

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

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State of Hawaii
DEPARTMENT OF AGRICULTURE
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TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON
AGRICULTURE

FEBRUARY 11, 2022
10:00 A.M.
VIDEOCONFERENCE

SENATE BILL NO. 2418
RELATING TO AGRICULTURE

Chairperson Hashem and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2418. 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.

HB-2418

Submitted on: 2/10/2022 5:21:01 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

Available for questions.

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 COMMITTEE ON AGRICULTURE
Friday, February 11, 2022
10:00 a.m.
VIA VIDEO CONFERENCING

HOUSE BILL NO. 2418
RELATING TO AGRICULTURE

Chairperson Hashem and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2418. 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-3(b), HRS, which changes the composition of the ADC Board of Directors, we believe this change is unnecessary and that the current makeup fairly represents the agriculture community. Our current Board includes three members who sit on the Board of Agriculture, Native Hawaiians,

and an organic farmer. ADC notes that, with respect to finding qualified nominees willing to serve as volunteers, it is difficult filling current vacancies.

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.

Lastly, since we are discussing amending Chapter 163D, HRS, we would like to suggest repealing Section 163D-8.5, HRS in its entirety. As previously mentioned, three of ADC’s eleven Board members also sit on the Board of Agriculture, which includes the Chairperson of the Board of Agriculture. Removing the requirement that all agricultural projects, agricultural development plans, and project facility programs developed by the corporation must be approved by the Board of Agriculture before implementation would minimize duplication of effort.

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.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
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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 AGRICULTURE
ON
HOUSE BILL NO. 2418

February 11, 2022
10:00 a.m.
Room 325 and Videoconference

RELATING TO AGRICULTURE

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

House Bill No. 2418 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.



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February 11, 2022

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON HB 2418
RELATING TO AGRICULTURE

Conference Room 325 & Videoconference
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 provides comments on HB 2418, 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 Hawaii'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 Hawaii'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 seeks to update ADC's duties and responsibilities to adjust to the changing landscape of modern agriculture. HFB agrees that Hawaii'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 Hawaii's transition from plantation agriculture to smaller diversified agricultural operations and needs the additional and necessary resources to support their efforts.

We are concerned about the proposed changes to the structure of the ADC board of directors. ADC was established to be business-minded and entrepreneurial. The ADC board should reflect that mandate. The Legislature has the ability to interview ADC Board candidates under the Senate's "advise and consent" process. The candidate selection should be based on experience and knowledge of making a successful farming venture.

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



House Committee on Agriculture

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

Friday, February 11th, 2022 10:00 a.m. Conference Room 325

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

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

HB2418 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.

HB2418 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. However, we respectfully request that the committee also amend HB2418 to set more specific requirements for the amount of land leased or licensed for food production for local consumption. Additionally, please ensure that vacating lessee's or licensee's do not leave soils contaminated for future use.

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

- *At least 80% of all lands within its inventory are leased or licensed for agricultural production*
- *At least 50% of production from its lessees or licensees is intended for local consumption and produced in accordance with the principles of sustainable agriculture*
- *At least 20% of all leases and licenses of its lands are for parcels no greater than twenty acres*
- *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 11 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 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.”

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/>

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>

Public Lands Should Serve the Public Good

Considering that ADC lands represent the largest swath of public (ceded) agricultural lands on Kaua'i, 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 Kaua'i, 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 Kaua'i 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 Kaua'i* 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 Hawai'i and several other states⁸. The Hawaiian Homes development in Kekaha is approximately 100 feet from the ADC fields. Chlorpyrifos (which is now banned in Hawai'i) 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,

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

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

⁸ 2016 Joint Fact Finding Group Report on Crops and Pesticides on Kaua'i <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. 118:1768–1774. <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 is critical to reaching our local food production goals and transforming our agricultural sector into a just, flourishing and prosperous one.

Please support HB2418 with the proposed amendments.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Anne Frederick". The signature is fluid and cursive, with a long horizontal stroke at the end.

Anne Frederick
Executive Director

HB-2418

Submitted on: 2/10/2022 12:58:08 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kylie Cruz	Earthjustice	Support	Yes

Comments:

I support this bill and will provide oral testimony at the 2/11/2022 hearing.



