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

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. 2418, H.D. 1

February 23, 2022
2:30 p.m.
Room 308 and Videoconference

RELATING TO AGRICULTURE

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

House Bill No. 2418, H.D. 1, amends Chapter 163D, HRS, by narrowing the scope of the Agribusiness Development Corporation (ADC) to focus on supporting the production of local agricultural products for local consumption to reduce the State's reliance on imports; expanding the ADC Board of Directors (Board) from 11 members to 13 members; requiring the Board to evaluate and document the ADC Executive Director's performance annually; and requiring the ADC to update their Hawai'i agribusiness plan by no later than July 1, 2024, and include specific one-year, five-year, and ten-year objectives. This bill also appropriates \$100,000 in general funds in FY 23 for a consultant to assist the ADC in preparing and finalizing their agribusiness plan; appropriates an unspecified amount of general funds in FY 23 for 1.00 permanent accountant position and other fiscal support services; and appropriates \$500,000 in general funds in FY 23 for security guard services to address trespassing, abandonment of vehicles, and other security issues on vacant ADC lands.

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.

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
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TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON
FINANCE

FEBRUARY 23, 2022
2:30 P.M.
VIDEOCONFERENCE

SENATE BILL NO. 2418 HD1
RELATING TO AGRICULTURE

Chairperson Luke and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2418 HD1. This measure amends the focus, scope, and management of the Agribusiness Development Corporation (ADC) and appropriates funds to ADC for a consultant for planning, an accountant, and for security on ADC property. The Hawai'i Department of Agriculture (Department) supports the intent of this measure and offers comments.

The Department appreciates the Legislature's efforts to restructure and refocus ADC to facilitate optimal use of its agricultural assets for the economic, environmental, and social benefit of the people of Hawaii and to implement some of the recent recommendations of Legislative Auditor to improve ADC's effectiveness. The Department defers to ADC regarding the proposed amendments to Chapter 163D, HRS in the measure.



Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



JAMES J. NAKATANI
Executive Director

STATE OF HAWAII
AGRIBUSINESS DEVELOPMENT CORPORATION

235 S. Beretania Street, Room 205
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TESTIMONY OF JAMES J. NAKATANI
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE HOUSE COMMITTEE ON FINANCE
Wednesday, February 23, 2022
2:30 p.m.
VIA VIDEO CONFERENCING

HOUSE BILL NO. 2418, HD1
RELATING TO AGRICULTURE

Chairperson Luke and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2418, HD1. The Agribusiness Development Corporation (ADC) supports the intent of this measure, which amends the focus, scope, and management of the ADC and appropriates funds to ADC for a consultant for planning, an accountant, and for security on ADC property.

The ADC appreciates any support from the Legislature to help it make optimal use of its agricultural assets for the economic, environmental, and social benefit of the people of Hawaii. However, we offer the following comments about the proposed amendments to Chapter 163D, HRS.

Regarding the proposed amendment to Section 163D-5(b), HRS, which requires the Hawaii Agribusiness Plan to have “specific one-year, five-year, ten-year objectives and measurable outcomes”, we believe having a three-year plan, as opposed to a one-year plan, would give ADC sufficient time to align efforts and resources. While the ADC

does not oppose implementing performance goals and measures to evaluate its performance, we believe having a one-year plan is not practical.

In closing, we want to thank Chair Belatti and the House Investigative Committee for its thorough and detailed review of our program. We acknowledge there is much progress to be made in improving the effectiveness and efficiency of our organization and have already taken some of those steps as recommended. We will strive to incorporate as many actions as we reasonably can to ensure that ADC continues to promote and grow agriculture for the people of Hawaii.



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February 23, 2022

HEARING BEFORE THE
HOUSE COMMITTEE ON FINANCE

TESTIMONY ON HB 2418, HD1
RELATING TO AGRICULTURE

Conference Room 309 & Videoconference
2:30 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 supports the intent of HB 2418, HD1, which amends the focus, scope, and management of the agribusiness development corporation (ADC) and appropriates funds to ADC for a consultant for planning, an accountant, and for security on ADC property.

The Agribusiness Development Corporation was initiated by the agricultural industry as sugar and pineapple downsized. It was established to help transition Hawai'i's agricultural industry from plantation agriculture to smaller diversified agricultural operations. Transitioning large tracts of monoculture farmland into smaller diversified ag lots and finding and supporting bona fide farmers to work those lands is a long and complex process. Major logistical challenges such as funding and developing necessary infrastructure must also be overcome and that takes time.

Over the past decade, ADC has made significant progress in transitioning Hawai'i's agriculture sector. A critical review of post-plantation history reveals that ADC has been successful where no other entity has been in developing a productive diversified sector out of former sugar and pineapple lands. ADC also plays an important role in Kauai agriculture through the management of state agricultural lands and related water infrastructure. On Oahu, it manages the Waiahole Irrigation System that provides water to farmers on thousands of acres of productive prime agricultural lands. It will provide even more opportunities for farmers with its recent acquisition and management of thousands of acres of land in central Oahu.

