

**DAVID Y. IGE**  
Governor

**JOSH GREEN**  
Lt. Governor



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

**MORRIS M. ATTA**  
Deputy to the Chairperson

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

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

**BEFORE THE HOUSE COMMITTEE ON AGRICULTURE**

**WEDNESDAY, FEBRUARY 2, 2022  
10:00 A.M.  
VIA VIDEOCONFERENCE**

**HOUSE BILL NO. 1726  
RELATING TO AGRICULTURAL BUILDINGS**

Chairperson Hashem and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1726 that would amend Section 46-88 by tightening up the definitions relating to exemptions from building permits and building codes for agricultural buildings and structures.

The Department of Agriculture supports the intent of many of the proposed amendments that appear to be intended to reduce or eliminate the kinds of structures and uses that appear to be inconsistent with the purpose and intent of the exemption for agricultural buildings and structures from building code and building permit requirements when they are clearly are part of or accessory to an agricultural activity. Notwithstanding the laudable intent of this measure, the Department strongly objects to the roles and responsibilities assigned to the Department to enforce compliance. The function of approving "agricultural farm plans" for each property proposing "agricultural buildings" is and must remain and reside within each county along with the proposed inspection of the property. Moreover, the requirement for an environmental impact statement and the release of sensitive or proprietary information such as "machinery,



time, and money” imposes an undue and overly burdensome threshold for legitimate farming operations.

Prominent among the amendments are:

1. Absolute disallowance of electrical power and plumbing systems (page 8, line 12 to page 9 line 6)
2. Specification of the allowable purposes of an “agricultural building” (page 10 lines 5-16)
3. Definition of an “agricultural farm plan” that is approved by the Department of Agriculture and is specific to a property, outlines “best management practices” to “avoid potential negative environmental impacts and includes an assessment of the site and outlines a series of actions developed to meet an agricultural operation’s goals while protection water quality and natural resources” (page 11, lines 3-9)
4. Repealing the definition of “dwelling” (page 12, lines 11-14)
5. Definitions for a “barn”, “farm production building”, and “greenhouse” (page 12, lines 3-5, lines 15-21, and page 13, line 1-2)

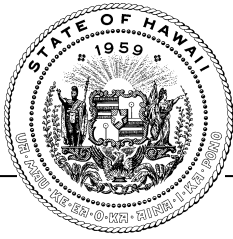
The measure adds new language that requires “agricultural buildings” to be “consistent with the approved agricultural farm plan for the property”. “The use of the building...must be in support of the agricultural activity contained in the [agricultural farm] plan.” The agricultural farm plan is to contain an “inventory and resources” including acreage, soil types, proximity to streams or water bodies, irrigation water requirement, type of livestock or crops, the farmer’s “goals”, and “resources such as machinery, time, and money” (page 14, line 16 to page 15, line 11)

Any “agricultural building” constructed pursuant to this section shall be made available for inspection at any time. Failure to allow for inspection after “appropriate notice” is provided by mail or posting on property shall result in the issuance of a notice of violation and notice of order with civil fines until corrected (page 15, lines 12-19)

Page 3

Any “agricultural building” is prohibited from having specific features such as a kitchen, bathroom, bedroom, utility connections, and independent power source (page 16, lines 1-13)

Thank you for the opportunity to provide our testimony on this measure.



**STATE OF HAWAII  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**DAVID Y. IGE**  
GOVERNOR

**MARY ALICE EVANS**  
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <https://planning.hawaii.gov/>

Coastal Zone  
Management  
Program

Environmental  
Review Program

Land Use  
Commission

Land Use Division

Special Plans  
Branch

State Transit-  
Oriented  
Development

Statewide  
Geographic  
Information System

Statewide  
Sustainability  
Branch

Statement of  
**MARY ALICE EVANS**  
Director, Office of Planning and Sustainable Development  
before the  
**HOUSE COMMITTEE ON AGRICULTURE**  
Wednesday, February 2, 2022  
10:00 AM  
State Capitol, Conference Room 325 & Videoconference

in consideration of  
**HB 1726**  
**RELATING TO AGRICULTURAL BUILDINGS.**

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

The Office of Planning and Sustainable Development (OPSD) offers **comments** on HB 1726.

