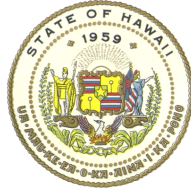
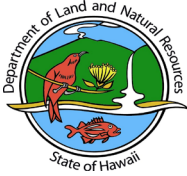


DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
WATER AND LAND
and
AGRICULTURE AND ENVIRONMENT**

**Friday, February 12, 2021
1:15 PM**

State Capitol, Via Videoconference, Conference Room 229

**In consideration of
SENATE BILL 693
RELATING TO TRANSFER OF NON-AGRICULTURAL PARK LANDS**

Senate Bill 693 proposes to set a deadline for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources (Department) to the Department of Agriculture (DOA) pursuant to Act 90, Session Laws of Hawaii (SLH) 2003, and Chapter 166E, Hawaii Revised Statutes (HRS), and to require the two departments to periodically meet to discuss the potential for future land transfers. **The Department opposes this measure to the extent it mandates the transfer of lands from the Department to DOA without regard to other public trust priorities.**

Senate Bill 693 requires the Department and DOA to meet no later than one year after the effective date of the measure to identify by mutual agreement the non-agricultural park lands under the jurisdiction of the Department that are not in use for the public purpose for which they were leased and should be rezoned as lands in the conservation district and remain under the jurisdiction of the Department. All other non-agricultural park lands currently leased and being utilized for the agricultural public purpose defined by their current lease agreements are required to be transferred to DOA. Furthermore, all non-agricultural park lands under the jurisdiction of the Department and not identified as described above are to be placed under the jurisdiction of DOA no later than December 31, 2023. In other words, all non-agricultural park lands under the Department will be transferred to DOA unless both the Department and DOA agree that they are not being used for the agricultural public purpose for which they were leased and should be rezoned to conservation lands.¹

¹ The fallacy of this bill centers on the idea that lands historically zoned "agricultural" aren't important for natural and cultural resource protection, or also that they should never be used for other public or priority purposes such as public schools, colleges (e.g., West Oahu University once was agricultural land), affordable homes and rentals, renewable energy projects or other income producing opportunities like commercial, resort or mixed uses that could provide the much needed support to the State's financial situation.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

The Department objects to the proposed transfer process set forth in the bill. If the Department wants to keep agricultural land, it has to prove that the land “is not in use for the public purpose for which it has been leased and should be rezoned as lands in the conservation district.” These leases include over 100,000 acres. Those criteria only address whether the land is currently leased for agricultural production, resulting in an automatic transfer the lands to DOA. Instead, there should be criteria that analyze all the public trust values of these lands, such as:

- what resources are on the land,
- presence of endangered species,
- protection and care of our precious watersheds,
- recreational and hunting access,
- historical sites, and
- usability for agriculture.

Further, the Department does have grazing agreements within or adjacent to forest reserves that support mitigation of wildfire threats that are essential to protecting rare native forests and important watershed lands. It appears that the broad language of this bill would include transferring even these leased forest reserves to DOA.

Additionally, even unencumbered agricultural lands appear to have to be transferred to DOA under the measure, including over 32,000 acres. This follows because the lands need to fulfill two criteria to be retained by the Department: 1) not being used for their purpose they were leased for and 2) should be rezoned to conservation land. In other words, *unencumbered lands not appropriate for conservation land would also be required to be transferred to DOA, without an analysis of whether DOA benefits from those lands, or whether they could be used for other public purposes.* Lands broadly included in agriculture categories have been used for a diverse array of public purposes in the past, including public schools, universities, community colleges, affordable homes and rentals, renewable energy projects and other income-producing opportunities like commercial use and resort or mixed use that support the Department’s operations and benefit the State economy. A wholesale transfer of agricultural lands to DOA would foreclose future income-producing opportunities on agricultural lands managed by the Department.

Pursuant to Act 90, SLH 2003, now codified as Chapter 166E, HRS, the Department has already transferred more than 19,000 acres of agricultural land to DOA, and additional transfers are in process – consisting of nearly all the agricultural crop land, such as former sugar cane land, held by the Department.

The Department has generally excluded large-acre pasture leases from these transfers because of the high natural resource value of certain pasture lands. Some pasture lands are remnant native forests that have never been plowed and contain native and endangered plants and wildlife. They adjoin or are near forest reserves and, as a result, have great potential for reforestation, and/or are important in providing access to other public lands for management, traditional gathering, and public recreation including hunting and trails.

The attached map shows the number and location of lands potentially subject to transfer under this bill. The attached flyer entitled “Importance of Pasture Lands to DLNR’s Mission” provides additional information.

Act 90 required each transfer to be individually reviewed and approved by both the Board of Land and Natural Resources and the Board of Agriculture. And they have been. Since 2003, numerous properties that the Department has offered to transfer to DOA have been rejected by DOA for various reasons including topography, lack of agricultural features like irrigation, inaccessibility, irregular parcel sizes, or non-compliant tenants that the DOA did not have the capacity to manage. *Apparently, Senate Bill 693 would compel the DOA to manage tens of thousands of acres that it has not necessarily requested or analyzed to be appropriate for agricultural use, and which the Department may have considerable interest in retaining to protect multiple public trust resources.*

The proposed process favoring transfer to DOA will have unintended consequences detrimental to the public trust. For example, the 461-acre Onouli tract in Kealahou, Hawaii (Tax Map Key: (3) 8-1:005:001) is landlocked, unencumbered and not used for any agriculture though it is zoned in the agriculture district. It contains significant native forest resources that would be damaged by cattle grazing or other agricultural use, and is at a high-risk of conversion, wiping out native forests. It is in a region where substantial forest restoration and forestry production is developing and could be an important resource for supporting sustainable forestry management. If this sizable tract of land were to be approved for unconditional transfer to DOA, it would prevent the Department from directly managing the land for forestry conservation, and further threaten conversion of native forests in this region.

In addition, the Department’s Division of Forestry and Wildlife (DOFAW) does have forest reserves, game management areas, and timber management areas that are found within agricultural district, totaling over 81,000 acres. These lands support forest product development and management, and therefore have an agricultural production component to them, but fall within the Department’s commercial and cultural forestry mandates. DOFAW prefers that these areas remain under its management and within the agricultural district to support these type of activities, but the mandate of the bill is worded so broadly that these lands might also have to be transferred to DOA because they are not appropriate to be rezoned in the conservation district.

The perceived need to transfer pasture leases to DOA can be relieved by providing the Department with statutory powers similar to those exercised by DOA in the management of its leases. Accordingly, the Administration has introduced a measure this Session, House Bill 1014 that is also before the committee at today’s hearing, to give the Department greater flexibility to deal with pasture leases. Positive advancement in carbon sequestration challenges, wildlife management, wildfire protection, forestry development, and forest health concerns can be best managed by the Department through mutually beneficial practices with ranching, wildlife protection, and native forest restoration. Mandating the transfer of these lands to DOA for pasture purposes will severely undermine the potential for reforestation and other multi-use natural resource protection of the land.

