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SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
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 HOUSE COMMITTEES ON AGRICULTURE AND FOOD SYSTEMS
AND TOURISM

WEDNESDAY, FEBRUARY 5, 2025
8:45 AM
CONFERENCE ROOM 325

HOUSE BILL NO. 189
RELATING TO AGRICULTURAL TOURISM.

Chairs Kahaloa and Tam, Vice Chairs Kusch and Templo and Members of the Committees:

Thank you for the opportunity to provide testimony on House Bill No. 189 that amends Section 205-5(b) (county zoning) to ensure that agricultural tourism uses and activities are accessory and secondary to commercial agricultural activities and uses. The Department of Agriculture (Department) appreciates the intent of bringing tangible measures to the relationship required between non-agricultural use or activity and the agricultural land on which it is to be located.

This measure proposes three additional requirements to be put into ordinances governing agricultural tourism uses and activities:

1. Commercial agricultural activity must be in existence prior to a county's issuance of land use or building permits for any accessory and secondary uses;
2. Agricultural tourism uses and activities are limited to those uses and activities allowed under existing county zoning and regulations; and
3. Agricultural tourism is only allowed on land where "productive agricultural use" is occurring as evidenced by:
 - a. A to-be-determined threshold of the land where agricultural tourism use or activity is to be located must be actively cultivated;
 - b. The farming operation meets or exceeds a minimum income threshold from annual farm sales; or
 - c. The farm property is taxed by the county as agricultural and is current with property tax obligations.



There are other non-agricultural uses and activities that are permissible on agricultural land if a relationship to or an amount of something is achieved from agricultural land and the incumbent agricultural activity. In the Hawaii Revised Statutes, the following sections may benefit from more explicit definition: “farm dwelling” (Section 205-4.5(a)(4)), “solar energy facilities” (Section 205-4.5(a)(21)), “agricultural buildings and structures exempt from building permit and building code requirements” (Section 46-88(c)(3) and (4)), “agricultural-based commercial operations” Section 205-2(d)(15)), and other uses and activities.

Thank you for the opportunity to present our testimony.

HB-189

Submitted on: 2/3/2025 8:23:45 PM

Testimony for AGR on 2/5/2025 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
David Bateman	Heavenly Hawaiian Farms	Oppose	Written Testimony Only

Comments:

Aloha Chair Kahaloe and Committee,

I **oppose** HB189 as its language contradicts the language of SB966, and continues the quagmire of plan approval requirements rather than simple registration of Agricultural Tourism activities with county planning, as provided for in HB966.

I strongly urge the Committee to vote HB189 down and table it in committee.

Mahalo nui,

Dave Bateman, President

Heavenly Hawaiian Farms

Holualoa, HI



Food+ Policy Internship 2025

food@purplemaia.org

February 3, 2025

Subject: HB 189 *Relating to Agricultural Tourism*

Aloha Members of the Agriculture & Food Systems, Tourism, Water & Land, and Judiciary & Hawaiian Affairs Committees,

Hawai'i Food+ Policy is in support of HB 189. Agricultural tourism, or agritourism, is a growing sector that not only enhances the agricultural economy but also promotes cultural heritage and environmental stewardship. This testimony outlines the significance of this bill for our state's economy, community engagement, and sustainable practices.

Hawai'i's agricultural sector has faced numerous challenges over the years, including competition from imported goods and changing climate conditions. By allowing agricultural tourism as a secondary use on working farms, HB189 can provide local farmers with an additional revenue stream. This diversification is crucial for the sustainability of local agriculture.

Furthermore, agricultural tourism creates jobs not only directly on farms but also indirectly in related sectors such as hospitality, transportation, and retail. As tourists visit these farms for tours, workshops, or events, they contribute to the local economy through spending on food, lodging, and other services. This influx of economic activity can help support small businesses and local agriculture.