HB 2418, HD1 seeks to update ADC's duties and responsibilities to adjust to the changing landscape of modern agriculture. HFB agrees that Hawai'i's agricultural industry has evolved since the inception of ADC and it continues to evolve and that there is a need to review ADC's mandate and focus to ensure it can continue to help develop and promote agricultural enterprises and provide industry-wide services.

We do agree that additional funding for administrative support and resources to fully realize ADC's potential. ADC has many responsibilities and continues to assist Hawai'i's transition from plantation agriculture to smaller diversified agricultural operations and needs the additional and necessary resources to support their efforts.

Thank you for this opportunity to provide comments on this measure.



House Committee on Finance

Hawai'i Alliance for Progressive Action (HAPA) Strongly Supports: HB2418 HD1

Wednesday, February 23rd, 2022 2:30 p.m. Conference Room 308

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

Hawai'i Alliance for Progressive Action (HAPA) strongly supports HB2418 HD1 with amendments.

HB2418 HD1 amends the focus, scope, and management of the agribusiness development corporation (ADC). The bill also appropriates funds to ADC for a consultant for planning, an accountant, and for security on ADC property.

Given the social, political and economic change in recent decades, the work of ADC is not well aligned with state goals. Its practices do not reflect modern knowledge about the impact of large scale, pesticide intensive industrial farming.

Proposed Amendments:

HB2418 HD1 goes a long way to address the agency's shortcomings, and we greatly appreciate the work of the House Investigative Committee to generate the recommendations that are reflected in HB2418 HD1. However, we respectfully request that the committee amend the bill to ensure that vacating lessee's or licensee's do not leave soils contaminated for future use. We also appreciate the House Committee on Agriculture's amendments in the current HD1 that set specific benchmarks for leasing/licensings lands for sustainable local food production. However, since the HD1 currently leave the specific percentages blank, we kindly request the following recommended percentages/benchmarks be included in SECTION 5.4.b:

(1) *At least **80 percent** of all lands within the corporation's inventory are leased or licensed for agricultural production;*

(2) *At least **50 percent** of production from the corporation's lessees or licensees is intended for local consumption and produced in accordance with the principles of sustainable agriculture; and*

(3) *At least **20 percent** of all leases and licenses of the corporation's lands are for parcels no greater than twenty acres.*

We also recommend that the bill is amended to ensure that the ADC achieve the following by July 1, 2027:

- *Leases or licenses of at least 20% of all lands within the corporation's inventory prohibit the use of any materials not compliant with the United States Department of Agriculture National Organic Program regulations pursuant to title 7 Code of Federal Regulations part 205*
- *No land within the corporation's inventory shall be leased or licensed to any agricultural operation that meets the regulatory definition of a concentrated animal feeding operation as defined by United States Environmental Protection Agency regulations pursuant to title 40 Code of Federal Regulation section 122.23.*
- *The corporation shall test the soils of all lands it leases or licenses prior to occupancy.*
- *All leases of lands under the corporation's direct or indirect control shall contain provisions requiring that prior to expiration of the lease or the lessee's or licensee's vacating of the leased property, the lessee or licensee shall procure the service of an independent third-party to test the soils and remove any and all contaminants above the levels existing at commencement of the lease or license term.*

HAPA is a Hawaii-wide organization, but grew out of the movement on Kaua'i to advocate for fair and sustainable food systems. Starting around the beginning of 2013 a groundswell of community engagement arose when local residents became concerned about their exposure to pesticide drift from agrochemical tenants on both ADC lands and privately owned lands on Kaua'i's west side. A multi-year advocacy effort to provide basic public health protections from pesticide drift ensued. While the state auditor has highlighted many failings of the ADC¹. Our testimony is largely informed by concerns arising from the ADC's mismanagement of its vast west side Kaua'i landholdings.

In January of 2021 the State Auditor released its audit report to the legislature and found that in its nearly 30 year history, the Agribusiness Development Corporation "has done little to support the development of diversified agriculture and fill the economic void created by the demise of sugar and pineapple²".

The ADC Should Be Aligned w/ State Mandates to Increase Local Food Production

Since the creation of the ADC, the state has shifted its focus from agricultural production for export towards increasing Hawaii's food production for local consumption and public procurement. The state has enacted policies to increase state procurement of locally grown and raised food, initiated a robust state-wide farm to school program and set benchmarks for the percentages of local food procurement. To successfully meet these state policies for increased procurement of local food, the management of agricultural lands under the state's purview must be aligned to support these mandates.

Farmers Identify Access to Affordable Land as a Major Barrier:

Multiple farmer surveys have been conducted which consistently find access to affordable land as the primary barrier that farmers face^{3,4}. The ADC could be leading the way in ensuring that

¹ State Audit of the Agribusiness Development Corporation, Report No. 21-01 Jan 14th 2021 <https://files.hawaii.gov/auditor/Reports/2021/21-01.pdf>

² State Audit of the Agribusiness Development Corporation, Report No. 21-01 Jan 14th 2021 <https://files.hawaii.gov/auditor/Reports/2021/21-01.pdf>

³ Malama Kaua'i Farmer Survey <https://secureservercdn.net/45.40.148.147/i79.5c3.myftpupload.com/wp-content/uploads/2019/06/2017-Kauai-Farmer-Survey-Report.pdf>

⁴ Hawaii Farmers Survey <https://www.hawaiifarmersurvey.com/>

farmers have access to the ADC inventory of lands, along with a clear and equitable process of applying for ADC leases that are sized to a variety of farmer/food producers needs. However, the audit found that “when we requested documents we believed would be essential to the day-to-day operations of a corporation that manages land and properties – such things as land management policies, land acquisition guidelines, inventories of land holdings, and tenant listings – we were informed that the requested materials did not exist and would need to be assembled⁵.”