When Hawaii's native forests are converted to grasslands, they lose about half of their stored carbon – a loss of 54 metric tons of carbon per acre.² Reforesting grasslands is the largest carbon sequestration opportunity for Hawaii to reach the goal of carbon neutrality by 2045 (Act 15, SLH 2018). The Department is inventorying its natural and working lands for carbon sequestration opportunities, and plans on utilizing this information to support and encourage carbon positive practices including a combination of grazing, soil improvement, agroforestry, and reforestation projects where appropriate. The Department also offers voluntary incentive programs for ranchers to reforest lands and is developing standards for carbon credit projects that could further diversify revenues for ranchers. The transfer of lands proposed by the present measure would sever the Department's direct role in overseeing these stewardship options.

In similar bills last session, ranchers assured the Legislature that they would implement conservation measures on their own and do not need Departmental oversight. However, many of the conservation accomplishments the ranchers cited were directly from funding and oversight by the Department, or from federal funds rather than rancher investment. While ranchers should be commended for these conservation measures, they are voluntary and there are no assurances that they will continue, particularly when the Department's direct role has been severed.

For these reasons, the Department respectfully urges the Legislature not to pass this bill (Senate Bill 693), and instead support House Bill 1014 and allow the select lands to remain under the Department's management.

Alternatively, the Department proposes the following amendment to this measure (amendments highlighted in gray shading):

"(d) No later than one year after the effective date of this Act, the department of agriculture [and] shall transmit to the department of land and natural resources a list of all agricultural lands that it requests be transferred to it pursuant to this chapter that have not already been set aside to the department. The department of land and natural resources shall review the list and determine whether any of the lands requested: (i) contain important natural resources including remnant native forests, important watersheds, and/or native and endangered plants and wildlife; (ii) adjoin or are near forest reserves or are former forest lands and, as

² Baseline and Projected Future Carbon Storage and Carbon Fluxes in Ecosystems of Hawai'i Editors: Paul C. Selmants, Christian P. Giardina, James D. Jacobi, and Zhiliang Zhu U.S. Geological Survey Professional Paper 1834, 2017.

a result, have potential for reforestation; (iii) and/or are important in providing access to other public lands for management, traditional gathering, and public recreation including hunting and trails; or (iv) could be used now or in the future for other public or priority purposes such as, without limitation, public schools, colleges, affordable homes and rentals, renewable energy projects or other income producing opportunities or possibilities such as commercial, hotel, mixed uses, or industrial use that could provide the much needed support to the State's financial situation. The department and the department of land and natural resources shall meet and [identify] determine by mutual agreement [the non-agricultural park lands under the jurisdiction of the department of land and natural resources that are not in use for the public purpose for which it has been leased and should be rezoned as lands in the conservation district] whether all or any portion of the lands included in the list, or any portion of the lands under a lease or revocable permit encumbering the lands on the list, should be withdrawn from the lease or revocable permit or otherwise reserved to the department of land and natural resources by conservation easement or other reservation of rights and [should] remain under the jurisdiction of the department of land and natural resources. If the department and the department of land and natural resources are unable to reach a mutual agreement as to the transfer of any lands on the list, such lands and the leases or revocable permits encumbering them shall remain under the jurisdiction and management of the department of land and natural resources until such time as a mutual agreement can be reached as to their disposition. [All other non-agricultural park] As to those

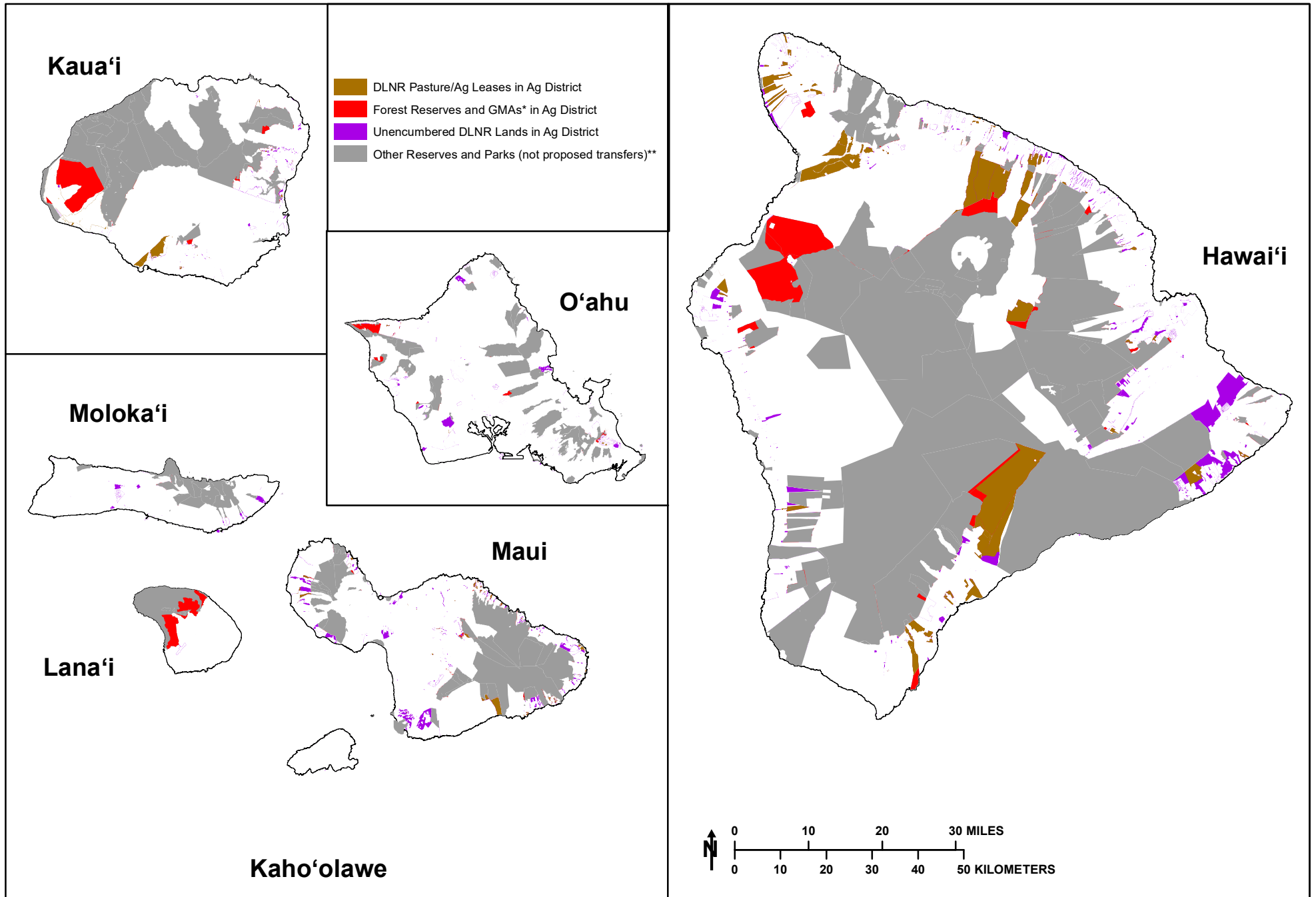
lands for which the department and the department of land and natural resources reach mutual agreement regarding disposition, [currently leased and being utilized for the agricultural public purpose defined by their current lease agreements] such lands shall be transferred to the department.

