

**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**  
KA 'OIHANA MAHI'AI  
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**TESTIMONY OF SHARON HURD  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON WATER AND LAND AND  
ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM**

**WEDNESDAY, FEBRUARY 14, 2024  
1:00 PM  
CONFERENCE ROOM 229**

**SENATE BILL NO. 2811  
RELATING TO AGRICULTURAL TOURISM**

Chairs Inouye and DeCoite, Vice Chairs Elefante and Wakai and Members of the  
Committees:

Thank you for the opportunity to testify on Senate Bill 2811 that makes State agricultural tourism applicable to all counties, instead of only counties that have adopted an agricultural tourism ordinance pursuant to Chapter 205. The measure also requires the Land Use Commission to adopt rules that establish requirements applicable to all farms seeking to implement agricultural tourism. The Department of Agriculture (Department) offers comments.

The Department supports the concept of agricultural tourism and overnight accommodations as an opportunity for qualified agricultural operations to diversify their income stream beyond the sale of their food and non-food agricultural products. The Department also supports county home rule with respect to planning and zoning for their agricultural lands. The Department is concerned about repealing the existing



county authority to establish ordinances to permit agricultural tourism and overnight accommodations and requiring the Land Use Commission to create rules governing details such as road width, days and hours of operation, requirements for gift shops and restaurants, and revenue verification.

Only Hawaii County has an ordinance allowing agricultural tourism where it is accessory to agricultural activities and agricultural processing facilities (Section 25-4-15, Hawaii County Code), however it does not allow certain activities including overnight accommodations unless approved by Special Permit.

While the Department supports the concept of agricultural tourism, we defer to the Land Use Commission and the Office of Planning and Sustainable Development.

Thank you for the opportunity to testify on this measure.



TESTIMONY OF DANIEL NĀHO'OPI'I  
INTERIM PRESIDENT & CEO, HAWAII TOURISM AUTHORITY  
BEFORE THE SENATE COMMITTEES ON WATER AND LAND  
AND ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM  
Wednesday, February 14, 2024 1:00 p.m.  
In consideration of  
**SB 2811**  
**RELATING TO AGRICULTURAL TOURISM**

Aloha Chairs Inouye and DeCoite, Vice Chairs Elefante and Wakai, and Members of the Committees,

The Hawai'i Tourism Authority (HTA) supports SB2811, to make state agricultural tourism requirements applicable to all counties, and require the Land Use Commission to adopt rules that establish requirements applicable to all farms implementing agricultural tourism.

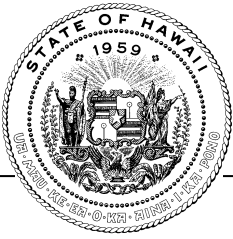
HTA recognizes the importance of protecting and uplifting Hawai'i agriculture, and the visitor industry offers paths for farms to enhance revenues to stabilize and bolster their businesses. Coordinating the development of new agricultural tourism products is part of our statutory mandate in HRS §201B-3(a)(19).

**In 2019, direct and indirect visitor spending on local agricultural products was \$240.7 million – 9.4% of total agriculture industry sales.** Expanding agricultural tourism advances a model of regenerative tourism for Hawai'i, builds capacity to advance a circular economy as articulated in the 'Āina Aloha Economic Futures Declaration, and advances Hawai'i's progress toward the Aloha+ Challenge goal of doubling local food production.

HTA has supported the development of agricultural tourism which includes:

- Partnerships for regenerative tourism product development that help our farmers through initiatives including the Community Enrichment, Kahu 'Āina (formerly Aloha 'Āina), and Signature Events programs;
- The creation of the *Hawai'i AgriBusiness GuideBook: Starting an Agri-Tourism Operation* through our partnership with GoFarm Hawai'i, the Hawai'i AgriTourism Association and the O'ahu Resource & Development Council;
- Offering capacity building opportunities to farmers and businesses interested in agricultural tourism; and
- Support for the Hawai'i Farm Trails website and app which promotes and strengthens Hawai'i's agricultural businesses and agricultural tourism.

HTA remains committed to supporting Hawai'i's farmers by encouraging buying local and developing regenerative tourism products, such as farm tours, enabled by this legislation. Mahalo for the opportunity to provide this testimony in support of SB2811.



**STATE OF HAWAII  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SYLVIA LUKE**  
LT. GOVERNOR

**MARY ALICE EVANS**  
INTERIM DIRECTOR

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Statement of  
**MARY ALICE EVANS, Interim Director**

**LATE**

before the  
**SENATE COMMITTEES ON WATER AND LAND AND ENERGY, ECONOMIC  
DEVELOPMENT, AND TOURISM**

Wednesday, February 14, 2024

1:00 PM

State Capitol, Conference Room 229

in consideration of  
**SENATE BILL NO 2811  
RELATING TO AGRICULTURAL TOURISM.**

Chairs Inouye and DeCoite, Vice Chairs Elefante and Wakai, and Members of the House Committees on Water and Land and Energy, Economic Development, and Tourism:

The Office of Planning and Sustainable Development (OPSD) **appreciates the intent** of SB2811, which proposes to amend Chapter 205, Hawaii Revised Statutes (HRS), to support agricultural tourism in the State Agricultural District while protecting the principal agricultural use. However, OPSD has several **comments with concern**.