Public Lands Should Serve the Public Good

Considering that ADC lands represent the largest swath of public (ceded) agricultural lands on Kauaʻi, lawmakers should consider the highest and best use of those lands, for the public good.

As a “public-private corporation”, in the name of bypassing “bureaucratic red tape” the legislature granted the ADC broad powers to buy, own, and develop public lands. In other words, a partly privatized entity has been granted significant control over “public” lands. Without a clear mandate as to how to serve its purpose, in practice the ADC has functioned to redistribute public lands and resources for narrow private gain through an entirely non-democratic process.

The ADC controls some of the most fertile agricultural lands on Kauaʻi, equipped with irrigation and road infrastructure from sugar days. Rather than being made available to meet State goals of local food production, they have mostly been handed over to the largest agrochemical companies in the world for research facilities. This is a huge subsidy to already extremely wealthy and heavily subsidized corporations⁶. In 2019, on the west side of Kauaʻi the State’s Public Land Trust Information lists a lease with Syngenta for 2,369 acres, with BASF for 977 acres, another with BASF for 10 acres, and one with Pioneer for 1,462 acres. These have transferred to Hartung Brothers, Becks, and Corteva, respectively.

The lands leased to agrochemical tenants have been associated with heavy pesticide usage and toxic drift into adjacent communities⁷. The 2016 Joint Fact Finding Group report *Pesticide Use by Large Agribusinesses on Kauaʻi* showed that agrochemical tenants in Kekaha directly adjacent to Hawaiian Homes purchased three times the national average of chlorpyrifos, a dangerous neurotoxin insecticide now banned by the State of Hawaiʻi and several other states⁸. The Hawaiian Homes development in Kekaha is approximately 100 feet from the ADC fields. Chlorpyrifos (which is now banned in Hawaiʻi) and other organophosphates (a certain class of insecticide) are known to drift up to a mile.^{9 10 11} Several studies have shown that proximity to agricultural fields at distances up to 0.9 mile results in maternal exposure to pesticides that is associated with neurological deficits in children, including autism, autism spectrum disorders,

⁵ State Audit of the Agribusiness Development Corporation, Report No. 21-01 Jan 14th 2021 <https://files.hawaii.gov/auditor/Reports/2021/21-01.pdf>

⁶ Corn Subsidies in the United States totaled \$116.6 billion from 1995-2020†. <https://farm.ewg.org/proqdetail.php?fips=00000&proqcode=corn>

⁷ 2016 Joint Fact Finding Group Report on Crops and Pesticides on Kauaʻi <https://www.accord3.com/crops-and-pesticides-on-kauai/>

⁸ 2016 Joint Fact Finding Group Report on Crops and Pesticides on Kauaʻi <https://www.accord3.com/crops-and-pesticides-on-kauai/>

⁹ Deziel NC et al. A Review of Nonoccupational Pathways for Pesticide Exposure in Women Living in Agricultural Areas. *Environ Health Perspect.* 2015. 123 (6) 515-524. <http://ehp.niehs.nih.gov/1408273/>

¹⁰ Simcox NJ Pesticides in household dust and soil: exposure pathways for children of agricultural families. *Environ Health Perspect.* 1995. 103:1126–1134. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1519258/>

¹¹ Waimea Community Dust Impacts, Preliminary Evaluation Report, Knox Hoversland Architects LTD. Jim A’Ana et al. v. Pioneer HiBred International, Inc. Feb 24, 2014.

and cognitive impairments^{12 13 14 15 16 17 18 19 20 21 22 23}. The science is especially strong that children living within ¼ mile of agricultural fields show neurological impacts.

Additionally, small farmers and ranchers seeking ADC leases have been denied with little to no justification. It appears that the ADC has largely handed over management of its lands to a private association, the Kekaha Agricultural Association, whose leadership and membership is largely agrochemical / seed companies. According to the state audit: “ADC also owns two water systems and associated lands on Kaua’i, a total of 18,628 acres, which are operated and maintained by the Kekaha Agricultural Association, pursuant to an agreement²⁴.”

ADC’s non-democratic process was also reflected in its handling of its Central O’ahu landholdings. Rather than work closely with the local community which had been caring for the long neglected former Dole lands in Whitmore Village the ADC issued 30 day eviction notices once it acquired the lands. The area had a history of criminal activity, so local residents had taken initiative to plant gardens and fruit trees and care for the area. The ADC ultimately bulldozed their backyard gardens²⁵. Coverage of the incident in 2018 noted that the ADC acted with an “unusual lack of accountability,” including failing to submit annual reports to the Legislature as required by law.

