

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

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

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

BEFORE THE HOUSE COMMITTEE ON WATER AND LAND

**TUESDAY, MARCH 15, 2022
8:30 A.M.
VIA VIDEOCONFERENCE**

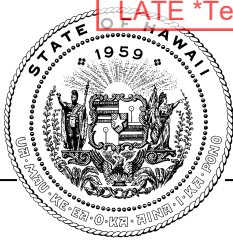
**SENATE BILL NO. 2944, SENATE DRAFT 1
RELATING TO AGRICULTURAL LANDS**

Chairperson Tarnas 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.





LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

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

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

Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
HOUSE COMMITTEE ON WATER & LAND
Tuesday, March 15, 2022
8:30 AM
State Capitol, Conference Room 430 & Videoconference
in consideration of
SB 2944 SD 1
RELATING TO AGRICULTURAL LANDS.

Chair Tarnas, Vice Chair Branco, and Members of House Committee on Water & Land.

The Office of Planning and Sustainable Development (OPSD) offers **comments** on SB 2944 SD1, which would amend Section 205-4.5, Hawaii Revised Statutes, and Section 205-43 Important Agricultural Lands to prohibit the creation of waste disposal sites on important agricultural lands on lands classified as A or B by the Land Study Bureau.

OPSD is concerned with the prohibition of uses in IAL. IAL is essentially an overlay district to identify and plan for the maintenance of a strategic agricultural land resource base. IAL designation does not allow or prohibit specific uses, as provided in HRS Sections 205-2 and 205-4.5, thus uses cannot be prohibited in the IAL law. OPSD recommends that the bill be amended to delete Section 2 amending HRS 205-43 IAL provisions. If waste disposal facilities are prohibited in the Agricultural District, as proposed in the measure, they will automatically be prohibited on any Agricultural District lands designated as IAL.

Thank you for the opportunity to testify on this measure.

SOLID WASTE MANAGEMENT DIVISION

DEPARTMENT OF PUBLIC WORKS

TROY TANIGAWA, ACTING COUNTY ENGINEER

BOYD GAYAGAS, DEPUTY COUNTY ENGINEER



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

Testimony of Allison Fraley

Solid Waste Programs Coordinator

County of Kaua'i

Department of Public Works

Before the

Committee on Water and Land

Tuesday March 15, 2022

Via Videoconference

In consideration of

Senate Bill 2944 SD1

Relating to Agricultural Land

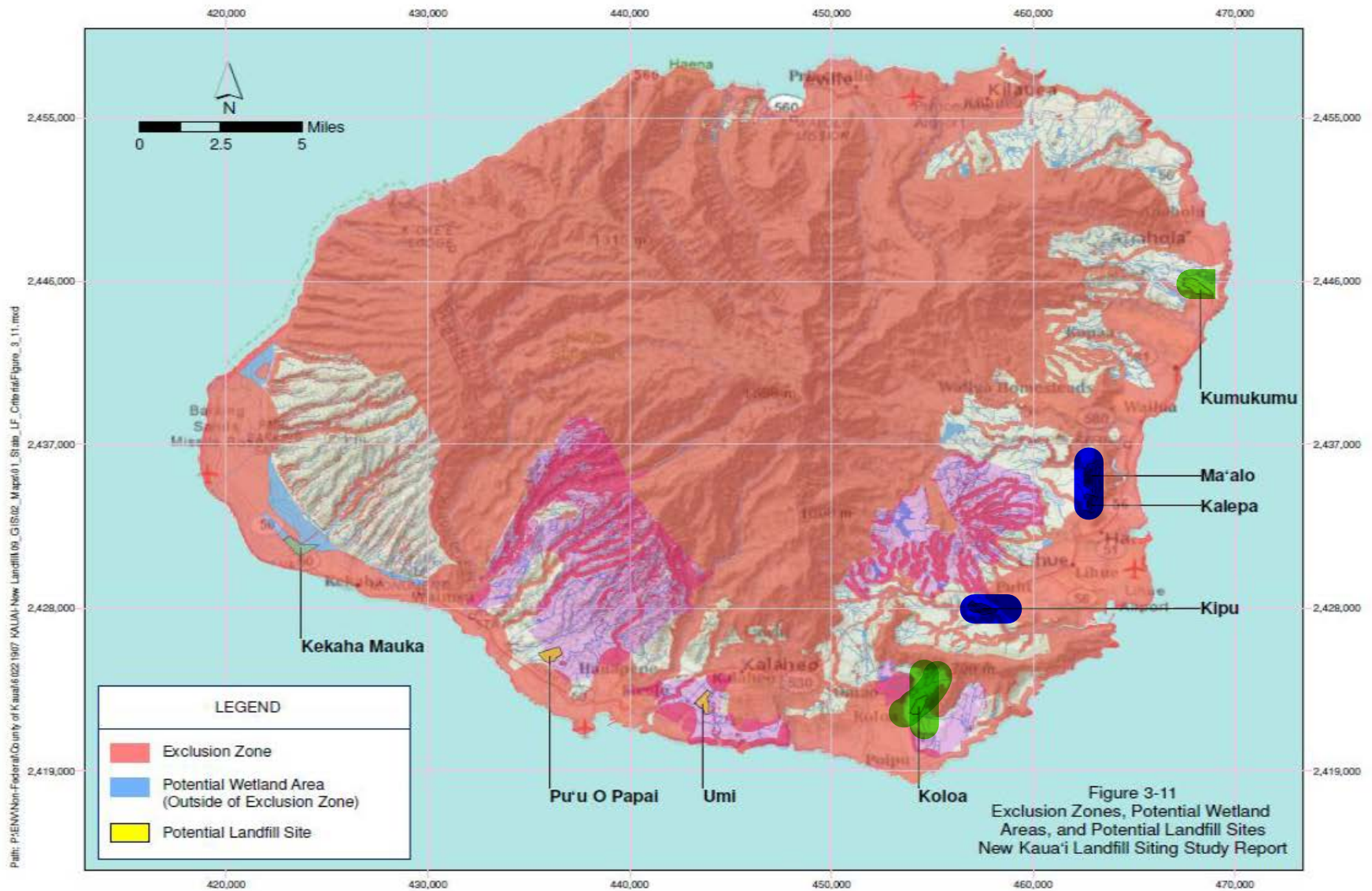
Honorable Chair Tarnas, Vice Chair Branco, and Members of the Committee:

The County of Kaua'i Department of Public Works has concerns and submits testimony **opposing** Senate Bill 2944 SD1 which prohibits the siting of waste disposal facilities on important agricultural lands and agricultural lands with class A and B productivity ratings.

As with the majority of the other neighbor islands, the County of Kaua'i is facing a waste disposal crisis. Kaua'i's only landfill has less than five years of permitted capacity and our ability to site a landfill is already extremely limited due to restrictions on constructing a facility in a conservation or tsunami zone, near homes, hospitals, schools, and airports. When factoring in areas that cannot be built on due to terrain or 100 year flood plain, floodway, and wetland designation, excluding important ag lands in essence bans the construction of a landfill on Kaua'i.

Attached is an overlay of our 2012 landfill siting study which includes the currently restricted zones, sites that were restricted due to proximity to airports, sites that were impacted by Act 73, as well as lands designated Important Agricultural Lands. This map illustrates the limit on sites identified in the 2012 study and the additional restrictions that this bill would impose. To reiterate, Kaua'i's landfill has limited remaining airspace, and given the County's efforts to site a new landfill over the past 20 years has been unsuccessful, identifying a new landfill has proven to be an enormous challenge. SB 2994 SD1 would further reduce County's the ability to construct a new landfill.

We respectfully ask that you consider these concerns and impacts that Senate Bill 2994 SD1 will have on Kaua'i and in our entire State with regards to Solid Waste Management.



● 2012 Landfill sites excluded due to due to proximity to Līhu'e airport

◐ 2012 Landfill sites excluded due to Act 73.

● Land with Important Ag land Designation

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>



RICK BLANGIARDI
MAYOR

ROGER BABCOCK, JR., Ph.D., P.E.
DIRECTOR

MICHAEL O'KEEFE
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
DIR 22-33

March 11, 2022

The Honorable David Tarnas, Chair
The Honorable Patrick Pihana Branco, Vice Chair
and Members of the Committee on Water & Land
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Tarnas and Vice Chair Branco:

SUBJECT: Senate Bill 2944 SD1, Relating to Agricultural Lands

The City and County of Honolulu's Department of Environmental Services ("ENV") opposes SB 2944 SD1 because it will further reduce potential locations to site a new landfill on Oahu.

In case you are not aware, in November 2019 the Hawaii State Land Use Commission issued a Decision and Order that, among other things, requires the City and County of Honolulu ("City") to identify an alternative landfill site that is not the Waimanalo Gulch Sanitary Landfill ("WGSL") by no later than December 31, 2022, and to close the WGSL by no later than March 2, 2028.

