

JOSH GREEN, M.D.
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
JUDICIARY

Thursday, February 27, 2025
10:01 AM

State Capitol, Conference Room 016 & Videoconference

In consideration of
SENATE BILL 1657, SENATE DRAFT 1
RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION

Senate Bill 1657, Senate Draft 1 authorizes the Agribusiness Development Corporation (ADC) to acquire by condemnation any real property or interest in real property, including real property already devoted to public use, for the purposes of Chapter 163D, Hawaii Revised Statutes (HRS). Requires the ADC to make a determination that the property is necessary for the corporation's immediate or future use. Prohibits real property acquired by condemnation from being subsequently transferred or taken for any other public use without the consent of the ADC. **The Department of Land and Natural Resources (Department) acknowledges the intent of this measure and offers the following comments and suggested amendment.**

The Department supports ADC being empowered to acquire real property by condemnation. However, as written, the proposed measure empowers ADC to acquire lands through condemnation, including land already devoted to public use. This provision would seem to include lands held by the Department or set aside to other agencies for public purposes. The Department objects to ADC being given authority to condemn lands held by the Department or set aside via executive order to other agencies and would request that such lands be excluded from ADC's condemnation powers. Accordingly, the Department requests this measure be amended by deleting subsection 7(B) in its entirety.

Mahalo for the opportunity to comment on this measure.



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February 27, 2025

HEARING BEFORE THE
SENATE COMMITTEE ON JUDICIARY

TESTIMONY ON SB 1657, SD1
RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION

Conference Room 016 & Videoconference
10:01 AM

Aloha Chair Rhoads, Vice-Chair Gabbard, 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 provides comments on SB 1657, SD1, which authorizes the Agribusiness Development Corporation (ADC) to acquire real property through condemnation for agricultural purposes. Ensuring that agricultural lands remain dedicated to farming and are not lost to non-agricultural uses is essential for Hawai'i's long-term food security and agricultural sustainability.

ADC was established to facilitate the transition of Hawai'i's agricultural industry from plantation agriculture to diversified farming. Over the years, ADC has played a key role in managing and developing agricultural lands, supporting infrastructure improvements, and working to ensure that land and water resources are available for farmers and ranchers. However, with increasing pressures from urbanization and competing land uses, securing land for agricultural purposes has become more challenging.

Providing ADC with an additional tool to protect and expand agricultural land holdings by allowing the corporation to acquire real property through condemnation when necessary will help prevent agricultural lands from being sold for non-agricultural development and ensure they remain available for agricultural production. Any land acquisitions made under this authority must align with the state's broader agricultural goals. It is important to prioritize lands suitable for diversified agriculture, ensure that acquired lands are actively farmed, and provide long-term, affordable leases to bona fide farmers. Water resources must also be secured to support productive farming operations.

With the growing need to increase agricultural self-sufficiency and ensure that farmlands remain dedicated to farming, this measure represents an important step in safeguarding Hawai'i's agricultural future. We urge the committee to pass this bill to support the preservation and expansion of agricultural lands in Hawai'i.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



WENDY GADY
EXECUTIVE DIRECTOR

STATE OF HAWAII
AGRIBUSINESS DEVELOPMENT CORPORATION
HUI HO'OU LU AINA MAHIAI

LATE

TESTIMONY OF WENDY L. GADY
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE SENATE COMMITTEE ON THE JUDICIARY
February 27, 2025
10:01 a.m.
Conference Room 016 & Videoconference

SENATE BILL NO. 1657 SD1
RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

Thank you for the opportunity to testify in support of Senate Bill No. 1657 SD1 relating to the Agribusiness Development Corporation (ADC). ADC supports this measure, which authorizes it to acquire by condemnation any real property or interest in real property, including real property already devoted to public use, for the purposes of Chapter 163D, HRS. Requires ADC to make a determination that the property is necessary for the corporation's immediate or future use and prohibits real property acquired by condemnation from being subsequently transferred or taken for any other public use without the consent of ADC.

Land and water are the basis for agriculture and is a necessary component for the industry to achieve thrivability. ADC supports the idea of acquiring property through the condemnation process pursuant to Chapter 101,

HRS because it will provide another tool to promote agriculture and economic development. Properties that may be acquired by ADC through condemnation include vacant farmland, irrigation infrastructure, and facilities that could potentially foster agricultural development for the public's benefit.

We support this bill provided that its passage does not replace or adversely impact priorities indicated in our Executive Budget. Thank you for your consideration of our testimony.

LATE

SB-1657-SD-1

Submitted on: 2/27/2025 4:33:26 AM

Testimony for JDC on 2/27/2025 10:01:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| April Bautista | Individual | Support | Written Testimony Only |

Comments:

Strong support.

Thank you,

April Bautista

Kalihi-Pālama