Mismanagement of ADC Lands and Water

ADC’s lack of oversight and mismanagement has led to water hoarding and wasting in Kekaha, ultimately leading to a contested case at the Water Commission.

Beginning in the early 1900s, the Kekaha Sugar Plantation built the Kekaha and Kōke’e ditch systems, which diverted much of the water flowing down the Waimea River and its tributaries to grow sugar. When the plantation went out of business in 2001, the State of Hawai’i took over

¹² Shelton J et al. Neurodevelopmental Disorders and Prenatal Residential Proximity to Agricultural Pesticides: The CHARGE Study. *Environ Health Perspect.* 2014 122(10): 1103-1109. <http://ehp.niehs.nih.gov/1307044/>

¹³ Shelton J and I Hertz-Picciotto. Neurodevelopmental Disorders and Agricultural Pesticide Exposures: Shelton and Hertz-Picciotto Respond. *Environ Health Perspect.* 2015. 123(4): A79–A80. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4384207/>

¹⁴ Eskenazi B et al. Organophosphate Pesticide Exposure and Neurodevelopment in Young Mexican-American Children. *Environ Health Perspect.* 2007. 115(5): 792–798. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1867968/>

¹⁵ Marks AR et al. Organophosphate pesticide exposure and attention in young Mexican-American children: the CHAMACOS Study. *Environ Health Perspect.* 2010. 118(12): 1768–1774. <http://www.ncbi.nlm.nih.gov/pubmed/21126939>

¹⁶ Gonzalez-ALzaga B. A systematic review of neurodevelopmental effects of prenatal and postnatal organophosphate pesticide exposure. *Toxicol Lett.* 2014. 230(2):104-21 <http://www.ncbi.nlm.nih.gov/pubmed/24291036>

¹⁷ Roberts EM, et al. Maternal residence near agricultural pesticide applications and autism spectrum disorders among children in the California Central Valley. *Environ Health Perspect.* 2007. 115(10):1482-9. <http://www.ncbi.nlm.nih.gov/pubmed/17938740>

¹⁸ Bouchard, MR et al. Prenatal Exposure to Organophosphate Pesticides and IQ in 7-Year-Old Children. *Environ. Health Perspect.* 2011. 119(8): 1189–1195. <https://www.ncbi.nlm.nih.gov/pubmed/21507776>

¹⁹ Marks, A, et al. Organophosphate Pesticide Exposure and Attention in Young Mexican-American Children: The CHAMACOS Study. *Environ Health Perspect.* 2010. 118(12): 1768–1774. <https://www.ncbi.nlm.nih.gov/pubmed/21126939>

²⁰ Eskenazi B et al. Exposures of children to organophosphate pesticides and their potential adverse health effects. *Environ Health Perspect.* 107 Supplement 3, June 1999. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1566222/pdf/envhper00520-0027.pdf>

²¹ Gunier RB et al. “Determinants of Agricultural Pesticide Concentrations in Carpet Dust” *Environ Health Perspect.*, July, 2011.

²² Deziel, NC et al. “Relative contributions of agricultural drift, para-occupational, and residential use exposure pathways to house dust pesticide concentrations: meta-regression of published data” *Environ. Health Perspect.*, March, 2017. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5332194/>

²³ Gunier RB et al. “Prenatal Residential Proximity to Agricultural Pesticide Use and IQ in 7-Year-Old Children.” *Environ Health Perspect.*, June, 2016. <https://ehp.niehs.nih.gov/doi/full/10.1289/EHP504>

²⁴ State Audit of the Agribusiness Development Corporation, Report No. 21-01 Jan 14th 2021 <https://files.hawaii.gov/auditor/Reports/2021/21-01.pdf>

²⁵ Civil Beat: *Surprise Eviction Notices Have This Old Plantation Community Up In Arms* October 19th 2018 <https://www.civilbeat.org/2018/10/surprise-eviction-notices-have-this-old-plantation-community-up-in-arms/>

the ditch network. The ADC leased the ditch network and lands to the Kekaha Agriculture Association (KAA). But, although the association was cultivating only a fraction of the previous plantation land, and growing much less water-intensive crops, the diversions remained at plantation-era levels, leaving vast stretches of dry stream bed in the Waimea River and headwater streams.

Proceedings before the Water Commission revealed that the association (KAA) was diverting far more water than was needed for agriculture and, instead, was using this public trust resource to feed an antiquated hydropower system that helped subsidize its operations. And much of the water was simply wasted²⁶.”

The ADC has facilitated agrochemical companies’ exemption from compliance with Clean Water Act standards by extending a decades-old sugar plantation permit to discharge toxic chemicals into the water. The exemption was recommended by the ADC because the Clean Water Act criteria would “likely be extremely difficult to meet” with more stringent federal limits for pesticide discharge now in force²⁷(pg 46-47). If we want to put things in the language of costs, this is another subsidy granted by the ADC to some of the largest corporations in the world at the expense of public health.