This measure would amend definitions relating to exemptions from building permits and building codes for agricultural building and structures. The measure requires certain agricultural buildings or structures which are exempt from building permits and building codes to be consistent with an approved agricultural farm plan for the property. Fines and violations can also be imposed, by the Counties, and provides that the building is to be made available by the owner or occupant for inspection by a county building official at any time.

In effect, the measure prohibits the exempted agricultural buildings or structures from having kitchens, bedrooms and other features characteristic of residential buildings. OPSD would support these amendments to enforce prohibited residential structures on agricultural properties.

However, HB 1726 also includes an agricultural farm plan, which is required to be approved by the Department of Agriculture (DOA). We defer to the DOA on this matter.

Thank you for the opportunity to testify on this measure.

**HB-1726**

Submitted on: 2/1/2022 9:25:58 AM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
earl yamamoto	dept. of agriculture	Comments	Yes

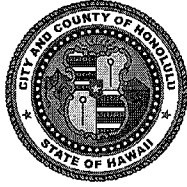
Comments:

I will be available to answer any questions

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.dpp.org](http://www.honolulu.dpp.org) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

RICK BLANGIARDI  
MAYOR



DEAN UCHIDA  
DIRECTOR

DAWN TAKEUCHI APUNA  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

February 2, 2022

The Honorable Mark J. Hashem, Chair  
and Members of the Committee on Agriculture  
Hawaii House of Representatives  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Hashem and Committee Members:

**Subject: House Bill No. 1726  
Relating to Agricultural Buildings**

The Department of Planning and Permitting (DPP) **strongly supports** House Bill No. 1726, which amends definitions relating to exemptions from building permits and building codes for agricultural buildings and structures.

This Bill maintains the existing exemption from county building permit and county building code requirements for agricultural nonresidential structures on commercial farms and ranches, but addresses violations of the law when the structures built using this exemption are illegally turned into dwellings and not used for agricultural purposes. This Bill facilitates county enforcement of the law by associating the exempted structure to an agricultural farm plan for the property, allowing issuance of notices of violation for noncompliance, and ensuring the structure does not contain built-in features that allow for its easy conversion to residential use.

Also, one of the major issues we would like to see addressed is the need for an Agricultural (Farm) Plan prepared for the property prior to any ag structures or buildings being constructed. The ag structure would need to tie into the Agricultural (Farm) Plan that would require the approval of the Hawaii Department of Agriculture.

The proposed amendments would address a serious problem on Oahu of allowing questionable structures being constructed in the Ag district.

Thank you for the opportunity to testify.

Very truly yours,

  
Dean Uchida  
Director



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

COMMITTEE ON AGRICULTURE  
Rep. Mark J. Hashem, Chair  
Rep. Amy A. Perruso, Vice Chair

**HB1726**  
Relating to Agricultural Buildings

Wednesday, Feb 2, 2022, 10:00 AM  
VIA VIDEOCONFERENCE

Chair Hashem, Vice Chair Perruso, 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 **offers comments on HB1726** to amend definitions relating to exemptions from building permits and building codes for agricultural building and structures.

We support agricultural buildings be made available for inspection (page 15, lines 12-19), but we oppose the remaining changes suggested in this bill. Most notably we do not support the requirement for a farm plan approved by the Department of Agriculture, as the department does not currently approve farm plans.

We appreciate the opportunity to testify on this measure.

