

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
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 HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

**JANUARY 31, 2025
10:00 A.M.
CONFERENCE ROOM 325**

**HOUSE BILL NO. 1323
RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS**

Chair Kahaloa, Vice Chair Kusch and Members of the Committee:

Thank you for the opportunity to testify on House Bill 1323. This bill proposes amendments relating to the transfer of non-agricultural park lands and requires the Department of Agriculture ("Department") to accept the transfer of and manage certain qualifying non-agricultural park lands. The Department appreciates the intent of this bill and offers comments.

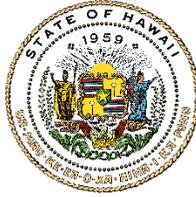
The Department of Agriculture appreciates the efforts of the Non-Agricultural Park working group to improve the process for transfer of agricultural lands and looks forward to continue working with the Department of Land and Natural Resources.

Thank you for the opportunity to testify on this measure.



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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N.S. CHANG
Chairperson

Before the House Committee on
AGRICULTURE & FOOD SYSTEMS

Friday, January 31, 2025
10:00 AM

State Capitol, Conference Room 325 & Videoconference

In consideration of
HOUSE BILL 1323
RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS

House Bill 1323 proposes to require the unilateral transfer of all agricultural lands, including lands designated for intensive agricultural use, special livestock use, and pasture use under Section 171-10, Hawai'i Revised Statutes (HRS), from the Department of Land and Natural Resources (DLNR) to the Department of Agriculture (DOA), without mutual agreement. The bill specifies that designated conservation lands not in current agricultural use are to remain under DLNR. **DLNR opposes this measure for the reasons provided below.**

DOA and DLNR have been implementing Act 90, Session Laws of Hawaii 2003 (Act 90), since its adoption which is reflected in the transfer of about 20,000 acres to DOA (and another 20,000 acres to the Agribusiness Development Corporation) prior to 2023. Beginning in 2023, DLNR worked expeditiously with DOA to implement additional transfers. For example, both the Board of Land and Natural Resources (BLNR) and the Board of Agriculture (BOA), approved the transfer of the K.K. Ranch, Inc. lease and the Kapapala Ranch lease and its two related revocable permits on the island of Hawai'i to BOA in 2023. The transfer of the K.K. Ranch, Inc. lease (5,106 acres) is complete. Survey and subdivision work is ongoing to complete the transfer of the Kapapala Ranch lease and revocable permits. The combined area of the Kapapala Ranch lease and revocable permits approved for set aside to DOA is an additional 24,767 acres.

In 2024, the BLNR approved another 40 leases and revocable permits on Maui and Hawai'i island for transfer to BOA. The set-asides of four leases and two revocable permits on Maui with a combined area of 165 acres were completed in 2024. The set-asides of seven Hawai'i island leases covering 907 acres were completed in early 2025 and additional transfers are in process. When all of the transfers

approved by both BLNR and BOA in 2023 and 2024 are completed, the total acreage transferred to BOA under Act 90 since 2003 will be approximately 56,450 acres.

There are 10 additional leases and revocable permits on Hawai'i island that DOA requested transfer of in 2024 but that DLNR has not yet presented to the BLNR for consideration because DLNR's Division of Forestry and Wildlife (DOFAW) wants to reserve access or public hunting rights over the lands or portions of them before transfer to DOA. These 10 cases will require negotiations with the lessees/permittees and determination of access and hunting areas. DLNR intends to present the transfer requests for these leases and revocable permits to the BLNR in 2025. Additionally, one lease on Maui and three revocable permits on Kauai still require BLNR approval to transfer.

In addition, there are eight large pasture leases and revocable permits (one on Maui and seven on Hawai'i island) where the lessees/permittees have requested transfer to DOA, but DOA has not requested BOA to accept under Act 90. DOFAW wants to retain the Maui lease and two of the Hawai'i island leases due to their resource value and potential for reforestation, but is agreeable to the transfer of one lease and two revocable permits on Hawai'i island to DOA. For the remaining two leases on Hawai'i island, DOFAW has proposed to the lessees that portions of the leases be retained by DLNR with the balance transferred to DOA. The lessees have accepted DOFAW's proposal and are partnering with them on silvopasture projects. The DLNR Chair will continue to work personally with the ranchers to find mutually acceptable lease terms, and at the Chair's direction, DLNR staff are prioritizing Act 90 fulfillment.

A bill to mandate transfer of these lands would result in the loss of considerable effort that DLNR and DOA have already invested in managing and designating these lands. More importantly DLNR would not be able to actively protect the public trust resources on these lands, some of which are of low value for agriculture production yet highly valued for natural and cultural resources. DOA would end up managing some parcels with low agricultural value and high liability or management issues. DLNR respectfully requests the opportunity to continue to mutually agree with DOA to transfer and accept certain agriculture lands and more importantly work with the long-time pasture lessees to honor and respect their ranching heritage and protect and preserve the valuable forest lands for watershed protection, forest restoration, critical habitat and access to traditional and customary practices.