~~[(e) All non-agricultural park lands under the jurisdiction of the department of land and natural resources and not identified pursuant to subsection (d) shall be placed under the jurisdiction of the department no later than December 31, 2023.]~~

~~[(f)e]~~ Beginning in the ~~[2016-2017]~~ 2022-2023 fiscal year, and no less than every fifth fiscal year thereafter, the department of agriculture and the department of land and natural resources shall meet and determine additional lands that may be appropriate for transfer from the department of land and natural resources to the department for the purposes of this chapter."

Thank you for the opportunity to comment on this measure.

Lands That Could Be Transferred to DOA By SB693



*GMA is Game Management Area. **The gray layer "Other Reserves and Parks" are not anticipated to be transferred to DOA via SB693, but are included to show context. Features approximate and subject to change. DLNR (808) 587-4170. Feb 2021.



SUMMARY

DESCRIPTION

EXPECTED BENEFITS





2021 LEGISLATIVE PROPOSALS

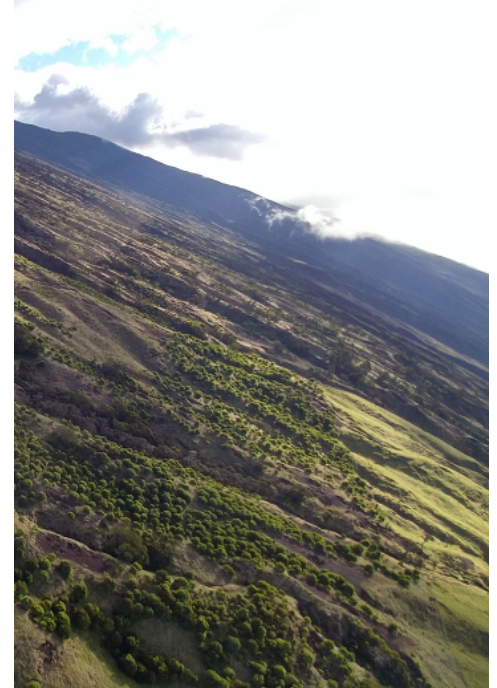
SB693/HB469 would transfer pasture leases to DOA because DOA appears to have greater flexibility under Chapter 166E, HRS to amend, extend, and issue new leases by negotiation. However, those goals could be achieved instead through HB1014/SB1168 to give DLNR similar statutory flexibility for negotiating pasture leases.



PASTURE LAND CONSERVATION VALUES

-  Water
-  Fire & Forest Health
-  Native Ecosystems
-  Forestry
-  Recreation

DLNR PARTNERSHIPS WITH RANCHERS



CLIMATE CHANGE AND CARBON NEUTRALITY

CONTACT PERSON

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 SENATE COMMITTEES ON WATER AND LAND
AND
AGRICULTURE AND ENVIRONMENT**

**FEBRUARY 12, 2021
1:15 P.M.
VIA VIDEOCONFERENCE**

**SENATE BILL NO. 693
RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS**

Chairpersons Inouye and Gabbard and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 693. This bill requires the department of land and natural resources and department of agriculture to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district. It further requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/21/2023, requires the department of land and natural resources and department of agriculture to meet every five years to discuss transferring remaining lands, and requires the department of agriculture to inquire about any easements needed by the department of land and natural resources before offering a lease. The Department offers the following comments.

The Department of Agriculture supports the intent of this bill and we appreciate the Legislature's attention to this matter. We continue to have significant interest by ranchers in our non-agricultural parks program and support the cattle and ranching industry through encouraging the best management of the land.





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

February 12, 2021

HEARING BEFORE THE
SENATE COMMITTEE ON WATER AND LAND
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 693
RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS

Conference Room 229
1:15 PM

Aloha Chairs Inouye and Gabbard, Vice-Chairs Keith-Agaran and Nishihara, and Members of the Committees:

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

The Hawaii Farm Bureau strongly supports SB 693, which requires the department of land natural resources and the department of agriculture to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district, requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/31/2023. It also requires the department of land and natural resources and department of agriculture to meet every five years to discuss transferring remaining lands and for the department of agriculture to inquire about any easements needed by the department of land and natural resources before offering a lease.

The intent of Act 90 SLH 2003 was to ensure the long-term productive use of agricultural lands across the islands by transferring them to DOA, which is better equipped to manage agricultural lands. Nearly 18 years later, farmers and ranchers are still waiting for Act 90 SLH 2003 to be fully implemented.

The success of ranchers and farmers is critical to the State's goal to double local food production. We know you recognize that DOA is the only agency structured to advance agriculture and make it practical for producers to succeed and provide our communities with what they need. For example, under DOA, lands are appraised on their agricultural value while under DLNR, lands are auctioned for lease at the highest rates possible, which is typically unaffordable for farmers and ranchers. Additionally, DOA's long-term leases make it possible for farmers and ranchers to prudently invest in infrastructure improvement and resource conservation on the leased land.

Please pass this measure to support Hawaii's farmers and ranchers and our communities.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair
Senator Clarence K. Nishihara, Vice Chair

SB693

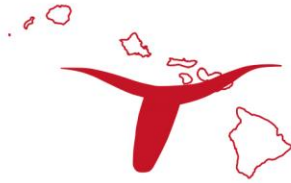
RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS.

DATE: Friday, February 11, 2021
TIME: 1:15 p.m.
PLACE: VIA VIDEOCONFERENCE

Chairs Inouye and Gabbard, Vice Chairs Branco and Nishihara, and Members of the Committees,

The Hawaii Cattlemen's Council **supports SB693**. While the COVID-19 pandemic has exposed important issues to address, the transfer of these leases to DOA is still a pressing issue for Hawaii's ranchers and farmers. It is apparent, more so now than ever, that Hawaii needs to diversify its economy and support agriculture, an essential business. Ranchers need agriculture-appropriate lease terms and management to make prudent business decisions. This bill will provide much needed support to keep agriculture in active production.

Act 90 was passed in 2003 for the purpose of ensuring the long-term productive use of public agricultural lands by allowing these lands to be transferred to and managed by the Department of Agriculture. We support SB693 because it sets a deadline for addressing leases that should be considered for transfer, and requires the Department of Agriculture and Department of Land and Natural Resources to mutually agree if a lease should stay under the management of the DLNR. It allows DLNR to advocate for lands that are valuable to their mission, while giving agricultural lands a chance to be properly managed by DOA. Without a deadline for transfers to occur by, ranchers are left in uncertain circumstances which hinders their ability for long-term planning and increasing contributions to food production. Agriculture has always been a vital part of Hawaii's well-being, and our current situation unfolding due to COVID-19 highlights that importance even more. For Hawaii to give agriculture the support it needs, agricultural lands should be transferred to DOA where lease terms are favorable and encourage improvements to the land and expansion of local food production.



Hawaii Cattlemen's Council, Inc.

We respectfully request that this bill specifies that an easement is allowed specifically for DLNR to access land locked forest reserves or DLNR assets as follows:

Prior to offering a lease, the department shall inquire with the department of land and natural resources regarding any easements required by the department of land and natural resources to access land locked forest reserves or other department of land and natural resources assets on the lands subject to the lease.

Ranchers are proponents for stewarding the land well and will continue to implement conservation practices when leases are transferred to HDOA—the health of the land allows ranchers to continue their production. With long-term leases based on agricultural production, ranchers will be even better situated to invest in long-term conservation practices. They will continue to be cooperators with their local Soil and Water Conservation Districts, and manage their conservation plans under DOA leases. They will continue to fight invasive species, provide watershed management, and carbon sequestration, and provide all of the other eco-system services they have always provided, all at no cost to the State or the general public. But they need agricultural lease terms under DOA to be successful.