Nicole Galase  
Hawaii Cattlemen's Council  
Managing Director





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

February 2, 2022

HEARING BEFORE THE  
HOUSE COMMITTEE ON AGRICULTURE

**TESTIMONY ON HB 1726**  
RELATING TO AGRICULTURAL BUILDINGS  
Via Videoconference  
Conference Room 325  
10:00 AM

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

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

**The Hawaii Farm Bureau strongly opposes HB 1726**, which would completely eviscerate the current law and the ability of Hawaii's farmers to build and use essential farm structures.

We are aware of the problems in the City and County of Honolulu associated with the *illegal* construction of *homes* on agricultural land, including condominium lots. However, the law that provides for exemptions for agricultural structures specifically and clearly does not allow any residential buildings or use.

This appears to be a problem associated with bad actors and enforcement. **When there are violations of laws, the appropriate response is not to repeal the law, but to enforce the law and penalize the violator. That should be the remedy here.**

If this bill passes, it will further restrict and penalize legitimate farmers and ranchers who should not be required to wait years and spend thousands of dollars, if not more, to obtain building permits in order to construct legitimate non-residential farm structures. At a time when all State policies promote increased self-sufficiency and food production, this bill will serve to decrease food production.

HFB worked for many years with each of the counties, the fire departments, realtors, builders, and others, to come to agreement on all of the issues relating to the specific exemptions in the law. We would like to work with this body to provide for better enforcement terms without pushing legitimate farms to go out of business.

The proposed HB 1726 defeats the purpose of the statute it seeks to amend. We know that this is not the intent of the bill but that will certainly be the consequence.



Here are some of our concerns:

- It unreasonably prohibits the connection of electrical power, plumbing systems, and sewer pipes to an exempted building. Any farm building used to house livestock or plants would therefore be prohibited without obtaining a permit. All aquacultural and aquaponic greenhouses would be prohibited without undergoing the cost-prohibitive and time-consuming permit process.
- The existing statute already requires the appropriate county electrical, plumbing, or sewer permit prior to connection of these utilities to an otherwise exempted structure.
- It ignores food safety regulations that require the use of water to maintain proper hygiene and to decontaminate produce, for example. It prohibits the installation of a toilet and sink in an exempted structure. Toilets and hand-washing sinks are essential requirements for farm food safety certification.
- It restricts the definition of a greenhouse to only a building made of glass, when they are currently more often constructed with less expensive, safer, and simpler to erect rigid or flexible plastic sides and roofs.
- Value added processing of farm products would be impossible without necessary water and appliances, such as refrigerators.
- The use of generators would be prohibited, along with the use of solar panels; this is especially concerning for rural farms.
- An agricultural plan requirement is not the appropriate fix for an enforcement problem.
- Because the bill does not “grandfather” farmers who have already built exempted structures relying on the current statute, these producers may find themselves in violation of the new law.

Thank you for the opportunity to provide our comments and thank you for your continued support of Hawaii’s agricultural community.



## EAST OAHU COUNTY FARM BUREAU

910 CALIFORNIA AVE., WAHIAWA, HI 96786

January 31, 2022

Representative Mark J. Hashem, Chair  
Representative Amy A. Perruso, Vice Chair  
House Committee on Agriculture  
State Capitol, 415 S. Beretania St.  
Honolulu, Hawaii 96813

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

The East O'ahu County Farm Bureau, which represents approximately 300 members from Waimanalo to Kahuku, respectfully **opposes** **HB 1726**, "Relating to Agricultural Buildings." This bill would negatively impact East O'ahu County's membership, the majority of whom are small farmers producing a large variety of food and ornamental crops and livestock, each with its own specific requirements. HB 1726 would severely reduce the benefits of Hawai'i's agricultural building permit exemption by requiring farmers to obtain permits for many items of critical infrastructure that are currently exempted. This burden would fall especially hard on small farmers and beginning farmers, who do not have the resources to pay thousands of dollars and wait months or longer for permission to build essential farm structures.