In 2019 the ADC was ruled to have polluted waters of West Kaua’i without a permit since 2015 by a federal judge, violating a federal Clean Water Act²⁸. The ruling stems from the ADC lacking a permit to drain polluted waters since it’s permit expired in 2015. The water was found to contain the herbicide Glyphosate, which has been linked to cancer and 2 billion dollars in lawsuit winnings over the use of popular Glyphosate-based herbicide Roundup^{29,30}.

Discrepancies in Reporting on Kaua’i ADC Landholdings

It is worth noting that there are discrepancies in the ADC’s reports on its landholdings on Kaua’i. In addition to concerns raised by the auditor regarding poor record keeping, this discrepancy in reporting (not included in the auditor’s report) should also be cause for concern.

According to the ADC’s 2018 report to the legislature, the agency reported to manage a total of 35,000 acres on Kaua’i - 28,000 acres of land in Kekaha, and 7,000 acres of former Lihue Plantation land (now referred to as Kalepa)³¹.

Yet in the ADC’s 2019 report to the legislature, the agency reported to manage a total of 19,000 acres on Kaua’i - 12,000 acres of land in Kekaha, and 7,000 acres of Kalepa lands³².

The state auditor’s report states: “when Kekaha Sugar Company on Kaua’i shuttered, ADC became involved in the management of 12,500 acres of state agricultural land and related infrastructure, including the former Kekaha and Koke’e plantation irrigation systems. After

²⁶ Earthjustice: Flows Restored to Waimea and Grand Canyon of the Pacific April 18th 2017 <https://earthjustice.org/news/press/2017/flows-restored-to-waimea-river-and-grand-canyon-of-the-pacific>

²⁷ 2016 Joint Fact Finding Group Report on Crops and Pesticides on Kaua’i <https://www.accord3.com/crops-and-pesticides-on-kauai/>

²⁸ United States District Court CIVIL NO. 18-00005 DKW-RLP https://earthjustice.org/sites/default/files/files/Order_Summary-Judgment-and-Dismissal_2019-07-09.pdf

²⁹ Jury orders Monsanto to pay 2 billion in roundup weed killer cancer case <https://www.usatoday.com/story/money/2019/05/13/weed-killer-cancer-case-jury-orders-monsanto-pay-2-billion/1194572001/>

³⁰ KHON: State guilty of violating Clean Water Act on Kauai with cancer-linked Glyphosate, other pesticides July 15, 2019 <https://www.khon2.com/news/state-guilty-of-violating-clean-water-act-on-kauai-with-cancer-linked-glyphosate-other-pesticides/>

³¹ ADC Annual Report 2019 <https://hdoa.hawaii.gov/wp-content/uploads/2019/01/DOA-ADC-Annual-Report-2018.pdf>

³² ADC Annual Report 2019 <https://hdoa.hawaii.gov/wp-content/uploads/2019/01/DOA-ADC-Annual-Report-2018.pdf>

making a number of improvements and formally assuming management of the state land in 2003, ADC entered into an agreement with the Kekaha Agriculture Association, an agricultural cooperative, to operate and maintain common infrastructure. ADC also issued long-term land leases to several tenants³³ (Page 9, footnote 5)

This lack of clarity raises concerns about what degree of oversight the agency actually has over its West Kauaʻi landholdings.

Incentivize Regenerative Farming Practices on Public Lands

Public lands can and should serve as a resource for small-scale regenerative agriculture solutions that can feed our communities and manage Hawaiʻi's agricultural lands for future abundance. However, the failures of the ADC have hindered Hawaiʻi's potential for a diversified and sustainable food economy.

Lawmakers should prioritize regenerative agroecology farming operations that utilize soil and water conservation practices and climate friendly approaches. Regenerative farming practices provide an array of environmental benefits: preventing run-off into nearshore fisheries and coral reefs, sequestering carbon in the soil while rebuilding soil health and capturing carbon through agroforestry approaches^{34, 35}.

Additionally, lawmakers should further support the revitalization of native Hawaiian food systems. There are a plethora of successful grassroots efforts to restore Hawaiʻi's food security rooted in ancestral wisdom of how to feed our communities sustainably while managing natural resources for future abundance. Many of these projects are succeeding despite the lack of access to affordable leases and water and resources of the ADC.

COVID-19 has revealed the socio-ecological fragility of our current industrial-globalized food systems on a world wide scale and here in Hawaiʻi. The effects of the pandemic on farming and food supply chains raises concerns about widespread food shortages and price spikes. A transition to more socially just, ecologically resilient, localized food systems is therefore urgently needed and drastically increasing small scale food production agriculture is the solution³⁶.

Work with Farmers and Food Systems Experts to Create a Plan

Several farmers and food systems experts we spoke to believe that an inclusive, stakeholder driven process is desperately needed to create a plan for the future of Hawaiʻi's agricultural lands and water systems. The ADC was tasked with creating a strategic plan 27 years ago. Today a well developed plan is still vitally needed to advance a comprehensive and sustainable approach for managing Hawaiʻi's agricultural lands.

The creation of the ADC agribusiness plan should make an effort to include regenerative/organic farmers, representatives from some of the many local organizations engaged in ʻāina-based projects that incorporate restoration of native Hawaiian food systems, food production, community education and environmental stewardship.