PO Box 1177 Koloa HI 96756
808.652.5286 hawaiiSEED.org

February 9, 2022

IN STRONG SUPPORT OF HB 2418

Aloha Chair, Vice Chair and House AGR Committee members,

In the words of Wendall Berry, “The care of the Earth is our most ancient and worthy, and after all our most pleasing responsibility. To cherish what remains of it and to foster its renewal is our only hope.”

The Agribusiness Development Corporation (ADC) must be reformed. Since 1994, with large amounts of funding, they have failed in their mission. We must get the ADC on track to perform with integrity. The scathing audit shows the depth of mismanagement, damage to the land and criminal activity.

As stated in this Bill, I find these points critical: the legislature finds that the downsizing of the sugar and pineapple industries presented an unprecedented opportunity for the conversion of agriculture into a dynamic growth industry. By caring for public agricultural lands to enhance the local economy, provide employment opportunities, decrease reliance on imported agricultural products, and provide more sources of locally grown food for residents.

Thousands of acres of agricultural lands and abundant irrigation water that are available since the downsizing of the sugar and pineapple industries left vacant a valuable inventory of supporting infrastructure including irrigation systems, roads, drainage systems, processing facilities, workshops, and warehouses which are still largely under-utilized.

The people of Hawai‘i would benefit and be more food secure by making optimal use of agricultural lands for local food production and create jobs near communities for the economic, environmental, and social benefit for the people of Hawaii.

The benefit of supporting and solidifying the production of local agricultural products for local consumption in a manner that is economically and environmentally sustainable to supply our residents, institutions and visitors is necessary in an ever-changing world. We must not only prepare, but catch up to the lag in 28+ years of mandated preparation that has been squandered.

With our isolation and the certainty of sea level rise and climate change, food, clean water and healthy soil must be a priority to ensure good health, well-paying jobs and opportunity for generations to come.

Increasing local production of agricultural products for local consumption reduce the State’s reliance on imported agricultural products, Increased access to farmland and related infrastructure for small local farmers and diversified cooperatives is an honorable and necessary direction that has not received the attention and action that the Agricultural Development Corporation was created for.

We want the future of non-toxic agriculture and healthy food production to succeed. These large areas of acquired land and abundant resources may be needed, and should be ready, to feed the entire island chain in case of drought or unforeseen disaster. Let us correct and re-design the agricultural use of the lands under the management of the ADC.

Please support HB 2418 and reform the ADC,

Jeri Di Pietro, President

Hawai'i SEED
Koloa, HI 96756



Hawai'i Food+ Policy
Providing Comments in Regards to HB2418

February 8, 2022

To the honorable members of the House Agriculture Committee,

The Hawai'i Food+ Policy provides comments regarding HB2418 in hopes to reform the ADC in a meaningful way. In light of the recent audit, we should still consider if resources are better allocated to directly benefit our farmers rather than further bureaucracy and mismanagement from this agency. However, despite sentiments that the ADC is beyond reform and should be repealed, we would like to maintain an open mind and space for the opportunity of healing from such mismanagement and issues.

On pages 5 & 6 of the bill it mentions the expansion of the board to have 13 voting members, 10 of which appointed by the governor with at least 5 needing qualifications that come with experiences that have to do with Agriculture, traditional customary practices, and organic and natural farming. That is **NOT** a majority, we would request that more voting members be subject to further qualifications to manage this agency, including a voting member from OHA as the landholdings of the ADC include seized Crown and Hawaiian Kingdom government lands. There should be at least 3 members who have organic and natural farming expertise and experience as a mediation to GMO and Conventional farmers driving the conversation. We need to find a better balance.

Under **§163D-4 Powers; generally, the removal of sections 10 and 11** weakens the ability of the ADC to assist farmers in market planning. Therefore the ADC should keep the aforementioned sections, and other sections regarding marketing to provide data that can help support the argument to revitalize and enhance our food systems.

Another change which we observed is **§163D-5 Hawaii Agribusiness Plan, in section 1** it adds "...that the inventory of agricultural lands under this paragraph shall be agricultural lands within the purview of the corporation" with only 5 people having qualifications for such decision-making (which is again not a majority), we question if this added section would open the door for others to be sway members and influence the future of these agricultural lands, and with the absence of someone representing the "ceded lands trust" better referred to as "seized lands" there may be a lack of understanding of the legalities and effects of disposition of such lands.