Some of our specific concerns with HB 1726 are as follows:

- HB 1726 would prohibit the connection of electrical power, plumbing systems, and sewer pipes to an exempted building or structure. This change would prohibit the construction without a permit of aquacultural, aquaponic, and hydroponic greenhouses, which necessarily require water and power for their operation. It would similarly impact any other structure in which plants are grown or livestock are housed, since these operations also generally require water and/or power. The prohibition directly conflicts with the exemptions for aquacultural and aquaponic systems in item (4) of the existing statute, and the exemption for certain water piping and plumbing in item (5). Current food safety regulations also make the use of potable water for irrigation desirable for many applications. Item (8) in the existing statute already requires an appropriate county electrical, plumbing, or sewer permit where these utilities are to be connected to an otherwise exempted structure, so it should not be necessary to prohibit these essential items outright.
- HB 1726 would define "greenhouse" as a glass building. In fact, modern greenhouses are more often constructed with rigid or flexible plastic sides and/or roofs, which are less expensive, easier to install, and less brittle than glass.
- HB 1726 would prohibit the installation of a toilet and sink in an exempted structure. Toilets and hand-washing sinks are essential requirements for farm food safety certification. A sink is also a normal part of, for example, an ornamental plant potting shed.

- HB 1726 would also prohibit kitchen appliances such as stoves and refrigerators. The bill makes no distinction between purely domestic use of these appliances and their use in value-added processing of farm products, or their provision for use by farm workers for on-farm meals or drinks.

- In addition to the above, the prohibition of potable water connections to exempted structures could make it more difficult for a farm to provide potable water to its employees.

- HB 1726 would prohibit the connection of an independent power source such as a generator or solar panels to an exempted building. Some farms have no access to the utility grid and must rely on independent power. Where line power is available, backup generators are essential in the event of a power outage that could cause the loss of a crop or livestock. We must stress that not all farms are simply flat land with row crops and no utilities; most farms require electricity for at least some operations.

- HB 1726's proposed agricultural plan requirement would increase the paperwork burden on farmers, and would reduce farmers' ability to switch crops according to market demand if each change had to be approved by the department of agriculture. Further, it is not clear that HDOA has the personnel resources to review the agricultural plans, especially since they would be required for exemptions on private land as well as State land.

- HB 1726 does not contain any "grandfather" provision, so farmers who built exempted structures in good faith under the current statute may be in violation and subject to fines under the revised statute.

We recognize that there have been instances on O'ahu of abuse of the current statute in which clearly non-agricultural structures have been constructed on agricultural lots. A few years ago, with the support of the Hawai'i Farm Bureau, the statute was revised to clarify that county building departments have the authority to enforce the rules against residential use of exempted structures. We believe that this authority should be sufficient for the county building departments to deal with any breaches of the existing statute.

In summary, farms – especially the small, diversified farms typical of East O'ahu County's membership --need the regulatory relief and flexibility provided by the current statute, and we see no compelling need to impose new restrictions. COVID-19 and the resulting supply chain disruptions emphasize the need to make Hawai'i's farms and ranches more competitive relative to imports. The rules imposed by HB 1726 would instead make Hawai'i's farms less competitive. We therefore respectfully urge you to defer HB 1726.

Sincerely,



Frederick M. Mencher  
for Grant Hamachi, President  
East O'ahu County Farm Bureau



HOUSE OF REPRESENTATIVES  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2022

COMMITTEE ON AGRICULTURE

Rep. Mark J. Hashem, Chair  
Rep. Amy A. Perruso, Vice Chair

NOTICE OF HEARING

Wednesday, February 2, 2022 10:00 a.m.  
VIA VIDEOCONFERENCE  
Conference Room 325  
State Capitol  
415 South Beretania Street

**HB 1726 RELATING TO AGRICULTURAL BUILDINGS.**

My name is Eric S. Tanouye and I am the President for the Hawaii Floriculture and Nursery Association. HFNA is a statewide umbrella organization with approximately 300 members. Our membership is made up with breeders, hybridizers, propagators, growers, shippers, wholesalers, retailers, educators, and the allied industry, which supports our efforts in agriculture.

