	No

Comments:

After 19 years of limbo, this bill will continue to negatively impact the ranchers who have leases under the DLNR by not allowing those leases to be transferred to DOA which is better suited to support and manage agriculture while also protecting and conserving natural resources.

There is no reason why this body needs to be constrained in its lawmaking to the limitations under Act 90 from 19 years ago. THAT LAW DID NOT WORK. It is time to recognize that of course, pasture use and ranching are agriculture, that ranching provides food for the community, that it benefits the economy, and that DOA leases can be structured to ensure that conservation needs are adequately protected. Ranching and natural resource protection are not mutually exclusive and in fact, there are very strong ecological benefits resulting from properly managed ranches.

It is not the mission of DLNR to support and provide beneficial leases to agriculture. Under its management, ranchers will continue to have no security and a diminished likelihood of success.

HB-1660-HD-1

Submitted on: 2/27/2022 10:32:56 PM

Testimony for FIN on 2/28/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Bud & Katy Gibson	Individual	Oppose	No

Comments:

We strongly oppose this bill.