³³ State Audit of the Agribusiness Development Corporation, Report No. 21-01 Jan 14th 2021 <https://files.hawaii.gov/auditor/Reports/2021/21-01.pdf>

³⁴ Regeneration International: *Why Regenerative Agriculture?* <https://regenerationinternational.org/why-regenerative-agriculture/>

³⁵ The Journal of Peasant Studies: Agroecology and the reconstruction of a post-COVID-19 agriculture June 2nd 2020 <https://www.tandfonline.com/doi/full/10.1080/03066150.2020.1782891?journalCode=fjps20>

³⁶ The Journal of Peasant Studies: Agroecology and the reconstruction of a post-COVID-19 agriculture June 2nd 2020 <https://www.tandfonline.com/doi/full/10.1080/03066150.2020.1782891?journalCode=fjps20>

HB2418 HD1 is critical to reaching our local food production goals and transforming our agricultural sector into a just, flourishing and prosperous one.

Please support HB2418 HD1 with the proposed amendments.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Anne Frederick', with a long horizontal stroke extending to the right.

Anne Frederick
Executive Director

HB-2418-HD-1

Submitted on: 2/20/2022 4:22:54 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Megan Fox	Malama Kaua'i	Support	No

Comments:

If Hawai'i is to meet its goals of doubling food production for local consumption, the agency must be reformed, and these changes will make its lands more productive and accessible. These changes will help ADC to be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption.

HB-2418-HD-1

Submitted on: 2/22/2022 10:23:45 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sylvia Dolena	Pele Lani Farm LLC	Support	No

Comments:

I strongly support HB2418

HB-2418-HD-1

Submitted on: 2/20/2022 5:39:40 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John & Rita Shockley	FREE ACCESS COALITION	Support	No

Comments:

Aloha!

The Free Access Coaliton supports HB2418 hoping that reform can come to the Agriculture allocation for more free access to farm lnad from the State.

Mahalo for your time.

HB-2418-HD-1

Submitted on: 2/20/2022 4:33:16 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John NAYLOR	Individual	Support	No

Comments:

Aloha,

I support HB2418

Mahalo JN Makawao

HB-2418-HD-1

Submitted on: 2/20/2022 5:22:01 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
B.A. McClintock	Individual	Support	No

Comments:

[Several studies](#) have shown that [small farmers](#) overwhelmingly identified a lack of access to affordable, right-sized farm leases as a major barrier to farming. If Hawai‘i is to meet its goals of doubling food production for local consumption, the agency must be reformed. Rather than focusing on using agribusiness for export, ADC-managed lands could be used to strengthen Hawai‘i’s food security. The ADC should be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption.

Please support this important bill.

It is critical that our government agencies manage Hawai‘i’s public lands for the public good.

HB-2418-HD-1

Submitted on: 2/20/2022 5:26:09 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
melani palmer	Individual	Support	No

Comments:

We have been talking about sustainability and food production for many years now. With inflation increasing and resources planet-wide becoming more and more depleted, we need to move on this plan. If we are going to meet our goals towards doubling food production for local consumption, the agency must be reformed. We need to be focusing on supporting a multitude of small farms with less emphasis on agribusiness for export,. Let's consider using ADC-managed lands to support and expand food security here at home. Strengthen Hawai'i's food security! Let us move on our plan for food security, and regenerative farming through small farms as well as larger scale farms.

HB-2418-HD-1

Submitted on: 2/20/2022 5:57:29 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ruta Jordans	Individual	Support	No

Comments:

Given the social, political, and economic change in recent decades, the work of ADC is not well aligned with state goals. Its practices do not reflect modern knowledge about the impact of large-scale, pesticide-intensive industrial farming. The ADC should also do the following:

- Prioritize entering into lease agreements designed to increase the production of local agricultural products. Set lease sizes appropriately to support small and mid-sized food producers.
- Establish requirements regarding the amount of leases set aside for the production of local agricultural products for local consumption.
- Test its land soils and demand lessees and licensees to remediate soil prior to vacating ADC lands.

Several studies have shown that small farmers overwhelmingly identified a lack of access to affordable, right-sized farm leases as a major barrier to farming. If Hawai‘i is to meet its goals of doubling food production for local consumption, the agency must be reformed. Rather than focusing on using agribusiness for export, ADC-managed lands could be used to strengthen Hawai‘i’s food security. The ADC should be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption.

It is critical that our government agencies manage Hawai‘i’s public lands for the public good.

HB-2418-HD-1

Submitted on: 2/20/2022 6:31:10 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rexann Dubiel	Individual	Support	No

Comments:

This must be passed!

The ADC has neglected to do what it was designed to do.

Jimmy Nakatani saying he was too busy to address an audit was wrong.

We need more oversight.

We need transparency and accountability.

This bill will provide that.

Again please, pass.

Thank you.

HB-2418-HD-1

Submitted on: 2/20/2022 7:31:07 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sherry Pollack	Individual	Support	No

Comments:

I support HB2418 with the HD1 amendments.

If Hawaii is to meet its goals of doubling food production for local consumption, the ADC must be reformed. ADC-managed lands should be used to strengthen Hawaii's food security. The ADC should be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption.

