

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 COMMITTEE ON AGRICULTURE AND
ENVIRONMENT

MONDAY, MARCH 28, 2022
1:00 P.M.

CONFERENCE ROOM 224 & VIA VIDEOCONFERENCE

SENATE CONCURENT RESOLUTION 76 / SENATE RESOLUTION 69
REQUESTING THE BOARD OF AGRICULTURE TO PROHIBIT UNAPPROVED
RESIDENTIAL USE OF FARM DWELLINGS IN AGRICULTURAL PARKS

Chairperson Gabbard, and Members of the Committee:

Thank you for the opportunity to testify on Senate Concurrent Resolution 76/Senate Resolution 69. This measure requests the Board of Agriculture to establish a prohibition on unapproved residential uses of farm dwellings in agricultural parks. The Department respectfully offers that this measure is unnecessary and offers the following comments.

Unapproved structures of any kind are already prohibited in agricultural parks. Pursuant to Hawaii Administrative Rules, §4-153, however, the Board of Agriculture may approve requests for construction of farm dwellings on state leased lands if the need is clearly demonstrated. Currently, the Department is aware of a few unapproved structures and are in the process of working with these lessees to either bring them into compliance (with BOA approval) or have the structures removed.



Allowing farm dwellings on agricultural parcels is appropriate and prudent under certain circumstances. Agricultural parks are generally located in remote rural country locations that do not have streetlights and the benefit of regular law enforcement patrols. Farmers must establish their own security measures to prevent losses from their farming businesses and harm from criminals wreaking havoc on agricultural properties. They are extremely vulnerable to criminal activities such as theft, burglary, property damage, trespassing, malicious mischief, etc. Farmers have increasingly reported numerous incidents involving theft of crops (vegetables, fruit, nursery, etc.), farming equipment, supplies, and vehicles, as well as vandalism and damage to property. In those situations, having an approved and permitted farm dwelling on the premises at which the farmer or farm workers can reside is critical to protecting their business investments. The presence of the farmer or farm workers on the premises 24/7 provides an effective deterrent to illegal activity. Security is often the primary reason that farmers give to justify approval for construction of a farm dwelling on a state lease lot from the Board of Agriculture.

Thank you for the opportunity to submit testimony.

SCR-76

Submitted on: 3/25/2022 10:16:20 AM

Testimony for AEN on 3/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

"Farm dwelling" implies residential use. It is important for the promotion of agriculture by reducing travel time and preventing theft.