Mahalo for taking the time to read our comments on HB2418.

Mahalo,
Bronson Azama

HB-2418

Submitted on: 2/9/2022 8:33:50 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

The ADC Must Be Reformed - SUPPORT HB2418 w/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.

www.WeAreOne.cc

HB-2418

Submitted on: 2/10/2022 10:17:47 AM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Juan Wilson	IslandBreath.org	Support	No

Comments:

The future is rushing at us and will deliver another reality than we are accustomed to. The future for Hawaii will not rely on devility of packaged frozen GMO vegetables drenched high fructose corn syrup grown 5,000 miles away.

Local organic farming is the future for us all.

HB-2418

Submitted on: 2/9/2022 12:13:44 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

I support this bill even though I know there is no way in hell that the ADC CAN be 'reformed'; it's a rat's nest & always has been.

It's past time to COMPLETELY REPEAL the ADC & put it back into the AG Dept. (Not DBEDT!) Nothing is going to 'fix it' & you're wasting your time & our money. #grrrr

HB-2418

Submitted on: 2/9/2022 12:14:47 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
denise woods	Individual	Support	No

Comments:

Aloha,

Please support this bill to help shift Hawaii to having a more sustainable farming future. As part of the goal to make Hawaii more sustainable, we need to focus away from exporting ag and look more closely at ag that helps feed Hawaii. There are many other reasons I support this bill. Thank You.

Denise Woods

HB-2418

Submitted on: 2/9/2022 12:26:17 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

I strongly support this bill.

It is way past time for Hawaii to become food self-sufficient and stop pandering to mainland agribusiness poisoning us and our aina.

HB-2418

Submitted on: 2/9/2022 12:36:40 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Stephanie Austin	Individual	Support	No

Comments:

Please support this important legislation to revamp and reform the ADC!

it has been a shocking and inexcusable example of wasting the taxpayers money, as well as perpetuating inequity.

HB-2418

Submitted on: 2/9/2022 1:04:37 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

The ADC has done more harm than good and needs a serious overhaul.

HB-2418

Submitted on: 2/9/2022 1:42:42 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Whendi Grad	Individual	Support	No

Comments:

I strongly support this bill as the ADC has not done its job to help support Hawaiian agriculture.

If Hawai'i is to double food production for local consumption, it must reform the agency. For example, rather than using agribusiness for export, Hawaii could use ADC-managed lands to strengthen Hawai'i's food security.

It is an embarrassment for the State to continue supporting this current agency which has such a miserable track record and proven instances of corruption.

Mahalo for your attention,

Whendi Grad

HB-2418

Submitted on: 2/9/2022 2:20:41 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Anne Miller	Individual	Support	No

Comments:

Please pass HB2418 with the following amendments:

- 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

HB-2418

Submitted on: 2/9/2022 2:31:09 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Barbara Penn	Individual	Support	No

Comments:

I am in support of HB2418. We need access to farm lands at affordable prices. It is ridiculous that we import so much of our food. We also need a slaughterhouse on Kauai to farm the feral pigs and chickens for food. They are such a nuisance and out of control.

Mahalo,

Barbara Penn

Wailua Kauai

HB-2418

Submitted on: 2/9/2022 2:44:15 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Fern Anuenue Holland	Individual	Support	No

Comments:

Strong support for major reform of the ADC to benefit local regenerative food production agriculture for Hawai'i. Mahalo for this bill!

HB-2418

Submitted on: 2/9/2022 2:56:06 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
marjorie erway	Individual	Support	No

Comments:

Since this bill ensures that a comprehensive strategic plan 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.

It also provides greater oversight and direction for the executive director to ensure the agency is being managed to meet its goals for increasing local food production.

There is still work to be done, but I urge you to support this bill for now and then continue working on the concept for next legislature session.

Mahalo for your consideration!

HB-2418

Submitted on: 2/9/2022 3:00:08 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Submitted on: 2/9/2022 4:11:50 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

Aloha Honorable House of Representatives,

I am in strong support of HB 2418 that aims to reform the ADC in order to better align it with our agriculture and climate change goals here in Hawaii. The Audit last year of the ADC is extremely alarming and we need to make sure we have leaders of the ADC that want to grow food in Hawaii for the people of Hawaii and make sure we are not using large amounts of pesticides. We can no longer make agriculture about giving land leases to large agrochemical companies that do toxic testing on our soil that polutes water and soil.