There are still agricultural leases under the DLNR that should be transferred to the Department of Agriculture and we respectfully ask that the committee supports SB693. We appreciate the opportunity to testify on this critical matter for our industry.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



HAWAII CROP IMPROVEMENT ASSOCIATION

In Support of SB693
Relating to The Transfer of Non-Agricultural Park Lands

Senate Committee on Water and Land
Senate Committee on Agriculture and Environment

Date: Friday, February 12, 2021

Time: 1:15 p.m.

Place: Via Video Conference

Chair Inouye, Chair Gabbard, Vice-Chair Keith-Agaran, Vice-Chair Nishihara, and members of the committees:

Thank you for allowing the Hawaii Crop Improvement Association the opportunity to provide testimony in support of SB693 which requires the department of land natural resources and department of agriculture to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district; requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/31/2023; requires the department of land and natural resources and department of agriculture to meet every five years to discuss transferring remaining lands; and requires the department of agriculture to inquire about any easements needed by the department of land and natural resources before offering a lease.

One of the largest obstacles farmers and ranchers face is access to feasible financing and lease terms. The mutually agreed upon transfer of agricultural lands to HDOA will help ensure proper agricultural business valuations and lease terms allowing for access to feasible financing and capital improvement projects.

Mahalo for the opportunity to testify in support of SB693. If you have any questions, please contact me at your convenience.

Sincerely,

Emmanuel Zibakalam

Executive Director, 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.



SENATE COMMITTEES ON WATER & LAND AND
AGRICULTURE & ENVIRONMENT
February 12, 2021 – 1:15 P.M. - Videoconference

**RE: SB 693 - Relating to the Transfer of Non-Agricultural
Park Lands – In Support**

Aloha Chairs Inouye and Gabbard, Vice Chairs Keith-Agaran and Nishihara and Members of the Committees:

Hawai'i Aquaculture &
Aquaponics Association
Hawai'i Cattlemen's Council
Hawai'i Farm Bureau
Federation
Hawai'i Farmers' Union
United
Hawai'i Food Industry
Association
Hawai'i Food
Manufacturers Association
Kohala Center
Land Use Research
Foundation of Hawai'i
Maui Farm to School
Network (Maui F2SN)
Ulupono Initiative
College of Tropical
Agriculture and Human
Resources - University of
Hawai'i at Manoa

The Local Food Coalition supports SB 693, which among other things, requires the department of land and natural resources (DLNR) and department of agriculture (DOA) to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district, and requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/31/2023.

Act 90 was passed in 2003 with the intent to transfer agricultural leases from DLNR to DOA. The LFC supports SB 693 because it sets a deadline for the transfer of certain non-agricultural park lands from DLNR to DOA, and requires the two departments to meet every five years to discuss the potential for future land transfers. Farmers and ranchers need long term leases in order to reasonably invest in infrastructure improvements on the leased land. Without a deadline for transfer, they are left uncertain and it hampers any type of long-term planning. The success of ranchers and farmers is a key component in the State's goal to double local food production.

The Local Food Coalition is an organization comprising of farmers, ranchers, livestock producers, investors and other organizations working to provide Hawaii's food supply.

We respectfully request your support of SB 693. Thank you for the opportunity to submit testimony.

John Garibaldi
808-544-8319
jgaribaldi@wik.com

KAPAPALA RANCH

P. O. Box 537

Pahala, HI 96777

Kapapala.ranch@aol.com

lanipetrie@aol.com

**Senate Committee on Water and Land
Senate Committee on Agriculture and Environment**

February 12, 2021

1:15 PM

Video Conference

SB1167 and SB693

Chair Inouye, Vice Chair Keith-Agaran and Members of the Water and Land Committee:
Chair Gabbard, Vice Chair Nishihara and Members of the Agriculture and Environment Committee

We **strongly support SB693** which requires the Department of Land and Natural Resources and the Department of Agriculture to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district. Requires that agricultural lands under the jurisdiction of the Department of Land and Natural Resources be transferred to the Department of Agriculture not later than 12/30/2023. Requires the Department of Land and Natural Resources and the Department of agriculture to meet every five years to discuss transferring remaining lands. Requires the Department of Agriculture to inquire about any easements needed by the Department of Land and Natural Resources before offering a lease.

Ranches require long-term land tenure to allow for long-term land decisions. Defining the boundaries of what should be in conservation and what should be in agriculture shall create the stability we require to plan and execute sound management practices.

‘Public purpose’ is a broad generalization. Producing food serves the public purpose and providing recreational areas serves the public purpose. But trying to manage the two together is only easy to those that don’t have to do anything but talk about it. We are able to do this and do it well. But it has taken decades to organize and implement protocols and reliable systems. *In our experience, multiplying the ‘public purpose’ into a single land unit is complicated.*

Kapapala Ranch (aside from running a 2,000 cow herd operation) manages three public accesses to the Forest Reserves. Open 365 days per year these accesses navigate through 15 miles of ranch lands and accommodate approximately 250 to 300 vehicles per month. The Ranch also manages public bird hunting from November through January, thirteen consecutive weekends and Federal holidays during that time period.

We need to clearly define the lands we operate for the ‘public purpose’ of food production and let that be a priority. Some ranches, like ours, can continue to support public access and limited levels of public hunting while still maintaining ranching operations. We support these lands being managed by the Department of Agriculture pursuant to Act 90 and shall continue to provide secondary uses for the public.

Respectfully submitted,

KAPAPALA RANCH

Lani C. Petrie



Email: communications@ulupono.com

SENATE COMMITTEES ON WATER & LAND AND AGRICULTURE & ENVIRONMENT
Friday, February 12, 2021 — 1:15 p.m.

Ulupono Initiative supports SB 693, Relating to the Transfer of Non-Agricultural Park Lands.

Dear Chair Inouye, Chair Gabbard, and Members of the Committees:

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 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 693, which requires the Department of Land and Natural Resources (DLNR) and Department of Agriculture (DOA) to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district; requires that agricultural lands under the jurisdiction of the DLNR be transferred to the DOA not later than 12/31/2023; requires the DLNR and the DOA to meet every five years to discuss transferring remaining lands; and, requires the DOA to inquire about any easements needed by the DLNR before offering a lease.

Ulupono supports the local livestock industry and its efforts to provide fresh, healthy products for Hawai'i's consumers. With the DOA's affordable, long-term lease structure in place, local ranchers will be able to make the necessary investments into their respective operations, improving economic viability and increasing local food production for the State.

While we support the DLNR's mission to preserve natural resources and maintain watershed protection, Ulupono believes that all active agricultural pasture leases should be transferred to the DOA as per the intent of Act 90, SLH 2003. The DOA's mission and expertise to manage agricultural activities, including pasture land production, through a favorable lease structure promotes local food production. As Hawai'i's local food issues become increasingly complex and challenging, the agricultural industry will need additional resources and support to address and overcome them. We appreciate this committee's efforts to look at policies that support local food production and increase our state's food security and resilience.