**The Hawaii Floriculture and Nursery Association (HFNA) SUPPORTS House Bill 1726**

This bill will help the agriculture industry in Hawaii. We all know our climate is changing and we will need to take appropriate measures to be able to continue to farm. One of these measures is being able to create an environment that will protect our crops from dangerous weather such as new greenhouses and other compliant structures. With a more controlled environment and protection, we can also increase yield.

We would like to ask you to consider including the following language into Section 1(a)(3):



Notwithstanding the one thousand square foot floor area restriction, agricultural shade cloth structures, cold frames, or greenhouses not exceeding sixty thousand square feet in area per structure;

The increase in size of agriculture structures will help future business plan models for commercial growers. The current size may not be an efficient use of land. Multiple greenhouses need the required 15 feet between structure. With larger greenhouses you will need less structures and there will be less land loss due to restriction of land between structures.

With a reduced cost to greenhouses, new growers will be able to make the investment into farming using current technology and cultural practices. Furthermore, established growers may consider making the transition from outdoor or shade houses to covered greenhouses. This allows our nurserymen and women to be more sustainable and efficient.

If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 22, cell 960-1433 and email [eric@greenpointnursery.com](mailto:eric@greenpointnursery.com).

Supporting Agriculture and Hawaii,



Eric S. Tanouye  
President

Hawaii Floriculture and Nursery Association

**HB-1726**

Submitted on: 2/1/2022 4:05:13 PM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jenny Useldinger	Living Circle Farms Hawaii	Oppose	No

Comments:

Aloha,

thank you for reading this testomy. I strongly oppode this bill. HB1127 would add on addional cost and stress to current small farmers whom are already working as hard as they can to produce food. this bill does not accomplish anything except the make it more difficult to farm and produce food and earn income.

Small farmers should be able to live and work on the land they farm. while I do understand the reasons for trying to squash unpermitted and illegal dwellings, these people farm and produce food for all of us, and with the cost of land being so expensive you might be pricing out famers on Oahu.

The state government should be helping small farmers to become sustainable. whether is be letting small famers live an Off The Grid lifestlye and completly sustainable or by providing financial resources for small famers who produce a min of 10K per years in sales.

Im all for regulating food safty, but the more you impose laws, harsh regualtions and taxes on small farmers, the harder it will be.

Hawaii should be moving into an area of sustainabilty and food security, not the other way around.

**HB-1726**

Submitted on: 2/1/2022 9:28:59 PM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
timothy clark	Sunshine Farms, LLC & Hawai'i Medicinal, LLC	Oppose	No

Comments:

As a small farmer In waialua. All I see is limitations in this bill. 3 years ago we purchased land for farming. We had to sell due to poison sprayed by neighbor farmers. We were blessed to have and opportunity to expand our opporation with getting 2 tracks and we have created the first organic only farming community. Meaning more organic healthy food for the community.. With water on the way we will be able to go from 20,000lbs of food per acre in 2 acres to now 14acres 280,000 lbs annually. We are hoping to plant soon once water is installed . Farming is our passion and we add value in use with culture medicine as well. We need these items listed in your bill for our production and cultivation. Fridges for keeping oils fresh, freezers for freezing fruit for added value sales, crockpots for mixing oils, dehydrators for drying fruits for added value sales, stoves for cooking volunteers lunches, nsf certified compostable toilets for keeping up with the waste in a sustainable fashion, I need solar and backup generators to power these things intended for farming. I need basins for washing cuts, and sinks for cleaning drink cups so I can stay hydrated as I farm. To limit farmers who create food? Make exemptions for us not limit us. Create funding and Incintives to aid in our growth not hassle us with this looming decision to take away all food for the people. Farmers markets are essential to Hawai'i and these markets are filled with small farmer who will be affected by this bill. Please help us, not limit us. I as a small farmer and business owner in Hawai'i I oppose this bill.

