

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 SENATE COMMITTEE ON JUDICIARY

**TUESDAY, MARCH 1, 2022
9:30 A.M.
VIA VIDEOCONFERENCE**

**SENATE BILL NO. 2944, SENATE DRAFT 1
RELATING TO AGRICULTURAL LANDS**

Chairperson Rhoads and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2944, SD 1 that prohibits “waste disposal facilities” on “A” and “B” rated land in the Agricultural District and prohibits the creation of “waste disposal sites” on Important Agricultural Lands. The Department of Agriculture supports this measure that seeks to protect agricultural lands with the highest productivity potential from land uses that are inconsistent with agricultural production.

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





Email: communications@ulupono.com

SENATE COMMITTEE ON JUDICIARY
Tuesday, March 1, 2022 — 9:30 a.m.

Ulupono Initiative supports SB 2944 SD 1, Relating to Agricultural Lands.

Dear Chair Rhoads and Members of the Committee:

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

Ulupono supports SB 2944 SD 1, which prohibits the use of important agricultural lands and lands with class A or B productivity ratings for waste disposal.

Ulupono supports our local producers across the state and believes that maintaining Hawai'i's most productive agricultural lands will help local communities meet our sustainability and resiliency commitments for generations to come. We understand that competing interests seek similar lands across the state. Lands that, amongst other things, have healthy soils, little to no slope, access to water, utilities and infrastructure, and a favorable location are attractive to many industry sectors that seek land-intensive operations, including those in the energy and waste sectors.

Agricultural Lands classified as "A" are considered the most productive in the State. They constitute about 3 percent or about 56,000 acres of the nearly 1.93 million acres of agricultural zoned land in Hawai'i. Class "B" agricultural lands, also highly productive, constitute an about 6 percent or about 112,609 acres of the nearly 1.93 million acres of agriculturally zoned land in Hawai'i. If we are serious about supporting local farmers and ranchers while meeting our food security goals, this small percentage of extremely viable agricultural land should remain in productive agriculture.

The State's IAL lands prioritize agriculture by maintaining agriculturally zoned lands in production in perpetuity. The IAL designation remains a direct commitment to agricultural production and its role for Hawai'i's resilient future. Allowing this designation to reopen for additional uses can threaten currently identified IAL lands and future production as we look to increase our local ag footprint here in Hawai'i. We should encourage future generations with dedicated agricultural lands and resources that are best suited for success. This bill seeks to maintain that hope.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i



HAWAII CROP IMPROVEMENT ASSOCIATION

In Support of SB2944 SD1
Relating to Agricultural Lands

Senate Committee on Judiciary

Date: Tuesday, March 1, 2022

Time: 9:30am

Place: Videoconference

Chair Rhoads, Vice Chair Keohokalole, and members of the committee:

Thank you for allowing the Hawaii Crop Improvement Association the opportunity to provide testimony in **support** of SB2944 SD1, which prohibits the use of important agricultural lands and lands with class A or B productivity ratings for waste disposal.

Siting landfills on agricultural lands presents safety and compliance problems for farm owners and the public. Farmers must comply with food and safety regulations to ensure they produce and sell quality crops. It is a complex regulatory compliance program that has created added expenses for local farmers. Having a landfill on or near farmland jeopardizes crop safety because it may contaminate with dust, soil runoff, or poor water quality. Farm owners are then forced to pull back and reduce productive farm acres, move operations elsewhere, or, worst of all, close down all operations. Agriculture is an important part of Hawaii's economy and sustainability strategy. For these reasons, we support this measure to prohibit waste disposal on important agricultural lands and lands with class A productivity ratings.

Mahalo for this opportunity to testify in support of SB2944 SD1. If you have any questions, please contact me at your convenience.

Sincerely,

Pono Chong
Hawaii Crop Improvement Association

The Hawaii Crop Improvement Association is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration, and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy economy.



Testimony from Scott Dahlman, Senior Director Government Affairs, CropLife America

In support of SB 2944 – Relating to Agricultural Lands

Tuesday, Mar. 1, 9:30 am, Via Zoom

Senate Committee on Judiciary

Aloha Chair Rhoads and members of the committee,

CropLife America (CLA) is the national association representing manufacturers, formulators, and distributors of pesticides products used in agriculture production. We support and promote scientific-based policy in the regulation of pesticide products at both the state and federal level. We are in strong support of SB 2944.

This bill would further ensure that Hawaii achieves its food security and sustainability goals by protecting important agricultural lands. We spend more than \$3 billion a year importing 80 percent of our food. So siting landfills on agricultural lands with A and B soil rating is counter-productive to our collective efforts to support farmers and those farmlands. Agricultural lands have already been rezoned for housing. We need to protect what is left.

Mahalo for your consideration.