Thank you for this opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i

SB-693

Submitted on: 2/10/2021 6:12:05 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elliot Telles	Testifying for Jays Hog Farm	Support	No

Comments:

Aloha Chairs Inouye and Gabbard, Vice-Chairs Keith-Agaran and Nishihara, and members of the committees,

I support SB 693, which requires the department of land natural resources and department of agriculture to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district, requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/31/2023, requires the department of land and natural resources and department of agriculture to meet every five years to discuss transferring remaining lands, and requires the department of agriculture to inquire about any easements needed by the department of land and natural resources before offering a lease.

The intent of Act 90 SLH 2003 was to ensure the long-term productive use of agricultural lands across the islands by transferring them to DOA, which is better equipped to manage agricultural lands. Nearly 18 years later, farmers and ranchers are still waiting for Act 90 SLH 2003 to be fully implemented.

The success of ranchers and farmers is critical to the State's goal to double local food production. We believe that DOA is the agency best structured to advance agriculture and make it practical for producers to succeed and provide our communities with what they need. For example, under DOA, lands are appraised on their agricultural value while under DLNR, lands are auctioned for lease at the highest rates possible, which is typically unaffordable for farmers and ranchers. Additionally, DOA's long-term leases make it possible for farmers and ranchers to prudently invest in infrastructure improvement and resource conservation on the leased land.

Please pass this measure to support Hawaii's farmers and ranchers and our communities.

Mahalo,

SB-693

Submitted on: 2/10/2021 4:41:44 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Testifying for Ponoholo Ranch Limited	Support	No

Comments:

Please support act 90 2003. We have been waiting for the law you inacted 18 years ago to be implemented.

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

SB693, Relating to The Transfer of Non-Agricultural Park Lands
Senate WTL/AEN Hearing
Friday, February 12, 2021
Videoconference

Testimony By: Larry Jeffs
Position: Support

Chairs Inouye and Gabbard, Vice Chairs Keith-Agaran and Nishihara,
and Members of the Senate WTL/AEN Joint Committee:

I am Larry Jeffs, owner and operator of Larry Jeffs Farms, LLC, which is part of our family-run business of farms on Oahu and Molokai, under the administrative umbrella of Sugarland Growers, Inc. We have more than 35 years of Hawaii farm experience on Molokai and Oahu. I am a volunteer director for the West Oahu Soil and Water Conservation District (SWCD).

We understand that there are still agricultural leases in DLNR that should be transferred to the DOA, where lease terms are favorable and encourage improvements to the land and expansion of local food production.

This delay in lease transfers create a situation where ranchers cannot do long-term planning to increase local grass-fed beef production.

Ranchers, and all who are involved in agriculture production, need long-term leases before capital investments can be made for production.

SB693 sets December 31, 2023 as a deadline for addressing leases considered for transfer, to include mutual agreement by DLNR and DOA when a lease should remain under DLNR. Further, it requires the two agencies to meet periodically to discuss the potential for future land transfers.

Your support of SB693 will help increase Hawaii's capacity for import replacement.

Thank you for the opportunity to provide testimony.

SB-693

Submitted on: 2/10/2021 8:52:41 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Weidenbach	Testifying for Hawaii Aquaculture & Aquaponics Association	Support	No

Comments:

The Hawaii Aquaculture & Aquaponics Association (HAAA) strongly supports SB 693 which sets a specific timeline for DLNR to comply with Act 90 which was signed into law more than 17 years ago, requiring DLNR to transfer specific state ag leases to DOA, where they belong. Many farmers and ranchers have been waiting for decades to work under DOA's more beneficial and supportive lease program and management. If the State is serious about local food production and economic diversification, then this measure and its enforcement are essential. Thank you for the opportunity to testify in strong support of the very important measure for local agriculture producers and consumers. Please vote "yes" on SB 693.



February 10, 2021

Senator Lorraine R. Inouye, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Water and Land

Senator Mike Gabbard, Chair
Senator Clarence K. Nishihara, Vice Chair
Senate Committee on Agriculture and Environment

Testimony in Support of SB 693, Relating to the Transfer of Non-Agricultural Park Lands (Requires the Department of Land and Natural Resources [DLNR] and the Department of Agriculture [DOA] to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district; requires that agricultural lands under the jurisdiction of the DLNR be transferred to the DOA not later than 12/31/2023; requires the DLNR and DOA to meet every five years to discuss transferring remaining lands; and requires the DOA to inquire about any easements needed by the DLNR before offering a lease.)

Friday, February 12, 2021, 1:15 p.m.; Conference Room 229 & Videoconference

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers, and utility companies. LURF's mission is to advocate for reasonable, rational, and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to express its **support of SB 693** and of the various agricultural stakeholder groups who defend the goals of viable agricultural operations and the conservation and protection of agriculture in Hawaii.

SB 693. The purpose of this bill is to set a deadline for the transfer of certain non-agricultural park lands from the DLNR to the DOA, and to require the two departments to periodically meet to discuss the potential for future land transfers.

LURF's Position. LURF members include property owners, farmers and ranchers who own, maintain, and engage in agricultural enterprises, and who consider efforts to protect and support agriculture significant to the continued conduct of their operations and to help sustain and preserve farming and ranching businesses into the future.

Many farmers and ranchers have been awaiting the transfer of their land leases from the DLNR to the DOA pursuant to Act 90, Session Laws of Hawaii (2003), which was enacted to ensure long-term productive use of public agricultural lands to be managed by the DOA, which is better suited to administer agricultural lands. The almost 18-year delay of the anticipated transfers, however, has impaired the ability of farmers and ranchers to establish and implement long-term plans for their operations, and the determination of a time deadline by which to accomplish the transfer of leases from the DLNR to the DOA, as well as the continued collaboration between the departments regarding such transfers, would greatly assist with this effort.

LURF supports this measure as it believes that the DOA can best advance and sustain the needs of agriculture and the agricultural industry in this State. LURF also understands that lands under the DOA are appraised on their agricultural value while lands under the DLNR are auctioned for lease at the highest rates possible, which is commonly beyond the affordability of local farmers and ranchers. Additionally, long term leases issued by the DOA make it possible for agricultural stakeholders to prudently invest in infrastructure improvement and resource conservation on the leased land.

By recognizing the significance of, and need to assist the local agriculture industry, and implement measures which help to support the viability and maintenance of agriculture in the State, this bill significantly helps to promote economically viable agriculture, increased food production, and food self-sufficiency in Hawaii.

For the reasons stated above, LURF **supports SB 693**, and respectfully urges your favorable consideration of this bill.

Thank you for the opportunity to present testimony regarding this matter.

SB-693

Submitted on: 2/11/2021 7:39:50 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
james Kimo Falconer	Testifying for MauiGrown Coffee, Inc	Support	No

Comments:

Please support SB693.

SB-693

Submitted on: 2/9/2021 2:52:15 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jimmy Gomes	Testifying for Ulupalakua Ranch	Support	No

Comments:

We need this bill pass and support Hawaii Cattlemens Council testimony



Bobby Farias
President
Hawaii Meats, LLC
91-319 Olai Street
Kapolei, HI 96707

COMMITTEE ON WATER AND LAND
Senator Lorraine Inouye, Chair
Senator Gilbert Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator Clarence Nishihara, Vice Chair

Re: SB 693 - SUPPORT

Friday, February 12, 2021, 1:15pm
Conference Room 229
VIA Video Conference

Aloha e Chairs Inouye & Gabbard, Vice Chairs Keith-Agaran & Nishihara, and Members of the Committees:

My name is Bobby Farias, part owner of Hawaii Meats LLC, I am a 3rd generation rancher from Kauai and I **support SB693**. Ranchers need agriculture-appropriate lease terms and management to make prudent business decisions. This bill will provide much needed support to keep agriculture in active production.