I agree with the Hawaiian Alliance for Progressive Action and support this bill that:

- Amends the purpose of the agency to shift from a focus on crops for export to farming and food production for local consumption.
- Ensures a variety of agricultural expertise on the governing board of directors, including a focus on sustainable local food production.
- Ensures that a comprehensive strategic plan 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.
- Provides greater oversight and direction for the executive director to ensure the agency is being managed to meet its goals for increasing local food production.

What Should be added to the bill are:

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

Mahalo,

Fitz

HB-2418

Submitted on: 2/9/2022 6:44:47 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
carol lee kamekona	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

Submitted on: 2/9/2022 7:20:52 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mackenzie Feldman	Individual	Support	No

Comments:

The ADC has failed to fulfill its mission within its nearly 30-years of existence. The ADC has also faced additional scandals throughout the years. This includes being sued for blatantly mismanaging land and water resources, [people dying on ADC-managed lands](#), denying local farmers leases without justification, [violating the Clean Water Act](#), allowing tenants to operate without formal leases, and leasing the majority of their landholdings to agrochemical companies that test experimental pesticides and grow herbicide-resistant seed crops.

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.

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.

The state audit 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. According to James Nakatani, the Executive Director of the ADC, “no one [at the agency] has a deep agricultural background.”

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.

Proposed Amendments:

Please amend HB2418 to set more specific requirements for the amount of land leased or licensed for food production for local consumption. Additionally, please ensure that vacating lessee's or licensee's do not leave soils contaminated for future use.

We recommend that the ADC ensures the following by July 1, 2027:

- At least 80% of all lands within its inventory are leased or licensed for agricultural production
- At least 50% of production from its lessees or licensees is intended for local consumption and produced in accordance with the principles of sustainable agriculture
- At least 20% of all leases and licenses of its lands are for parcels no greater than twenty acres
- 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.

Thank you,

Mackenzie

HB-2418

Submitted on: 2/9/2022 8:34:07 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sherryl Royce	Individual	Support	No

Comments:

To: Agriculture Committee (AGR), Chair Mark J Hashem and Vice Chair Amy A Perruso

I strongly support HB2418.

HB2418 seeks to reform the ADC by changing its focus from supporting the exporting of our food crops to supporting food production for local consumption. In this time of climate change and food uncertainty, it is important that Hawaii increase its food security.

Around WWII, the US military did a study that found that an island nation needs to supply at least 50% of its food supply locally in order to survive a lengthy disruption to shipping routes. Hawaii has not produced half its food supply since the 1960s.(1) It's been stated that Hawaii would last 1-2 weeks if cut off from its shipped food supply. The ADC must focus on ways to support small and mid-size farmers so we can increase our food self-sufficiency. HB2418 is a step in the right direction.

Sherryl Royce

1. <https://www.civilbeat.org/2021/01/hawaiis-food-system-is-broken-now-is-the-time-to-fix-it/>

HB-2418

Submitted on: 2/9/2022 10:13:32 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jessica Waia'u	Individual	Support	No

Comments:

Aloha,

My name is Jessica Waia'u and I am a Hilo resident. I support this HB2418 with amendments. The ADC needs a comprehensive overhaul and plan that centers Hawai'i's food security. The focus should be providing local communities with affordable and healthy food, not trying to make a profit on exports. If we are to meet our food production goals, then this agency needs to fulfill its responsibilities and make significant improvements.

Please amend HB2418 to set more specific requirements for the amount of land leased or licensed for food production for local consumption. Additionally, please ensure that vacating lessee's or licensee's do not leave soils contaminated for future use.

We recommend that the ADC ensures the following by July 1, 2027:

- At least 80% of all lands within its inventory are leased or licensed for agricultural production
- At least 50% of production from its lessees or licensees is intended for local consumption and produced in accordance with the principles of sustainable agriculture
- At least 20% of all leases and licenses of its lands are for parcels no greater than twenty acres
- 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.

Mahalo,

Jessica Waia'u

HB-2418

Submitted on: 2/10/2022 7:12:48 AM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maria Maitino	Individual	Support	No

Comments:

To State House Representatives,

I strongly support HB2418 with amendments. The audit clearly showed the ADC has failed to accomplish its mission over the 30 years since it was created. Operating with little accountability, this agency has done nothing to promote and implement a plan to support local agriculture and consumption.

