

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**DEXTER KISHIDA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
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**TESTIMONY OF SHARON HURD  
CHAIRPERSON, BOARD OF AGRICULTURE**

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

**MONDAY, FEBRUARY 5, 2024  
1:15 PM  
CONFERENCE ROOM 229**

**SENATE BILL NO. 2960  
RELATING TO AGRICULTURE**

Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 2960. This bill requires the lessees and purchasers of farm lots and ranch lots use that land for farming and producing food and authorizes agricultural cooperatives to apply for farmlands. The Department of Agriculture (Department) supports this bill.

The Department acknowledges the mandate in article XI, section 3 of the Hawaii State Constitution to “conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.” The Department’s actions to implement the mandate include inspections of our agriculture and non-agriculture park lessees twice a year for compliance with lease terms that the lands are in agricultural production. Should the suggested revisions to Chapter 171, Public Lands, Management and Disposition of be further revised, the Department will assess potential impacts to Chapter 166, Agricultural Parks and 166E, Non-agricultural parks.

Thank you for the opportunity to testify on this measure.





**Hawaii Cattlemen's Council, Inc.**

COMMITTEE ON WATER AND LAND  
Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
Senator Mike Gabbard, Chair  
Senator Herbert M. "Tim" Richards, III, Vice Chair

**SB2960**  
RELATING TO THE FARMERS

Monday, February 5, 2024, 1:15 PM  
Conference Room 229 & Videoconference

Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and Members of the Committees,

The Hawaii Cattlemen's Council **supports SB2960** which requires that lessees and purchasers of farm lots and ranch lots use that land for farming and producing food. Authorizes agricultural cooperatives to apply for farmlands.

Our priority is keeping agricultural lands in agricultural production. With land as a limiting resource, we must ensure that any parcels that are suitable for agricultural activities are utilized for that purpose. We support measures that encourage bonafide farming and ranching practices to reach out state's food security goals, but we also want to ensure that the restrictions are feasible to a farmer and rancher to still be flexible amongst their agricultural operation.

Thank you for the opportunity to testify. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four 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.

Nicole Galase  
Hawaii Cattlemen's Council  
Managing Director





**LATE**

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February 5, 2024

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

**TESTIMONY ON SB 2960**  
**RELATING TO FARMERS**

Conference Room 229 & Videoconference  
1:15 PM

Aloha Chairs Inouye and Gabbard, Vice-Chairs Elefante and Richards, and Members of the Committees:

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 2960**, which requires that lessees and purchasers of farm lots and ranch lots use that land for farming and producing food and authorizes agricultural cooperatives to apply for farmlands.

HFB advocates for public policies and incentives that provide for viable farming and ranching activities on agricultural lands thereby retaining agricultural lands for future generations. Lands capable of supporting viable agricultural activities should be protected and kept in agriculture for agricultural production.

We support the retention of agricultural lands in blocks of contiguous, intact, and functional land units large enough to allow **flexibility** in agricultural production and management and discourage the fragmentation of agricultural lands to non-agricultural uses. Lands zoned for agriculture should be used primarily for productive agricultural purposes, including family farming.

Agricultural lands with "gentlemen estates" often conflict with bona fide farmers in surrounding areas when dust, odors, smoke, and noise from legitimate farms offend those who live in the "gentlemen farms". Agricultural lands that were developed to create "gentlemen farms," where little to no farming exists, also increased the cost of agricultural land, making it nearly impossible for bona fide farmers to purchase farmland. These subdivisions are typically residential lots with larger yards and nice landscaping.

The Hawaii Farm Bureau was part of the Stakeholders Group convened by the Office of Planning in response to Act 278, Session Laws of Hawaii 2019. The stakeholder group established the following goals 1) Keep suitable agricultural lands for agriculture; 2) Support farmers and farming; 3) Keep agricultural lands affordable for farming; 4) Enable long-term access to agricultural lands for farmers, and 5) Minimize subdivision and CPR of productive agricultural lands except for bona fide agricultural reasons.

The Hawaii Farm Bureau supports policies that ensure that agricultural lands are used primarily for productive agricultural purposes.

Thank you for the opportunity to testify on this measure.