I support SB693 because it sets a deadline for addressing leases that should be considered for transfer, and requires the Department of Agriculture and Department of Land and Natural Resources to mutually agree if a lease should stay under the management of the DLNR. It allows DLNR to advocate for lands that are valuable to their mission, while giving agricultural lands a chance to be properly managed by DOA. Without a deadline for transfers to occur by, ranchers are left in uncertain circumstances which hinders their ability for long-term planning and increasing contributions to food production. Agriculture has always been a vital part of Hawaii's well-being, and our current situation unfolding due to COVID-19 highlights that importance even more. For Hawaii to give agriculture the support it needs, agricultural lands should be transferred to DOA where lease terms are favorable and encourage improvements to the land and expansion of local food production.

Ranchers are proponents for stewarding the land well and will continue to implement conservation practices when leases are transferred to HDOA. With long-term leases based on agricultural production, ranchers will be even better situated to invest in long-term conservation practices. But we need agricultural lease terms under DOA to be successful.

There are still agricultural leases under the DLNR that should be transferred to the Department of Agriculture and we respectfully ask that the committee support SB693.

Thank you for the opportunity to testify on this matter,

Bobby Farias
President of
Hawaii Meats, LLC

SB-693

Submitted on: 2/10/2021 12:32:10 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Warren Watanabe	Testifying for Maui County Farm Bureau	Support	No

Comments:

Aloha Chair Inouye, Chair Gabbard, and members of the committees,

The Maui County Farm Bureau **supports SB 693**, which requires the department of land natural resources and department of agriculture to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district, requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/31/2023, requires the department of land and natural resources and department of agriculture to meet every five years to discuss transferring remaining lands, and requires the department of agriculture to inquire about any easements needed by the department of land and natural resources before offering a lease.

The intent of Act 90 SLH 2003 was to ensure the long-term productive use of agricultural lands across the islands by transferring them to DOA, which is better equipped to manage agricultural lands. Nearly 18 years later, farmers and ranchers are still waiting for Act 90 SLH 2003 to be fully implemented.

The success of ranchers and farmers is critical to the State's goal to double local food production. We believe that DOA is the agency best structured to advance agriculture and make it practical for producers to succeed and provide our communities with what they need. For example, under DOA, lands are appraised on their agricultural value while under DLNR, lands are auctioned for lease at the highest rates possible, which is typically unaffordable for farmers and ranchers. Additionally, DOA's long-term leases make it possible for farmers and ranchers to prudently invest in infrastructure improvement and resource conservation on the leased land.

Please pass this measure to support Hawaii's farmers and ranchers and our communities.

Mahalo,

Warren Watanabe



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER AND LAND

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

February 11, 2021 1:15 PM

In **OPPOSITION** to **SB693**: Relating to the Transfer of Non-Agricultural Park Lands

Aloha Chair Inouye, Chair Gabbard, and members of the committees,

On behalf of our 27,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES SB693** to transfer nearly **one hundred thousand acres** of public watershed lands from the Department of Land and Natural Resources to the Department of Agriculture.

Not agricultural lands

The 93 thousand acres of land at issue in this bill are crucial watershed lands that have been used on a temporary basis for ranching activities and hunting. As the title of the bill says, these are “non-agricultural park lands.” It is appropriate for the agency responsible for managing the state’s watersheds for healthy forests, robust drinking water supplies, and native species habitat should be responsible for managing these high-value lands. The Department of Land and Natural Resources is that agency, not the Department of Agriculture.

Fix DLNR’s leasing, licensing, and permitting process

The real issue behind this bill is the challenge ranchers face in securing the proper land dispositions from DLNR. We understand this problem. The Club continues to be a consistent critic of the DLNR’s handling of public land dispositions, in particular the improper use of revocable permits like those ranchers are currently using for access to these public lands.

The proper solution here is to fix DLNR’s process for handling land and water dispositions, not to transfer specific pieces of property away from the very agency that should be managing them. The Club is committed to helping in this process. The committee should review SB916(2019) for guidance on ways to improve DLNR’s land disposition process in a way that protects public trust resources and state interests in the long-term health of public watershed lands, while also reducing the hurdles for small-scale, low-impact uses of public lands (such as ranching and pasture lands).

Act 90, SLH 2003 was a mistake that should not be repeated

The 2003 Legislature should have never identified specific tax map key numbers for transfer from one agency to another. That is special legislation, which is prohibited by the state's constitution.

The Legislature should focus on establishing general policy direction and providing the funding necessary to implement those policies. It is the task of the agencies to actually implement those policies, employing their relative expertise in each subject matter area.

In this situation, the real purpose of these lands is watershed protection and management. This is the source of our future water, this is the home for Hawai'i's native species. That makes these lands the responsibility of the Department of Land and Natural Resources, not the Department of Agriculture.

For these reasons, we urge this committee to **HOLD** this bill. Thank you very much for this opportunity to provide testimony in **opposition to SB693**.



**Conservation
Council for
Hawai'i**

**Hawai'i's voice for wildlife
Kō Hawai'i o nā holoholona lōhiu**

**Submitted to the Senate Committee on Water and Land and Agriculture and Environment
Hearing: Friday, February 12, 2021
Hawaii State Capitol Room 229, Video Conference
SB 693: Relating to the transfer of non-agricultural lands**

Conservation Council For Hawaii **strongly opposes** SB 693.

The Department of Land and Natural Resources (DLNR) is the best agency to manage non-agricultural lands that can protect our watershed, native flora and fauna, and native species. Opportunity to reforest and combat climate change through carbon sequestration is abundant with many of the non-agricultural lands in their inventory. DLNR would be better able to manage lands currently leased and potential future lease agreements for agricultural, farm, and ranching purposes through bill **SB 1168**. Given the same flexibility as DOA to negotiate lease terms, provides a platform for DLNR to work with leases, as well as providing best practices for land management on such lands.

CCH **opposes** SB 693 and **strongly supports** the committees to consider SB 1168 instead.

SB-693

Submitted on: 2/9/2021 3:03:12 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Mack Almasin	Individual	Support	No

Comments:

I support SB 693 because Hawaii needs to show real support for agricultural producers and our local food systems. Ranchers are good stewards of the land and contribute to conservation and food security and need lease terms appropriate for agriculture, so they are able to invest more into conservation and food production. Agriculture is a tough business already and it is incredibly disappointing to watch the government continually turn their backs family ranchers that truly invest their whole lives into conserving the land they care for, while providing safe and healthy local food.

Thank you for your support.

SB-693

Submitted on: 2/9/2021 7:56:00 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Aileen K . F. Yeh	Individual	Support	No

Comments:

I fully support a deadline on Act 90, 2003 to transfer agricultural lands from the DLNR to DOA.