HB189 also encourages community involvement by promoting educational opportunities about local agriculture and sustainability practices. When visitors engage with farmers through tours or workshops, they gain a deeper understanding of where their food comes from and the challenges faced by local producers. This connection fosters appreciation for local agriculture and encourages consumers to support Hawai'i-grown products. It also energizes our local youth to become excited and engaged with local food systems.

Moreover, agricultural tourism can serve as a platform for cultural exchange. Many farms in Hawai'i are steeped in rich traditions that reflect our diverse heritage. By showcasing these

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2024, the cohort of interns are undergrads and graduate students from throughout the UH System. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.



Food+ Policy Internship 2025

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practices through agritourism activities—such as traditional farming methods or culinary experiences—farmers can share their stories with visitors while preserving cultural identity.

Hawai'i Food+ Policy also understands the need for the additional ordinances in the bill. Our members have conversed and interacted with many people in the local agricultural community, and understand how currently, our agricultural land is being exploited.

Prospective buyers of agricultural land are told “just plant a few trees and bushes, and you can do anything you want with the rest of the land”, setting up businesses and infrastructure on agricultural land that has nothing to do with agriculture or producing, all while enjoying tax credits, reduced water rates, and other benefits. Not only is this unfair to local farmers, it takes away from our community's food resilience and productivity. Well-meaning farmers seeking to provide for our islands end up having opportunities taken away from them by interests that have no intention of ever meaningfully utilizing agricultural land.

The bill emphasizes that agricultural tourism must occur on land where productive agricultural use is already taking place. This stipulation ensures that agritourism does not detract from essential farming activities but rather complements them. By requiring that principal agricultural uses preexist any permits for accessory or secondary uses, HB189 safeguards against potential overdevelopment or misuse of agricultural land.

Additionally, promoting sustainable practices within agritourism aligns with broader environmental goals in Hawai'i. Farms engaged in agritourism often adopt eco-friendly practices to attract environmentally conscious consumers. This commitment can lead to improved soil health, biodiversity conservation, and reduced carbon footprints—all vital components for combating climate change.

In summary, HB189 represents an important step forward for Hawai'i's agricultural sector by providing a framework for integrating agricultural tourism into existing farming operations responsibly. The economic benefits derived from increased revenue streams will bolster our local economy while fostering community engagement and promoting sustainable practices essential for future generations. We kindly appreciate your consideration.

Mahalo, The Hawaii Food+ Policy Team

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In 2024, the cohort of interns are undergrads and graduate students from throughout the UH System. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

Rep. Kirstin Kahaloa, Chair
Rep. Matthias Kusch, Vice Chair

COMMITTEE ON TOURISM

Rep. Adrian K. Tam, Chair
Rep. Shirley Ann Templo, Vice Chair

HB189

RELATING TO AGRICULTURAL TOURISM

Wednesday, February 5, 2025, 8:45AM
Conference Room 325 & Videoconference

Chairs Kahaloa and Tam, Vice Chairs Kusch and Templo, and Members of the Committee,

The Hawaii Cattlemen's Council **opposes HB189** which requires the counties to adopt ordinances setting forth procedures and requirements for the review and permitting of agricultural tourism uses and activities as secondary uses, in addition to accessory uses, on a working farm or farming operation. Requires the counties' ordinances to include requirements that: the principal agricultural use on a working farm or farming operation preexists the issuance of any land use permit or building permit for any accessory and secondary use; agricultural tourism includes only those activities that are allowed under existing zoning and land use regulations; and agricultural tourism be allowed only on land on which productive agricultural use is occurring.

This bill attempts to set thresholds for percent of land in agriculture and a dollar amount of revenue from agriculture in order to allow for agricultural tourism. These thresholds may not be the right indicator of whether ag tourism is secondary to ag production. We need to ensure that gentleman farms are not unfairly benefiting from ag tourism while not producing food, but we also need to make sure we are not restricting bonafide ranchers and farmers from using it as a tool.

Agricultural tourism is important to diversity a farm or ranch's revenue stream, provide access for the public to a working farm, and to educate and connect people with where their food comes from. Agriculture is a tough business with small margins. Utilizing agricultural tourism can often be an important factor in being able to stay afloat financially.