**SB-2960**

Submitted on: 2/2/2024 3:32:39 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Penny Levin	Individual	Comments	Written Testimony Only

Comments:

Protecting existing agricultural lands is critical for future food security in Hawaii. I support the intent of SB2960 as it tries to address the looming conversion of agriculture lands to development and out of state ownership. As a long time farmer, I also have a couple of comments and concerns. Firstly, as a whole, the requirement of a farm plan is fine provided that a farmer is not forced to use a particular state or federal agency for those plans. There are many good ways to farm that lay outside the knowledge and rules of formal agencies; in particular, natural, regenerative, or indigenous farming practices that are often far better for our island ecosystems.

Under Section 2, item 8, the options for required documentation may be unrealistic for small farmers who, for example, may produce organic food, but who can't afford or are not interested in actual organic certification, which is expensive (I believe the term for uncertified farms is "natural farming"); nor do they need a formalized agency plan to be a good farmer. That does not mean they won't seek assistance from an agency if they feel the need but it should not be a required document. Many small farmers in the state grow an abundance of food for our communities but could not produce receipts for \$10K in farm equipment, fertilizers or soil amendments. They may borrow or rent equipment, or ask a neighboring farmer to assist when needed because equipment purchase is beyond their budget; they may not purchase commercial fertilizers or soil amendments because they make their own. I would suggest shifting from proof of expenses to proof of sales or distribution (eg. donation), as in (9), except where land purchases within "agricultural subdivisions" or large parcels occur, and that for all farms the purchase proof amount be based on acreage. For example, sale or distribution of produce valued at \$1,000/yr/ac. That balances out the requirement without unduly burdening new small growers while still providing a mechanism to ensure "gentleman farms" and larger properties are truly farming.

Under Section 3, (A) my observation is that two years is an insufficient time frame. It takes persevering through a third year of farming before someone truly demonstrates a commitment to farming and gains enough experience through successes – and failures. I strongly encourage you to strike (D), the requirement of a college degree. One does not need a college degree to farm or farm well, and this requirement demonstrates a bias of where "expertise" is found that fails in real life. While I am a farmer with a university degree (not in agriculture), and have many farmer friends with the same, we didn't learn what we know about farming in college and we have all have worked with youth who shine on farm but fail in the classroom. There are many young men and women for whom college is not their path but farming may be. (H) is outdated

and not a particularly useful indicator; the Hawaii Young Farmers Association is dissolved in Hawaii. All knowledge is not found in one house and mentoring farmer to beginning farmer is an honored and appropriate tradition, as organizations such as MAO, HFUU, Kohala Center Mala'āina program and others have shown.

Mahalo for the opportunity to provide comment.

**LATE**

**SB-2960**

Submitted on: 2/4/2024 1:45:45 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicolette Choi	Individual	Support	Written Testimony Only

Comments:

Aloha mai kākou,

Thank you to the Members of the Committee for the opportunity to comment on SB2960, which seeks to “require that lessees and purchasers of farm lots and ranch lots use that land for farming and producing food and authorizes agricultural cooperatives to apply for farmlands”.

I support SB2960 and our local farmers as food security is a big issue in Hawai’i due to the majority of our food being imported. According to local economists, less than 1% of the state’s revenue originates from local agriculture. Local farmers struggle for various reasons, like high operation costs and small profit margins, for starters. Moreover, land and water rights in Hawai’i are limited and expensive. It is unjust to farmers for wealthy buyers to accrue large parcels of agricultural land for uses other than farming or ranching. Farmers in Hawai’i have more than enough obstacles to overcome. If we are to move toward a more secure and sustainable food system in the future, securing agricultural land is an important start.

Mahalo nui for allowing me to share my thoughts!

Sincerely,

Nicolette Choi

**SB-2960**

Submitted on: 2/4/2024 2:46:25 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

I support SB2960 in that we see many "fake farms" on ag land in Maui County and I support efforts to use ag lands as to further agricultural activities. I would go further to encourage the State Department of Agriculture and individual counties to promote local composting and mulch operations because as we have seen the inter-island transportation of compost materials have led to many costly invasive species gaining a foothold in the islands and that is the biggest threat to local farming operations.

Mahalo for your commitment to our communities,

Tamara Paltin



**SB-2960**

Submitted on: 2/4/2024 4:30:28 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Farmers ONLY!!!!!!!!!!

**LATE**