With lawsuits for mismanagement, people dying on ADC-managed lands, violation of the Clean Water Act among the many problems this agency has, a set of recommendations has resulted in HB2418.

This bill addresses the problems, providing greater oversight to ensure our government agencies manage Hawaii's public lands for the public good.

Please support HB2418.

Thank you,

Maria Maitino, Kilauea, Kauai

HB-2418

Submitted on: 2/10/2022 8:39:56 AM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Melissa Barker	Individual	Support	No

Comments:

Please support HB2418, Agriculture Developement Corporation reform, with amendments.

Thank you,

Melissa Barker

Kapaa, Kauai

HB-2418

Submitted on: 2/10/2022 11:46:37 AM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kathy Feldman	Individual	Support	No

Comments:

Please amend HB2418 to set more specific requirements for the amount of land leased or licensed for food production for local consumption. Additionally, please ensure that vacating lessee's or licensee's do not leave soils contaminated for future use.

We recommend that the ADC ensures the following by July 1, 2027:

- At least 80% of all lands within its inventory are leased or licensed for agricultural production
- At least 50% of production from its lessees or licensees is intended for local consumption and produced in accordance with the principles of sustainable agriculture
- At least 20% of all leases and licenses of its lands are for parcels no greater than twenty acres
- 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 11 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.

HB-2418

Submitted on: 2/10/2022 12:37:38 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

Please support this bill.

Mahalo

Elizabeth Hansen

Registered voter, Hakalau HI 96710

HB-2418

Submitted on: 2/10/2022 12:39:54 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

Please suport this bill.

Mahalo

Rodger Hansen

Registered voter in Hakalau HI 96710

HB-2418

Submitted on: 2/10/2022 1:07:08 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Laura Ramirez	Individual	Support	No

Comments:

Aloha,

My farming ohana and I strongly supports bill HB2418. The way the Agribusiness Development Corporation has been operating for the last 30 years isn't working. The ADC must be reformed so that the future of agriculture and food production in Hawai'i can succeed.

I urge you to approve HB2418 with amendments.

Mahalo,

Laura Ramirez and the Bettencourt family

HB-2418

Submitted on: 2/10/2022 2:07:34 PM

Testimony for AGR on 2/11/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Diane Ware	Individual	Support	No

Comments:

Dear AGR chair and committee Members,

I strongly support HB2418 because it

Amends the purpose of the agency to shift from a focus on crops for export to farming and food production for local consumption.

- Ensures a variety of agricultural expertise on the governing board of directors, including a focus on sustainable local food production.
- Ensures that a comprehensive strategic plan 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.
- Provides greater oversight and direction for the executive director to ensure the agency is being managed to meet its goals for increasing local food production.

Furthermore:

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

Mahalo for this opportunity to comment,

Diane Ware, 99-7815 Kapoha Pl, Volcano HI

My name is Mavis Oliveira-Medeiros of Hana, Maui.

I am writing to:

Oppose SB2078, HTA should not sit on important Boards such as the Board of Land & Natural Resources or the Land Use Commission. BLNR oversees our Public Trust doctrine and no agency for Tourism should have a voice in our Resources.

Oppose SB2884. Water leases should go through the proper channels, with due process.

Support SB2718. Medical Marijuana is helping many people I know with health problems that may not be debilitating, but enough to cause them major discomfort & pain.

Support HB2418.

Mahalo for letting me testify!

Mavis Oliveira-Medeiros,

Hana Resident

HB-2418

Submitted on: 2/11/2022 2:27:17 AM

Testimony for AGR on 2/11/2022 10:00:00 AM

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

Comments:

This bill clarifies the purpose and goals of the the ADC which must be reformed to meet the current demands of our economy. Clearly, oversight for this group is needed and benchmarks of reasonable and productive goals should be taken seriously. Money given to this group should also be clearly expensed so that it does not become a corrupt operation and transparency on this should also show how expenses follow the amended goals. Currently, the lack of progress made by this group coupled with significant money given to the group as well as powerful backing by big business and officials is very suspect. Please pass HB2418 with its amendments so that true progress can be made for the sake of Hawaii's people and economy. Thank you!