We appreciate the opportunity to testify on this measure. 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

HB-189

Submitted on: 2/4/2025 8:08:02 AM

Testimony for AGR on 2/5/2025 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Taylor Kellerman	Kualoa Ranch	Oppose	In Person

Comments:

Aloha

My name is Taylor Kellerman and I am the Director of Diversified Agriculture, Land Stewardship and Education for Kualoa Ranch.

Born and raised on windward Oahu, I have worked in Hawaii's Agricultural industry for over 20 years and currently serve on multiple industry Board affiliations

I am here this morning to testify in opposition of HB 966 and the negative consequences the listed regulations would have both on our business as well as current and future endeavors that other farmers and ranchers could pursue to diversify their economies.

As an example:

At Kualoa Our ag programs Produce approximately 90K pounds of food per year and offer over 60 products

We Operate an onsite market that services our surrounding community (former food desert) as well as Support over 20 other local producers

Our Natural resource programs Steward over 3800 acres with an 8-person full time dedicated staff

And our Education programs Provide outdoor classroom curriculum for over 15K of Hawaii's student per year We also partner with the DOE CTE program and UH west programming with food production internships

All of this is possible because of the economic engine that agritourism provides. In short, limiting this portion of our business per the regulation outlined in this bill would mean loss of over 350 jobs, and loss of one of the only 7 day a week sources for local food on the windward side of Oahu.

The state has a goal of increasing food security, but the reality is the majority of farming and ranching businesses in Hawaii operate with razor thin margins coupled with constant uncertainty resulting from being at the mercy of mother nature. Assigning across the board

limits, restrictions, or changes to the way in which an agricultural operation can diversify its economy will have lasting negative effects on the future of food production for Hawaii.

I appreciate your time.



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Natalie Urminska
Kaua'i

Aloha Chairs Kahaloa & Tam, Vice Chairs Kusch & Templo, and Members of the House Agriculture & Food Systems Committee,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports HB189.**

By mandating that agricultural tourism constitutes secondary and accessory uses, the bill ensures that the primary focus remains on farming, thereby safeguarding the integrity and productivity of agricultural lands. This balanced approach allows farmers to diversify their income streams without compromising the fundamental purpose of the land.

The bill also emphasizes the importance of adhering to existing zoning and land use regulations, ensuring that agricultural tourism activities are appropriate and sustainable. By allowing such activities only on land where productive agricultural use is occurring, HB189 reinforces the commitment to maintaining agricultural viability while providing farmers with opportunities for economic growth. This initiative not only benefits individual farming operations but also strengthens the broader agricultural community, helping to preserve Hawaii's agricultural heritage and promoting sustainable agricultural practices for future generations.

We suggest amendment to Section 1 8c to clarify that properties must have received what is commonly known as an agricultural dedication based on county rules:

(C) The real property of the working farm, or farming operation as defined in section 165-2, is taxed as agricultural, based on a agricultural dedication, and is current on its real property tax obligations.

Mahalo for the opportunity to testify.

Hunter Heavilin
Advocacy Director
Hawai'i Farmers Union



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February 5, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS
HOUSE COMMITTEE ON TOURISM

TESTIMONY ON HB 189
RELATING TO AGRICULTURAL TOURISM

Conference Room 325 & Videoconference
8:45 AM

Aloha Chairs Kahaloa and Tam, Vice-Chairs Kusch and Templo, and Members of the Committee:

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 HB 189, which requires the counties to adopt ordinances establishing procedures and requirements for reviewing and permitting agricultural tourism uses and activities as secondary uses, in addition to accessory uses, on a working farm or farming operation. This measure ensures that agricultural tourism is conducted in a way that supports and enhances active farming operations while maintaining the integrity of agricultural lands.

We strongly support agritourism, which represents an excellent revenue enhancement opportunity for farmers and ranchers and 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 should remain a complement to active farming operations and not become the primary land use. Agricultural tourism operations should be subordinate to bona fide agricultural operations. We believe that other loosely related activities merely using 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. Counties may differ in their opinions of what they allow and what comprises agricultural tourism. This should be duly respected and remain within the purview of County Zoning.