Ranchers and other ag producers need to have long term leases, in order to participate in many NRCS and conservation and wildlife programs. Ranchers are good stewards of the lands, and many of them have practices that include invasive species control, brush management, pasture management, reforestation, and fencing. This protects our lands, while at the same time makes it economically feasible to help pay for infrastructure and maintenance. Without grazing, many areas would be much more prone to wildfire. We need to support the ranchers. Keeping animals here will also provide food that is grown here.

Personal Testimony in SUPPORT of SB 693
RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS
by
Jenee S. Odani, DVM, DACVP

Senate Committee on Agriculture and Environment
Friday, February 12, 2021
1:15 pm; via Video Conference

Aloha Chair Gabbard, Vice Chair Nishihara, and members of the committee:

My name is Jenee Odani, and I am the Extension Veterinarian with the University of Hawaii at Manoa's College of Tropical Agriculture and Human Resources. I am grateful for the opportunity to provide personal testimony in **SUPPORT of SB 693**. This testimony does not represent the position of the University of Hawaii nor CTAHR.

Hawaii's cattle ranchers manage and preserve over 750,000 acres of rangeland. However, to properly manage these lands, ranchers need long-term land leases so they can continue to invest in improving the infrastructure. Ranchers play a "long game" and understand that they must sustainably manage the land to ensure the long-term success of their cattle operation. For this reason, I support the transfer of agricultural leases under DLNR to the Hawaii Department of Agriculture.

Thank you for the opportunity to testify on this matter.

SB-693

Submitted on: 2/10/2021 5:40:35 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Franco	Individual	Support	No

Comments:

I am in support of SB693

SB-693

Submitted on: 2/10/2021 6:57:40 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jimmy Greenwell	Individual	Support	No

Comments:

I strongly support the testimony on file from the Hawaii Cattlemens Council on this important bill

HB469

Requires the department of land natural resources and department of agriculture to meet and identify the non-agricultural parklands that should be rezoned as those in the conservation district. Requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/31/2023. Requires the department of land and natural resources and department of agriculture to meet every five years to discuss transferring remaining lands. Requires the department of agriculture to inquire about any easements needed by the department of land and natural resources before offering a lease.

DATE: Tuesday, February 9, 2021
TIME: 9:15 a.m.
PLACE: VIA VIDEOCONFERENCE

Chair Tarnas, Vice Chair Branco, and Members of the Committee on Water and Land,

Thank you for the opportunity to testify on HB369, which we are in support of. My family and I operate a beef cattle ranch on a DLNR leases on Hawaii Island that we support being transferred to the Department of Agriculture as provided for in the 2003 Hawaii Sessions Law, Act 90. We have a concern that as written the term “easement” is too broad and should specify an easement for DLNR to have access to land locked forest reserves or similar DLNR assets.

After being subjected to a sizable withdrawal of nearly thirty percent of our leasehold that put us into a financial tailspin that we barely survived, it was clearly evident to us that DLNR’s mission does not support Article XI, section 3 of the Hawaii State Constitution. We have had numerous discussions with other pastoral lessees over the years that have been subject to similar treatment by the DLNR. DLNR has nearly one million acres in its forest reserve and natural area reserve programs. Less than a tenth of the public lands remain in pastoral use. We have put over a million dollars of USDA, Natural Resource Conservation Service and Farm Service Agency funding combined with our own matching funds and hard work into conservation practices on our leasehold. Other pastoral lessees have done the same, whereby the lessees for the betterment of these public lands have secured millions of federal dollars. Although DLNR claims to have cooperative programs to improve these public lands we and other lessees have never been approached to collaborate. I believe if we were approached we would find that some of our goals are truly not so far apart.

We have worked hard to care for these lands, produce wholesome food and many of us have worked many hours overtime to revive and promote local food production. During the Covid pandemic it became evident we play an important role in food security. The entirety of the beef cattle industry has done well to coordinate donations and accelerate marketing beef to meet our

local needs. Our slaughter plants have done well to safely harvest our production and it is apparent that we manage a food resource that 100% of could be liquidated in times of emergencies like these.

In closing, the lands that make up our pastoral lease and others, these lands have been part of Hawaii's Beef Cattle industry for nearly 200 years and we are humbly asking you to continue protecting these agricultural lands to promote diversified agriculture, increase our food self-sufficiency and to secure the availability of these lands for future production.

SB-693

Submitted on: 2/10/2021 2:11:14 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Unger	Individual	Support	No

Comments:

McCandless Ranch strongly supports SB693. It is apparent, now more than ever, that Hawaii needs to diversify it's economy and support agriculture. Ranchers need agricultural-appropriate lease terms and management to make long term business decisions. This bill will provide much needed support to keep these state leases in active production to help meet Hawaii's Food Security goals.

SB-693

Submitted on: 2/10/2021 5:33:48 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ede Fukumoto	Individual	Support	No

Comments:

I am in favofr of SB 693 transferring non-ag park lands to ag. We need more ag lands on Oahu to support our famers so that we don't have to look to other parts of America or other countries for our food source (s). Mahalo

SB-693

Submitted on: 2/10/2021 6:35:40 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Imamura	Individual	Support	No

Comments:

Aloha,

My name is Kevin Imamura, I am a fourth generation Japanese citizen here in Hilo. My great grandparents were coffee growers in Kona, both grandparents worked in the sugar plantation in Kau. My father work for the Federal government in FmHA doing agriculture loans to farmers. I myself have been in agriculture my whole life one way or another. Growing up, I help with my grandparents on a Macnut farm. In high school, I was with 4H, Boy Scouts and FFA working closely with everything in agriculture. In college, I worked the Plant Pathology and Entomology labs. After college, I worked in various ag businesses. Today, I have a small business doing Handyman work and Landscaping. In the future, I want to go back to farming.

I am in favor of this bill. On this Island of Hawaii, there is many acres that is available for farming, but there is not much available for leasing for agriculture purposes. If you look at majority of the the available lots in the agricultural. Not too many are actively farming. We can't do anything due to the 55 year lease.

Opening up new lots will help out greatly. The rule of thumb is for a small family to survive, one would need to have 5 acres of active farming. In Hawaii, I am sure that number is greater. If the plots were 5 acres as a started plot would be appreciated. For those farmer that have proven to use of the 5 acres successfully, should qualify to move their farm to a larger plot 10 - 25 acres. Once they prove their farm is successful up to 25 acres, they should qualify for a 100 acre lot.

Starting off with 5 acre plots is reasonable for a farmer who is starting. Giving some one 100 acres off the start is foolish. Even for a rancher. Most business 8 out of 10 will fail. Most farmers won't have a business model to start off with. Setup an incentive reward system that will reward farmers, that if you are successful, you will be able to move up to a larger farm plot.

If they are satisfied with the 5 acres, give an option to purchase the land.

The FFA creed has changed since I was in high school. But I like the original creed personally. It simply states...I believe in the future of farming.

Unlike the other trades, plumbing, carpentry, welding, etc. We don't have a union. We don't get much help. We are all individual small business people. We have to pay for our own insurance, health care, salary and everything else that is needed besides growing our crop. Yet without us, people can't eat. We are importing food more than we are exporting. What will happen when Matson and Young Brothers fuel cost will out weigh our production costs. It won't be worth it to grow our own food.

Please look into this. Make it easier for us to farm and sell. We need land to start.