**HB-1726**

Submitted on: 2/1/2022 9:12:19 PM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ian schiller	Pueo Orchards	Oppose	No

Comments:

I strongly oppose this amendment.

This amendment is anti farmers, anti agriculture in the state of Hawaii, and anti common sense.

I have read the proposed amendment and I cannot see how this would do one thing to help the agricultural industry in Hawaii but can, line by line, see how it would hurt farmers.

No solar electricity? How can this help the environment or farmers?

No outside deck to prep trays or sort fruit on? We must work in the mud?

No potable water hookup, even with proper permitting and inspection?

How can any of this be beneficial to anyone?

Hawaii needs farmers. Hawaii wants farmers. It's already a hard, thankless, and practicality payless career. How can we ask any young people to go into the agriculture industry with regulations like that? I'm all for regulations to keep people and the environment safe. These regulations do none of that and seem to only be in support of massive corporate farms.

We need as many small local farms as possible.

I urge you to vote no on House Bill 1726.



Sincerely,

Ian Schiller --- Pueo Orchards

**HB-1726**

Submitted on: 2/1/2022 2:40:16 PM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Lisa Rhoden	Individual	Oppose	No

Comments:

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

I am writing in opposition to HB1726 "Relating to Agricultural Buildings". I have been working in the agriculture sector for the last 15 years supporting local small and medium sized farms with implemetation of conservation and food safety practices. I have managed an agricultural park of over 250 acres, and I am currently the food safety director for North Shore EVP. I work with farms across the state of Hawaii. HB1726 is counter to supporting the growth and stability of local ag production. The bill makes incorrect statements (greenhouses are not generally made of glass), creates more burdens and delays for farmers in having to supply a detailed ag plan to the HDOA (who is going to write that? farmers are already busy!), and most importantly, prohibits various infrastructure that is necessary to meet employee and food safety standards.

Many farms are located in rural areas where solar power or backup generators are a necessity. Refrigeration for seed storage, pumps for aquaculture, lighting for safety-- all of these things are requirements for many agricultural and aquaculture operations and an independent source of power, primary or secondary, is needed for these business operations. Aquaculture is a growing and sustainable industry in the State with much promise, because it uses less land than conventional agriculture, can deliver both plants and protein products, re-uses water, and is well suited to our subtropical climate.

Prohibiting a sink and toilet installation and potable water connection goes against worker health and hygiene standards. Workers on the farm must have a place to wash hands with microbially clean water, and a proper restroom is also required. If it is possible for the operation to connect to a potable water source, this is much more preferable than bringing enough potable water to the farm site for handwashing, drinking, and post harvest tasks. Microbially clean water is required for all post harvest tasks by Hawaii State law and federal mandate (FSMA).

HB1726 actively works against the renewal of a vibrant and sustainable ag sector by introducing more regulatory burdens and making it more difficult for farm operations to meet existing standards of worker health and food safety. In the past there has been misuse of structures on agricultural land being used as residences; the oversight of this issue lies with the county building departments. Farm businesses should not be further restricted.

There is strong support in the state for more locally grown product: in our homes, schools, hospitals, and on our store shelves. The farms who will supply this product are the small and

medium sized operations that make up most of the diversified ag operations within the state. We must invest in these farms and empower them to be more competitive, not "tie their hands" with further restrictions. I urge you to defer HB1726.

Respectfully,

Lisa Rhoden

Hanapepe, Kauai

Food Safety Director, NSEVP

Graduate, ALP Class XIV

**HB-1726**

Submitted on: 2/1/2022 8:40:56 PM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
brandon slowey	Individual	Oppose	No

Comments:

As an active farmer and bee keeper i do not believe these new modifications to the previous bill will benefit farmers and aid in the necessary demand to increase food security on Oahu.

with the added restrictions the bill only makes it harder to be a farmer which is becoming less and less desirable because of the hard work And lack of state support.