Biotechnology Innovation Organization

Testimony from Gene Harrington, Senior Director Government Affairs, BIO

In support of SB 2944 – Relating to Agricultural Lands

Tuesday, Mar. 1, 9:30 am, Via Zoom

Senate Committee on Judiciary

Aloha Chair Rhoads and members of the committee,

BIO is the world's largest trade association representing biotechnology companies, academic institutions, state biotechnology centers and related organizations across the United States and in more than 30 other nations. Our key areas of focus are health biotechnology, industrial and environmental biotechnology, and food and agriculture biotechnology. We are in strong support of SB 2944.

This bill would further ensure that Hawaii achieves its food security and sustainability goals by protecting important agricultural lands. We spend more than \$3 billion a year importing 80 percent of our food. So siting landfills on agricultural lands with A and B soil rating is counter-productive to our collective efforts to support farmers and those farmlands. Agricultural lands have already been rezoned for housing. We need to protect what is left.

Mahalo for your consideration.



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March 1, 2022

HEARING BEFORE THE
SENATE COMMITTEE ON JUDICIARY

TESTIMONY ON SB 2944, SD1
RELATING TO AGRICULTURAL LANDS

Via Videoconference
9:30 AM

Aloha Chair Rhoads, Vice-Chair Keohokalole, 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 SB 2944, SD1, which prohibits the use of important agricultural lands and lands with class A or B productivity ratings for waste disposal.

Land is one of the greatest resources in Hawai'i. HFB believes that policies must be developed and implemented which would ensure long-term viable agricultural use of this resource is used for the general welfare of the people of Hawai'i and reserved for the benefit of future generations. Act 183 (SLH 2005) and Act 233 (SLH) provide policies and mechanisms to identify and protect Important Agricultural Lands as required by the State Constitution, Article XI, Section 3.

As our population increases the farming community continues to see an increase in competing uses for agriculturally zoned lands, such as housing, solar, and now waste disposal sites.

We recognize that in the land category system used today, agriculture was originally the catchall land classification and that some lands included within the agricultural district were not necessarily considered optimal for agriculture. However, agriculture has significantly evolved. Soil classification is no longer the only determinant of land good for agriculture. Greenhouses, hydroponics, aquaculture, and aquaponics are just a few of the many types of agriculture that can occur on *all* classes of land (A, B, C, D, E). Some of the best floriculture and hydroponic operations in Hawai'i are on C, D, and E lands. The total environment, including rainfall amount and timing, day and night-time temperatures, wind, and humidity each contribute to whether a particular region is suitable for a specific crop. In many cases, the soil type and even the existing terrain are not determinative of whether farming can exist and thrive.

HFB recognizes the need for future landfill locations, however, we have serious concerns about future waste or disposal facilities being sited on agriculturally zoned land, especially land with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B and lands designated as Important Ag Lands (IAL).

HFB believes that the primary use of agriculturally zoned lands is production agriculture. We should direct nonagricultural uses and activities from agricultural lands to other areas and ensure that uses on agricultural lands are actual agricultural uses. The coronavirus pandemic has underlined the importance of agriculture in our isolated and vulnerable state. We must protect agricultural lands and avoid simplistic solutions to Hawai'i's waste disposal problems.

Thank you for this opportunity to testify on this important subject.



Senate Committee on Judiciary

Tuesday, March 1st, 2022, 9:30a.m.

Hawai'i Alliance for Progressive Action (HAPA) Supports: SB2944 SD1

Monday, February 28th, 2022 11:00 a.m., Conference Room 308

Aloha Chair Rhoads, Vice Chair Keohokalole and Members of the Committee,

HAPA is in support of SB2944 SD1 which prohibits the use of important agricultural lands and lands with class A or B productivity ratings for waste disposal.

We believe that SB2944 SD1 will help to protect our best and most important agricultural lands from the environmental impacts caused by landfills and waste disposal facilities. This measure therefore will help protect agriculture in Hawai'i, and in turn supports our food security, farmers, and economy.

Agriculture is incredibly important for Hawai'i and our future. Increased pressure on farm lands, for a wide swath of other uses, continues to threaten the long term use and productivity of our agricultural lands. These pressures will continue to mount as our population grows.

HAPA strongly supports agricultural lands being prioritized for agricultural uses. We are concerned about any future use of agricultural land for landfills and waste disposal, especially preferred qualities areas. We should direct impactful waste disposal and other harmful land practices away from agricultural areas and ensure that uses on agricultural lands are beneficial to food production and our environment. We must protect agricultural lands for current and future generations and avoid harmful pollution to damage these important areas.

We strongly support SB2944 SD1 and encourage you to support all measures to protect, restore and responsibly utilize our quality agricultural lands.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick
Executive Director