Then, in 2020, Governor Ige signed Act 73 (SB2386, SD2, HD2) into law. Act 73 added the following requirement to Hawaii Revised Statutes Section 342-52.

(b) No person, including the State or any county, shall construct, modify, or expand a waste or disposal facility including a municipal solid waste landfill unit, any component of a municipal solid waste landfill unit, a construction and demolition landfill unit, or any component of a construction and demolition landfill unit **without first establishing a buffer zone of no less than one-half mile around the waste or disposal facility.** This subsection shall not apply to the continued operation of an existing waste or disposal facility that is properly permitted; provided that continued operation does not require physical expansion, vertical or horizontal, of the facility requiring additional permitting review and a permit modification.

Act 73 defines a "buffer zone" as, "the distance between the edge of waste or waste activity and the nearest residential, school, or hospital property line." Additionally, Act 73 prohibits siting a landfill in a conservation district.

The Honorable David Tarnas, Chair
The Honorable Patrick Pihana Branco, Vice Chair
and Members of the Committee on Water & Agriculture
March 11, 2022
Page 2

The City is required to have an active solid waste landfill that is capable of receiving ash and residue from its waste-to-energy facility, H-POWER. An active landfill is also needed to accept non-combustible and other material that is unable to be processed at H-POWER, as well as wastes diverted from H-POWER during required annual maintenance shut-downs. Additionally, the City needs a landfill in order to receive and/or store debris that could be generated in a natural disaster. The land area required for the new landfill site is estimated to be approximately 80 acres. This does not include the required landfill buffer zone, which could add approximately 400 hundred acres to the landfill site, depending on the location.

The City is under a deadline to identify a site for its new landfill before the end of 2022. Act 73 already prohibits the use of several sites that would otherwise be well-suited to accommodate a landfill. SB 2944 SD1 would further reduce remaining available sites, possibly requiring the City to site its next landfill in a less desirable location.

Thank you for your consideration. Please feel free to contact me with any questions at 768-3486.

Sincerely,

Roger Babcock, Jr., Ph.D., P.E.
Director

LARRY JEFTS FARMS, LLC
PO BOX 27
KUNIA, HAWAII 96759
(808) 688-2892

SB2944sd1, Relating to Agricultural Lands
House WAL Hearing – 8:30am
Tuesday, March 15, 2022
CR430

Testimony By: Larry Jeffs
Position: Support

Chair Tarnas, Vice Chair Branco, and Members of the House WAL Committee:

I am Larry Jeffs, owner and operator of Larry Jeffs Farms, LLC. We have more than 42 years of Hawaii farm experience on Molokai and Oahu. Our family farms grow about 1 million pounds weekly of import replacement produce. I am a volunteer director, serving as Chair of the West Oahu Soil and Water Conservation District (SWCD). I have been an officer of the Hawaii Farm Bureau for many years.

We strongly believe land that can be farmed must be protected for agricultural production. Such land must not be taken away for non-agricultural use.

We understand that future landfill locations and other competing needs for land use are many. It makes sense to site non-agricultural purposes on non-agricultural designated lands.

Once the farmland is lost, it is gone forever. That impacts the lifestyle of everyone on the island, both residents and visitors.

Thank you for the opportunity to present testimony.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WATER & LAND
Rep. David A. Tarnas, Chair
Rep. Patrick Pihana Branco, Vice Chair

SB2944 SD1

Relating to the Agricultural Lands

Tuesday, March 15, 2022, 8:30 AM
VIA VIDEOCONFERENCE

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

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

The Hawaii Cattlemen's Council **supports SB2944 SD1** to prohibit siting of waste disposal facilities on important agricultural lands and agricultural lands with class A and B productivity ratings.

There are many competing uses for the limited resource of land. However, the Hawaii Cattlemen's Council supports prioritizing agriculture so that the community can grow towards a more food secure future. We realize that landfills are necessary, but have concerns that agricultural lands that are considered for these sites. We support this bill that will keep agricultural lands for the use of agricultural production.

We appreciate the opportunity to testify on this measure.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director





House Committee on Water and Land

Tuesday, March 15th, 2022, 8:30a.m. Conference Room 430

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

Aloha Chair Inouye, Vice Chair Keith-Agaran 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



Email: communications@ulupono.com

HOUSE COMMITTEE ON WATER & LAND
Tuesday, March 15, 2022 — 8:30 a.m.

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

Dear Chair Tarnas 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

House Committee on Water & Land

Date: Tuesday, March 5, 2022

Time: 8:30am

Place: Videoconference

Chair Tarnas, Vice Chair Branco, 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 or B 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.