Farmers should have more insentives to farm and not punished or scared for doing so.

This bill only pushes the small farmers out and allows room for large scale Monsanto and pioneer type operations to take place

More needs to be done to make sure Farming is actually happening on Ag land and less concern with Farm structures or solar power or access to water.

These amendments to the bill must not be passed

**HB-1726**

Submitted on: 2/1/2022 9:11:53 PM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
ashley moran	Individual	Oppose	No

Comments:

In the last 7 years I have personally put over \$500,000 into the hands small scale beekeepers and farmers on oahu for buying their goods and supporting the local movement. Reading the proposal to put more restrictions on farmers does not sit right.

its hard enough to be a farmer, now the with added hoops to jump to set up proper infrastructure it only makes it harder.

we need more small scale farmers! We dont need to discourage them from taken the risk to grow food for Us!

Access to power and water is critical

sheathing a storage container structure shouldnt be illegal, the cost of the containers are astronomical. Hanging up dry wall to aid in protecting the Containers from rusting and keeping them cool as well as shelving should not be punishable

please reconsider this bill, it doenst help farmers or the community!

**HB-1726**

Submitted on: 2/1/2022 11:58:14 PM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
India	Individual	Oppose	No

Comments:

I am writing to oppose HB1726. I've graduated from the Department of Urban and Regional Planning at the University of Hawaii at Manoa in 2005. I've since worked with farmers and farm community across the islands, from wetland kalo farmers to small diversified ag operations.

Farming needs to be a viable business if we are to meet the measures set in Hawaii's 2030 Agenda for Sustainable Development Goals, our Hawaii 2050 Sustainability Plan, and the State of Hawaii's Aloha+ Challenge. These goals call for us to double local food production (20-30% of food consumed is grown locally).

We need to not further restrict farmers. Many farmers drive long distances to access their farmland from their homes. Many hold additional jobs to provide off-farm income. Many also have families. The restrictions placed in this bill are to address the abuse of agriculture land being turned into gentlemen estates. The restrictions place a further hardship on farmers who are already not allowed to live on their land. They should be allowed to provide an outdoor kitchen and electricity to make their families comfortable when they are working their farmland.

By requesting farmers first turn in a farm business plan, farm map, and a sanitation plan aligned with food safety standards PRIOR to approving any farm structures, we can address the misuse of farmland by those who are creating gentlemen estates. These documents, along with a site visit by an inspector could assure that the agriculture land is consistent with the location and scale of the farm business plan and farm map. The sanitation plan would ensure that water quality is maintained.

We are 'criminalizing' farmers at the same time we are calling for an increase in local food production. The majority of Hawaii's farms have transition from plantations to small, diversified agriculture operations. Many farmers are leaders in their community and offer Community Supported Agriculture (CSA) programs which not only build local economy but also support community development. Many diversified ag operations also use practices that regenerate the soil and other natural resources. Many farmers also offer conservation and watershed services to steward our lands. We need to create a way forward that supports farmers and farming as a viable livelihood, not create further hardships for farmers.

**HB-1726**

Submitted on: 2/2/2022 7:58:25 AM

Testimony for AGR on 2/2/2022 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Joseph Valenti	Individual	Oppose	No

Comments:

Aloha,

My family is from Waialua and we are aware of many "farm dwellings" where farmers are present to tend to and protect their farm operations. This bill seems to disincentivize small farm operations which is the opposite direction of where Hawaii needs to be going. More incentives need to be in place in aid in food security. Not the opposite. Access to power and water is a human right and essential to farming operations today. Our state has been poisoned by monocrop farming for large corporations for too long. Small scale farming is necessary for soil regeneration, food security, and our community health. Our legislators should be spending their resources and time ensuring agricultural land is being farmed rather than making it more difficult for farmers to have access to security and resources. I strongly oppose this bill.