Mahalo for the opportunity to testify.

HB-2418-HD-1

Submitted on: 2/20/2022 10:49:11 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Thomas Brandt	Individual	Support	No

Comments:

Strong support!

HB-2418-HD-1

Submitted on: 2/21/2022 5:08:34 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
geoffrey saign	Individual	Support	No

Comments:

I reject bill **SB2473 SD1**.

Look, family and small farms feed the world. Big AG has been opposed everywhere by citizens, including in Hawaii, and the only reason they are still around is they buy off, literally, politicians, government officials, and anyone else in their way.

Please support your small farmers. They matter. Profits for big AG do not! This bill supports sustainable farming and local farming--Big AG is a big reason for climate problems, for toxic chemicals in everyone's bodies, for harming our water, food, wildlife, insect populations, and the bodies of our children. Big AG puts our future at risk for immediate profits. They simply DO NOT CARE. Do you care about any of that? I hope so. Do the right thing. Support HB2418HD1!

Sincerely,

Geoffrey Saign

My background is as an educator, writer, biologist, and environmentalist.

HB-2418-HD-1

Submitted on: 2/21/2022 8:42:15 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dennis O'Shea	Individual	Support	No

Comments:

I strongly support this bill and hope my Reps will too.

Hawaii must move toward small farmers grow healthy food for local consumption and away from big agrabusiness growing GMO crops and other crops for export.

Mahalo.

HB-2418-HD-1

Submitted on: 2/21/2022 9:31:43 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ashley Lee	Individual	Support	No

Comments:

Aloha,

I support bill HB2418.

If Hawai‘i is to meet its goals of doubling food production for local consumption, the agency must be reformed. Rather than focusing on using agribusiness for export, ADC-managed lands could be used to strengthen Hawai‘i’s food security.

It is critical that our government agencies manage Hawai‘i’s public lands for the public good.

The Hawai‘i State Auditor described the ADC as an agency that "has done little – if anything – to facilitate the development of agriculture enterprises to fill the economic void created by the demise of the sugar and pineapple industries."

Several studies have shown that small farmers overwhelmingly identified a lack of access to affordable, right-sized farm leases as a major barrier to farming. If Hawai‘i is to meet its goals of doubling food production for local consumption, the agency must be reformed. Rather than focusing on using agribusiness for export, ADC-managed lands could be used to strengthen Hawai‘i’s food security. The ADC should be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption.

In 2021, a state audit revealed that the ADC has failed to fulfill its mission within its nearly 30-year existence. They found that the ADC was lacking in deep agricultural expertise. The ADC should seek to increase the agricultural expertise on its board and staff through its strategic planning process.

Despite being required by statute, the ADC never developed an agribusiness plan for defining and establishing goals, objectives, policies, and priority guidelines. Having this plan in place would help the agency to fulfill its mission.

For our future generations we owe it to them to do better than the path we've been taking. Anything that we can do to encourage local food production for local consumption in a sustainable way is of the utmost importance in our state.

Mahalo for your time.

With Aloha,
Ashley Lee

HB-2418-HD-1

Submitted on: 2/21/2022 10:09:16 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Shannon Rudolph	Individual	Support	No

Comments:

Support w/amendments

Ok, I'll bite... even though I have zero faith the ADC CAN be 'reformed'.

HB-2418-HD-1

Submitted on: 2/21/2022 10:25:25 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michal Stover	Individual	Support	No

Comments:

I support HB2418 HD1 because it provides comprehensive and meaningful reform of the Agribusiness Development Corporation (ADC) and amends the purpose of the agency to shift from a focus on crops for export to farming and food production for local consumption. This is important to assure Hawai'i's food security. Thank you.

HB-2418-HD-1

Submitted on: 2/21/2022 11:18:37 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
janice palma-glennie	Individual	Support	No

Comments:

Aloha,

As a member of the ag community for over 30 years in Kona, i ask that you please support HB2418 HD1 with amendments. among making other important changes, this bill will help make meaningful, overdue reform to the Agribusiness Development Corporation (ADC) by amending the agency's purpose to move from a crops for export goal to farming and food production for local consumption while providing greater oversight and direction for the executive director to ensure the agency is being managed to meet its goals for increasing local food production.

mahalo for supporting this bill's draft with amendments as described.

sincerely,

janice palma-glennie

kailua-kona

HB-2418-HD-1

Submitted on: 2/21/2022 7:09:44 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
jeanne wheeler	Individual	Support	No

Comments:

I strongly support this bill, please pass it.... Mahalo, JW

HB-2418-HD-1

Submitted on: 2/21/2022 7:33:36 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Elizabeth Hansen	Individual	Support	No

Comments:

I support this bill with amendments [Several studies](#) have shown that [small farmers](#) overwhelmingly identified a lack of access to affordable, right-sized farm leases as a major barrier to farming. If Hawai‘i is to meet its goals of doubling food production for local consumption, the agency must be reformed. Rather than focusing on using agribusiness for export, ADC-managed lands could be used to strengthen Hawai‘i’s food security. The ADC should be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption. It is critical that our government agencies manage Hawai‘i’s public lands for the public good.