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

March 15, 2022

HEARING BEFORE THE
HOUSE COMMITTEE ON WATER & LAND

TESTIMONY ON SB 2944, SD1
RELATING TO AGRICULTURAL LANDS

Conference Room 430 & Videoconference
8:30 AM

Aloha Chair Tarnas, Vice-Chair Branco, 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.

SB-2944-SD-1

Submitted on: 3/14/2022 9:45:38 AM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jimmy Gomes	Ulupalakua Ranch	Support	Written Testimony Only

Comments:

I support SB2944 which prohibits the use of IAL and land with class A or B productivity ratings for waste disposal. I stand with Hawaii Farm Bureau testimony

SB-2944-SD-1

Submitted on: 3/14/2022 9:54:32 AM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Gottlieb	Ponoholo Ranch Limited	Support	Written Testimony Only

Comments:

Plewise support SB 2944 SD1.

SB-2944-SD-1

Submitted on: 3/14/2022 10:06:08 AM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie A Whalen	HARC	Support	Written Testimony Only

Comments:

My name is Stephanie Whalen. I am the Executive Director of the Hawaii Agriculture Research Center. It strongly **supports SB2944SD1** to prohibits the use of agricultural lands with class A or B productivity rates for waste disposal. Currently it appears as if a recent report target the Kunia area for municipal waste disposal. This area is under continued threat for alternate land uses as it is in an ideal location for multiple uses: close to urban areas and reasonably level land. some alternate uses can be reasonably co-used such as solar but waste disposal can not and this area is over a major aquifer.

Please pass this measure.



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

In support of SB 2944 – Relating to Agricultural Lands

Tuesday, 8:30 am, Via Zoom

House Committee on Water and Land

Aloha Chair Tarnas 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.



Testimony from Gene Harrington, Senior Director Government Affairs, BIO

In support of SB 2944 – Relating to Agricultural Lands

Tuesday, March 15, 8:30 am, Via Zoom

Senate Committee on Agriculture and Environment

Aloha Chair Tarnas 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.

SB-2944-SD-1

Submitted on: 3/14/2022 9:23:51 AM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Cabral	Individual	Support	Written Testimony Only

Comments:

Strongly support

SB-2944-SD-1

Submitted on: 3/14/2022 10:16:08 AM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
J Ashman	Individual	Support	Written Testimony Only

Comments:

I support this bill because we need to ensure that agriculture-zoned lands are used for agricultural production. We need better planning to properly site competing uses such as waste disposal facilities.

Thank you for your continuing support for Hawaii's farmers and ranchers.

SB-2944-SD-1

Submitted on: 3/14/2022 10:47:23 AM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Frederick M. Mencher	Individual	Support	Written Testimony Only

Comments:

March 15, 2022

HEARING BEFORE THE
HOUSE COMMITTEE ON WATER & LAND

TESTIMONY ON SB 2944, SD1
RELATING TO AGRICULTURAL LANDS

Conference Room 430 & Videoconference
8:30 AM

Aloha Chair Tarnas, Vice-Chair Branco, and Members of the Committee:

I support 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. I believe 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.

I 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.

I recognize the need for future landfill locations, however, I 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).

I believe 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.

Sincerely,

Frederick M. Mencher

SB-2944-SD-1

Submitted on: 3/14/2022 3:46:32 PM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Faye	Individual	Support	Written Testimony Only

Comments:

I am in support of SB2944, to not allow landfills of Important Ag Lands. For example, the Kekaha Landfill, that is locataed across Kaumualii Highway from some of the State's best crop land, is nearing capacity. Kauai County is searching for a new site. I am sure the Class A Farm land is very tempting. This bill will eliminate that possibliity

The Counties and State need to develop better programs and policies to reduce waste generation before wasting our best crop lands.

Thank you

SB-2944-SD-1

Submitted on: 3/14/2022 7:41:12 PM

Testimony for WAL on 3/15/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Padmani Brown	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice-Chair Branco, and Members of the Committee:

I support SB 2944, SD1, which prohibits the use of important agricultural lands and lands with class A or B productivity ratings for waste disposal.

I live in Waimanalo and am horrified and alarmed at the flagrant misuse of Ag Lands for dumping, construction base yards, and other non-conforming use of Ag Land. Permitting other non-conforming use on Ag Lands will only further encroach on Ag Lands desperately needed to be preserved for agricultural production to address food security issues for the island.

Land is one of the greatest resources in Hawai'i. I believe 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. I recognize the need for future landfill locations, however, I 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).

I believe 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.