

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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BOATING AND OCEAN RECREATION
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
DAWN N. S. CHANG
Chairperson**

**Before the Senate Committee on
WATER AND LAND**

**Wednesday, March 13, 2024
1:00 PM**

State Capitol, Conference Room 229 and Via Videoconference

**In consideration of
HOUSE BILL 2505 HOUSE DRAFT 1
RELATING TO LAND USE**

House Bill 2505 House Draft 1 proposes to increase the fines for violations of land use laws and imposes enhanced fines for developers and owners of important agricultural lands who repeatedly use the lands for unintended purposes. **The Department of Land and Natural Resources (Department) supports this measure.**

Over 25% of the lands in the state are covered in flammable, nonnative grasses, and much of these lands are fallow agricultural lands. Many agricultural landowners in the state are not actively farming or ranching these lands which leads to abundant hazardous fuel loads that threaten adjacent communities and forested watersheds.

Mahalo for the opportunity to provide testimony in support of this measure.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

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**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE SENATE COMMITTEE ON WATER AND LAND

**WEDNESDAY, MARCH 13, 2024
1:00 PM
CONFERENCE ROOM 229**

**HOUSE BILL NO. 2505, HOUSE DRAFT 1
RELATING TO LAND USE**

Chair Inouye, Vice Chair Elefante and Members of the Committee:

Thank you for the opportunity to testify on House Bill 2505, HD1 that increases the existing fines for violations of Chapter 205 or any related rule and enhances fines for developers and owners of designated Important Agricultural Lands (IAL) who repeatedly use these lands for purposes violative of the IAL law (Chapter 205, Part III). The bill speculates that there may be individuals who “abuse the important agricultural land designation system for its incentives” by using their designated IAL lands “for unintended purposes” (page 2, lines 9-12). The Department of Agriculture (Department) offers comments.

The IAL Law does not add another regulatory layer to Chapter 205. Unlike Part I of Chapter 205, the IAL Law is meant to incentivize the existing or potential use of



agricultural lands for agricultural production. IAL designation does not prohibit the landowner or developer from seeking uses and activities permitted in Chapter 205.

The IAL incentive relating to farm dwellings and employee housing (Section 205-45.5) may be affected by this measure, but we are not aware of qualified landowners and/or developers having used this incentive that would be administered by the applicable county.

To our knowledge, the only IAL incentive used thus far is the Qualified Agricultural Cost Tax Credit (Tax Credit) (Section 235-110.93). The Department is not aware of any owners or developers on designated IAL land improperly claiming agricultural costs.

Thank you for the opportunity to testify on this measure.

HB-2505-HD-1

Submitted on: 3/9/2024 11:21:19 AM

Testimony for WTL on 3/13/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to Increasing the fines for violations of land use laws. Imposes enhanced fines for developers and owners of important agricultural lands who repeatedly use the lands for unintended purposes.

HB-2505-HD-1

Submitted on: 3/11/2024 6:07:03 PM

Testimony for WTL on 3/13/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen M Pahinui	Individual	Support	Written Testimony Only

Comments:

Aloha Senator Lorraine R. Inouye and Committee Members -

I strongly support this bill. The amount of ag land being used for non-ag uses on the North Shore of Oahu has grown significantly over the years and we are in serious danger of losing our ability to grow food. Food security is a stated goal of our State and we have not done very much to support farmers and protect ag lands. This is a great step in the right direction.

Please support this bill.

Mahalo,

Kathleen M. Pahinui

Waiialua Resident, North Shore, Oahu