HB-2418-HD-1

Submitted on: 2/21/2022 8:00:18 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rodger Hansen	Individual	Oppose	No

Comments:

As a registered voter in Hakalau HI 96710, and a small farmer, I support this bill.

Mahalo.

HB-2418-HD-1

Submitted on: 2/21/2022 11:11:40 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sandra Herndon	Individual	Support	No

Comments:

Please pass this bill so that we can restore the farmer's ability to access a level playing field for food production. The ADC has become a blight on the reputation of Hawaii's government, twisting the intention of food production and selling out to those who use our `aina for their own gain, while poisoning our lands. That agency, has for a long time forgotten the true purpose - their kuleana-- to create and support successful agricultural production for the Islands. A reformed agency needs to be vigilant in their accounting of funds, setting goals and benchmarks to be monitored, and using honesty and integrity in providing contracting to small farmers, whose desire is to grow our food for our people and care for the land. Mahalo!

HB-2418-HD-1

Submitted on: 2/21/2022 11:15:18 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Janet L Pappas	Individual	Support	No

Comments:

Dear FIN members,

I strongly support HB2418HD1. I agree with the shift in focus from food exporting to sustainable local food production. This requires much greater support for small and medium-sized farms including appropriately-sized farm lease agreements.

There is no reason Hawaii can't be more food self-sufficient. Passing this bill will allow more farmers to help Hawaii to meet its goal of doubling local food production.

For the good of the people, please pass this bill.

Sincerely,

Jan Pappas

Aiea, Hawaii 96701

HB-2418-HD-1

Submitted on: 2/22/2022 7:50:18 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
cheryl hendrickson	Individual	Support	No

Comments:

[Several studies](#) have shown that [small farmers](#) overwhelmingly identified a lack of access to affordable, right-sized farm leases as a major barrier to farming. If Hawai‘i is to meet its goals of doubling food production for local consumption, the agency must be reformed. Rather than focusing on using agribusiness for export, ADC-managed lands could be used to strengthen Hawai‘i’s food security. The ADC should be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption.

It is critical that our government agencies manage Hawai‘i’s public lands for the public good.

HB-2418-HD-1

Submitted on: 2/22/2022 12:30:54 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jessica Kuzmier	Individual	Support	No

Comments:

Aloha, I would like to write concerning HB2418, which is intended to reform of the Agribusiness Development Corporation (ADC).

This bill is necessary as we change our focus from agribusiness to sustainable and local food production, lowering our carbon footprint and while instilling the dignity of providing for ourselves through our own production. If the pandemic taught us anything, food security is essential for a working society, and the ability to feed ourselves, especially in an amenable climate such as Hawaii is an important objective to pursue.

The bill will legislate several things pertaining to the ADC:

The most important objective is as was mentioned, that it amends the purpose of the agency to shift from a focus on crops for export, to farming and food production for local consumption. If the bill accomplishes nothing else, this is the most important of all the aspects of the shift in policy.

Other objectives include ensuring a variety of agricultural expertise on the governing board of directors that has a focus on sustainable local food production and comprehensive strategic plans developed with a focus on Hawaii's farmer and food producer needs is created for the agency. This would be informed by an analysis of farmer and food producer needs throughout Hawai'i. The plan would be reviewed annually to ensure the agency is meeting goals and benchmarks.

Additionally, there would be provisions for greater oversight and direction to ensure the agency is being managed to meet its goals for increasing local food production through an executive director. The bill strategizes this through legislating lease agreements so that they are better designed to increase the production of local agricultural products, and setting lease sizes appropriately to support and favor small and mid-sized food producers so that local farmers can be financed and protected. The bill also establishes requirements regarding the amount of leases set aside for the production of local agricultural products for consumption for those here in Hawaii.

I am in favor of all of this, so that we can safely guarantee the livelihood of our own food needs so that we are self-supporting, instead of placing ourselves in the position of food insecurity

when it is completely unnecessary due to the nature of our island world. Please pass this most important bill.

Mahalo for listening to my concerns and for your hard work.

HB-2418-HD-1

Submitted on: 2/22/2022 7:50:25 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ashley Galacgac	Individual	Support	No

Comments:

Providing comprehensive and meaningful reform of the Agribusiness Development Corporation (ADC) will significantly transform our food system in Hawai'i and amending the purpose of the agency to shift from a focus on crops for export to farming and food production for local consumption. We need to ensure that local farmers are able to thrive in Hawai'i because the strength of our communities relies on access to healthy local foods grown here.

Several studies have shown that small farmers overwhelmingly identified a lack of access to affordable, right-sized farm leases as a major barrier to farming. If the state is to meet its local food production goals, the ADC should be a part of the solution in prioritizing access for farmers that are committed to sustainably producing food for local consumption.

Please pass HB 2418 HD1.

HB-2418-HD-1

Submitted on: 2/23/2022 6:57:28 AM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Walter Ritte	Individual	Support	No

Comments:

I am in strong support of HB2418 with amendments. I am in support of testimony from HAPA.

WALTER RITTE