Thank you,

Kevin Imamura

SB-693

Submitted on: 2/10/2021 8:01:59 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gordon Inouye	Individual	Support	No

Comments:

Dear Members of the Senate,

This bill is long needed to support agriculture in Hawaii. We formerly had a lease under DL&R originally signed by a family member in 1964. The lease strictly limited the use to agriculture and related purposes. During successive rent renewals over the past 10 years the appraiser the DL&R engaged valued the land in highest and best use which was residential substantially increasing the rent for the property. The law requiring mediation was without any value as DL&R simply refused to budge on their appraisal. We had no choice but concede after spending nearly \$15,000 for our own appraiser, attorneys fees and other expenses. Our business failed and we returned the land to DL&R in 2018. That property remain vacant and unused since as well as another DL&R lease under similar terms which remains vacant with empty greenhouses since 2014. These properties could not be transferred to DOA because the had been rezoned residential and did not fit the criteria for transfer.

Sincerely, Gordon Inouye

SB-693

Submitted on: 2/10/2021 10:14:05 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Frederick M. Mencher	Individual	Support	No

Comments:

Aloha Chairs Inouye and Gabbard, Vice-Chairs Keith-Agaran and Nishihara, and members of the committees,

I support SB 693, which requires the department of land natural resources and department of agriculture to meet and identify the non-agricultural park lands that should be rezoned as those in the conservation district, requires that agricultural lands under the jurisdiction of the department of land and natural resources be transferred to the department of agriculture not later than 12/31/2023, requires the department of land and natural resources and department of agriculture to meet every five years to discuss transferring remaining lands, and requires the department of agriculture to inquire about any easements needed by the department of land and natural resources before offering a lease.

The intent of Act 90 SLH 2003 was to ensure the long-term productive use of agricultural lands across the islands by transferring them to DOA, which is better equipped to manage agricultural lands. Nearly 18 years later, farmers and ranchers are still waiting for Act 90 SLH 2003 to be fully implemented.

The success of ranchers and farmers is critical to the State's goal to double local food production. We believe that DOA is the agency best structured to advance agriculture and make it practical for producers to succeed and provide our communities with what they need. For example, under DOA, lands are appraised on their agricultural value while under DLNR, lands are auctioned for lease at the highest rates possible, which is typically unaffordable for farmers and ranchers. Additionally, DOA's long-term leases make it possible for farmers and ranchers to prudently invest in infrastructure improvement and resource conservation on the leased land.

Please pass this measure to support Hawaii's farmers and ranchers and our communities.

Mahalo,

Frederick M. Mencher

SB-693

Submitted on: 2/11/2021 5:12:42 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vanessa Stevens	Individual	Support	No

Comments:

I whole heartedly support this bill, as it give us security that our hard work and improvements to the land, and our animal production is guaranteed for our future and our children's future.

SB-693

Submitted on: 2/11/2021 5:17:42 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
chloe stevens	Individual	Support	No

Comments:

I support this bill and hope you do too. It helps to guarantee food production and food security in the islands. It also give ranchers/farmer security in knowing their conservation efforts and improvements are for their future.

SB-693

Submitted on: 2/11/2021 5:35:58 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Stevens	Individual	Support	No

Comments:

I support this bill and hope this can pass so we have confidence in knowing that the improvements and investments to our ranches are secure for our future. It will also ensure Hawaii's security for food production and also jobs for many many people in the agriculture industry.

SB-693

Submitted on: 2/11/2021 6:32:43 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Cabral	Individual	Support	No

Comments:

Strongly support

SB-693

Submitted on: 2/11/2021 9:16:37 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Whitney Boteilho	Individual	Support	No

Comments:

My name is Whitney Boteilho and I strongly support SB693. My family is one of many ranching family's whose current lease is managed by DLNR. Ranchers like myself are good stewards of the land and contribute to conservation and food security. If leases are transferred to the Department of Agriculture, lease terms would much more appropriate for agriculture, thus allowing ranchers to be able to invest more into conservation, infrastructure, and food production. I appreciate the opportunity to testify on this matter.

SB-693

Submitted on: 2/11/2021 9:18:04 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Iris Boteilho	Individual	Support	No

Comments:

SB-693

Submitted on: 2/11/2021 9:18:44 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Boteilho	Individual	Support	No

Comments:

SB-693

Submitted on: 2/11/2021 1:09:35 PM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
J Ashman	Individual	Support	No

Comments:

I have worked with local farmers and ranchers for 30 years. It has been painful to watch hard-working, dedicated, and productive individuals who lease agricultural land from DLNR as they struggle with the insecurity of unfavorable DLNR lease terms.

Please pass this bill that would finally help achieve the intent of Act 90 SLH 2003 to ensure the long-term productive use of ag lands by transferring them to DOA, which is better equipped to manage them.

Thank you.



Environmental Caucus

The Democratic Party of Hawaii

February 11, 2021

Re: **Bill #SB693**

Relating to the transfer of non-agricultural park lands..

Hearing: Friday 02-12-2021 at 1:15pm, Room 229 and Videoconference

Position: **Oppose**

Aloha Chairs Inouye and Gabbard, Vice-Chairs Keith-Agaran and Nishihara and members of the Water and Land Committee, and Agriculture and Environment Committee

"The Agriculture and Food Sustainability Committee of the Environmental Caucus of the Democratic Party of Hawaii seeks to ensure that the State adheres to its public trust responsibilities, including the management of 1) natural resources of those lands, 2) presence of endangered species, 3) protection of the watersheds, 4) recreational and hunting access, 5) management of historic sites, 6) usability for agriculture, and 7) protection of adjacent rare native forests from wildfire threat and invasive pests. We agree that these are important aspects of stewardship of these lands where the DLNR is better equipped to monitor and direct than the Department of Agriculture. The testimony from BLNR Chair Case suggests that the public trust elements of reforestation for not only native species and ecosystem restoration, but also carbon sequestration is an important part of the DLNR mandate, and that the areas impacted by SB 693 could serve an important role in realizing these goals.

Accordingly, for now, the Agriculture and Food Sustainability Committee believes that the State agency that is best suited to consider holistically the highest uses of these lands in the context of the multiple elements of environmental change and challenges we are facing in the near future remains the Department of Land and Natural Resources. The necessity of continuous dialog between the two departments is obvious. It is equally obvious that the DLNR retains the more encompassing perspective at a time when we are told that carbon sequestration will be pivotal in avoidance of climate catastrophe and ecosystem restoration has become a priority in the public mind. Thus, the decision of disposition of



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these lands must remain with that agency. The importance of enhanced conversation and flexibility between the two departments and the lessee is underscored by the testimony offered to these two bills.

Our committee thus opposes SB693 as it is written at the present time. However, with the amendment proposed by Chair Case and with the passage of SB1168 this committee may be ready to reverse this position.

Mahalo for your consideration,

Jeff McKnight

Co-Chair ECDPH Food Security and Agriculture Committee
Vice Chair, Environmental Caucus of the Democratic Party of Hawai'i

Tawn Keeney

Member Food Security and Agriculture Committee

SB-693

Submitted on: 2/11/2021 9:46:35 AM

Testimony for WTL on 2/12/2021 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rae Okawa	Individual	Oppose	No

Comments:

I oppose this measure and urge instead the support of SB1168. I would feel more at ease if the Department of Land and Natural Resources can stay involved in the management of non-agricultural park lands. Mahalo for the opportunity to testify.