We request that the implementation of this measure:

- Ensure streamlined permitting to reduce delays and unnecessary regulatory burdens for working farmers and ranchers.
- Define "productive agricultural use" clearly to ensure that agricultural tourism operations genuinely support active agriculture.
- Require counties to engage with farmers and agricultural stakeholders when drafting ordinances to ensure that rules are practical and beneficial for the agricultural community.

Thank you for the opportunity to testify on this important matter.

HB-189

Submitted on: 1/31/2025 2:32:25 PM

Testimony for AGR on 2/5/2025 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa M Thompson	Individual	Support	Written Testimony Only

Comments:

I support HB 189 RELATING TO AGRICULTURAL TOURISM.

Mahalo,

Theresa Thompaon

Kathleen M. Pahinui
Pahinuik001@hawaii.rr.com

Sunday, February 2, 2025

COMMITTEE ON AGRICULTURE & FOOD SYSTEMS Rep. Kirstin Kahaloa, Chair Rep. Matthias Kusch, Vice Chair Rep. Nicole E. Lowen Rep. Sean Quinlan Rep. Amy A. Perruso Rep. Gene Ward

COMMITTEE ON TOURISM Rep. Adrian K. Tam, Chair Rep. Shirley Ann Templo, Vice Chair Rep. Daniel Holt Rep. Ikaika Hussey Rep. Greggor Ilagan

Re: Testimony on HB189 RELATING TO AGRICULTURAL TOURISM

Aloha Chair Kahaloa and Chair Tam and Committee Members:

I support HB 189 and its purpose of defining and reigning in unchecked and rampant agri-tourism abuses.

Agri-tourism is the real purpose for many who buy ag land on our North Shore - not to farm; and they will use any ruse possible to get around the rules. Luckily, our county Dept of Planning and Permitting along with our Council and Mayor just updated our land use ordinance to make unfettered agri-tourism harder.

For land to be farmed, I would keep it at 51% and for income, \$5,000 is sufficient and is not unnecessarily burdensome to those very small farmers that sell at our local markets and farmers markets.

We are one major disaster away from starvation. Look at what is happening with our egg industry and the loss of local producers.

Please support agriculture, not tourism. Please help us reach our food security goals.

Food first!

Mālama 'āina,

Kathleen M. Pahinui

Kathleen M. Pahinui
Resident, Waialua, North Shore, O'ahu

HB-189

Submitted on: 2/4/2025 8:29:19 AM

Testimony for AGR on 2/5/2025 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Angelica Melone	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

As a concerned citizen passionate about the future of agriculture in Hawai‘i, I’d like to offer my feedback on HB189, which would require counties to establish procedures for permitting agricultural tourism as a secondary use on working farms. While I support the bill’s goals, I believe it’s essential that the policy truly benefits those involved in agriculture and supports the sustainable growth of agricultural tourism.

Agricultural tourism is vital for diversifying revenue streams for Hawai‘i’s farmers and ranchers, especially given the financial pressures of the industry. It provides an opportunity to generate income and connect the public with where their food comes from, helping bridge the gap between consumers and agriculture.

That said, I’m concerned about the thresholds for land use and revenue generation outlined in the bill. Fixed percentages or revenue requirements may not accurately reflect the realities of modern farming, and could unfairly restrict those who rely on ag tourism while being actively engaged in agriculture. It’s also important to avoid enabling “gentleman farms” that profit off tourism without producing food.

While I agree agricultural tourism should only be allowed on land actively engaged in agriculture, I hope the bill ensures that it doesn’t inadvertently limit legitimate farmers and ranchers who depend on this tool to stay financially viable.

HB189 is a step in the right direction, but it’s crucial that we craft a policy that supports genuine farmers and ranchers, protects our agricultural economy, and ensures ag tourism remains secondary to real farming. Mahalo nui loa for the opportunity to testify.