OPSD supports agricultural tourism as a means by which farmers can diversify their income and help to sustain their primary agricultural operations and believes it is an option that should be available to all counties.

However, the choice to establish ordinances to permit agricultural tourism and overnight accommodations should be left with the counties and not governed by rules created by the Land Use Commission (LUC). This is especially true since the counties can enforce agricultural tourism requirements and the LUC cannot.

Furthermore, another concern with SB2811 is that amending Chapter 343, HRS, would be necessary to allow the counties to require an environmental review before authorizing agricultural tourism activities.

Finally, if the bill advances, OPSD recommends that § 205-2 (d) (11) and § 205-2 (d) (12) be combined into one section as "Agricultural tourism activities". The term "agricultural tourism" is difficult to define and is redundant with the term "agricultural tourism activities".

Thank you for the opportunity to testify on this measure.



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February 14, 2024

HEARING BEFORE THE  
SENATE COMMITTEE ON WATER AND LAND  
SENATE COMMITTEE ON ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM

**TESTIMONY ON SB 2811**  
RELATING TO AGRICULTURAL TOURISM

Conference Room 229 & Videoconference  
1:00 PM

Aloha Chairs Inouye and DeCoite, Vice-Chairs Elefante and Wakai, 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 provides comments on SB 2811**, which makes state agricultural tourism requirements applicable to all counties, instead of only counties that have adopted an agricultural tourism ordinance and requires the Land Use Commission to adopt rules that establish requirements applicable to all farms implementing agricultural tourism.

We strongly support agritourism as it represents an excellent revenue enhancement opportunity for farmers and ranchers as well as an educational opportunity for the public. Fostering the profitability of farmers and ranchers will significantly contribute to the State's goal of increased self-sufficiency.

We believe the primary purpose of the Agricultural District is production agriculture. Agricultural tourism operations should be subordinate to bona fide agricultural operations. We believe that other loosely related activities that merely use agriculture as a justification belong in the rural district. Counties should be encouraged to move in this direction, thereby protecting agricultural lands.

We believe that the details of agricultural tourism are a Home Rule issue and we request that the requirement that a County adopt ordinances regulating agricultural tourism operations remain in statute. Counties may differ in their opinions of what they allow. Different counties may have different opinions of what comprises agricultural tourism. This should be duly respected and remain within the purview of County Zoning.

Thank you for this opportunity to provide comments on this measure.

**SB-2811**

Submitted on: 2/11/2024 12:19:41 PM

Testimony for WTL on 2/14/2024 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lu Ann Mahiki Lankford-Faborito	Individual	Support	Written Testimony Only

Comments:

Support this measure that will help our ag community in each county statewide.

**SB-2811**

Submitted on: 2/11/2024 2:56:25 PM

Testimony for WTL on 2/14/2024 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kathleen M. Pahinui	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Chairs Inouye and DeCoite and Committee Members:

As the bill is currently written, I oppose SB 2811 regarding Agricultural tourism. I am deeply concerned about abuse and lack of enforcement of the rules. I offer the following comments for consideration:

- What activities are defined as ag tourism? For example, the lavender farm on Maui, is an ideal and classic example of ag tourism and how to do it right. The activities are related to the crop grown. On the other hand, ziplines, ATVs, kayaking and other types of non-ag based activities fail to show their nexus to ag and how they enhance someone’s learning of what is being grown and its value to the community. Why should these activities be allowed? Especially as some take up valuable land where food could be grown.
- Who will monitor revenue from these activities. I completely agree they should not exceed that of revenues earned by farming. And if they do exceed the farming revenue – what is the enforcement mechanism? Who will enforce? Are there or will there be any penalties? This is a vital question to answer as non-ag revenue logically could exceed ag revenue very quickly.
- No overnight accommodations. This is a loophole that will be exploited and abused. Again who will enforce this provision? And why should this be allowed? How does it add to the ag being done on the land? What is the nexus? It may also run counter to county laws on vacation rentals.
- Any rules established must be done in a public forum and allow for community input. Only hearing from those with something to gain is one-sided. Any group should also include community members.
- Environmental assessments must be mandatory not an option. This will weed out some of the those with no intent to put farming first.

I live in an agricultural community where many ag land owners are not honest with their intentions; they flout current laws and rules for permits and I have no faith they will follow any new requirement for permits. Ag tourism should be a gift, not a given. I strongly support agriculture and believe we must do what we can to support our farmers BUT these activities do not support our food security and are the slippery slope to food oblivion.

Please make this as strong and as hard as possible. Please put nā keiki first and their future first. We barely have four-days worth of food on this island and probably even less on the neighbor islands.

We keep saying we support food security – let our actions support our words.

Mālama ʻāina,

Kathleen M. Pahinui

Waialua Resident, North Shore Oʻahu