Finally, DLNR notes that State agricultural lands are public trust or ceded lands (where the Office of Hawaiian Affairs would be entitled to it pro rata share of rental proceeds) and therefore the public trust duties and responsibilities run with the land. The managing agency or board (i.e., BOA) is or ought to be bound by the same public trust fiduciary duties and obligations as the BLNR in its management of ceded lands under its jurisdiction.

Mahalo for the opportunity to provide testimony on this measure.

HB-1323

Submitted on: 1/29/2025 2:13:20 PM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Emma Yuen	Department of Land and Natural Resources	Oppose	In Person

Comments:

Testimony has been submitted on DLNR's main testimony account for HB1323 in opposition. Kevin Moore will be present at the hearing to present DLNR's testimony. Emma Yuen will also be present as backup on this measure.

HB-1323

Submitted on: 1/29/2025 2:17:49 PM

Testimony for AGR on 1/31/2025 10:00:00 AM

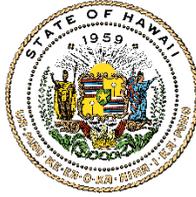
Submitted By	Organization	Testifier Position	Testify
Russell Tsuji	Department of Land and Natural Resources	Oppose	Remotely Via Zoom

Comments:

Testimony has been submitted on DLNR's main testimony account for HB1323 in opposition. Kevin Moore will be present at the hearing to present DLNR's testimony. Emma Yuen will also be present as backup on this measure. Russell Tsuji to attend virtually via ZOOM as backup.

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

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Testimony of
DAWN N.S. CHANG
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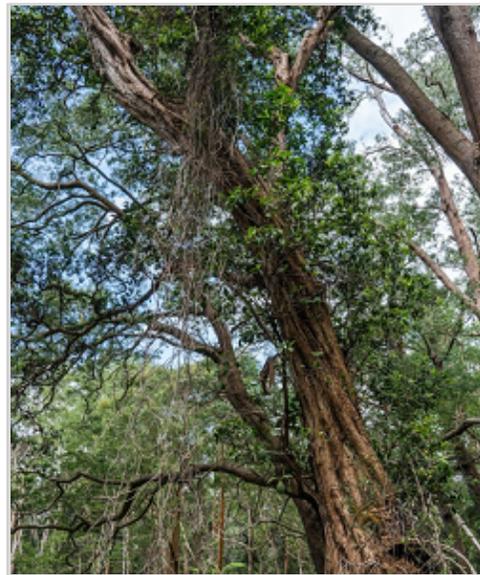
There are 10 additional leases and revocable permits on Hawai'i island that DOA requested transfer of in 2024 but that DLNR has not yet presented to the BLNR for consideration because DLNR's Division of Forestry and Wildlife (DOFAW) wants to reserve access or public hunting rights over the lands or portions of them before transfer to DOA. These 10 cases will require negotiations with the lessees/permittees and determination of access and hunting areas. DLNR intends to present the transfer requests for these leases and revocable permits to the BLNR in 2025. Additionally, one lease on Maui and three revocable permits on Kauai still require BLNR approval to transfer.

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A bill to mandate transfer of these lands would result in the loss of considerable effort that DLNR and DOA have already invested in managing and designating these lands. More importantly DLNR would not be able to actively protect the public trust resources on these lands, some of which are of low value for agriculture production yet highly valued for natural and cultural resources. DOA would end up managing some parcels with low agricultural value and high liability or management issues. DLNR respectfully requests the opportunity to continue to mutually agree with DOA to transfer and accept certain agriculture lands and more importantly work with the long-time pasture lessees to honor and respect their ranching heritage and protect and preserve the valuable forest lands for watershed protection, forest restoration, critical habitat and access to traditional and customary practices.

Finally, DLNR notes that State agricultural lands are public trust or ceded lands (where the Office of Hawaiian Affairs would be entitled to it pro rata share of rental proceeds) and therefore the public trust duties and responsibilities run with the land. The managing agency or board (i.e., BOA) is or ought to be bound by the same public trust fiduciary duties and obligations as the BLNR in its management of ceded lands under its jurisdiction.

Mahalo for the opportunity to provide testimony on this measure.



SUMMARY

DESCRIPTION

EXPECTED BENEFITS





LEGISLATIVE PROPOSALS

The Act 90 Working Group recommends DLNR receive flexibility under Chapter 166E, HRS to amend, extend, and issue new leases by negotiation. The perceived need to transfer pasture leases to the DOA can be relieved by providing the DLNR with statutory powers similar to DOA's, facilitating long-term tenure and stability for ranchers.



PASTURE LAND CONSERVATION VALUES



Water



Fire & Forest Health



Native Ecosystems



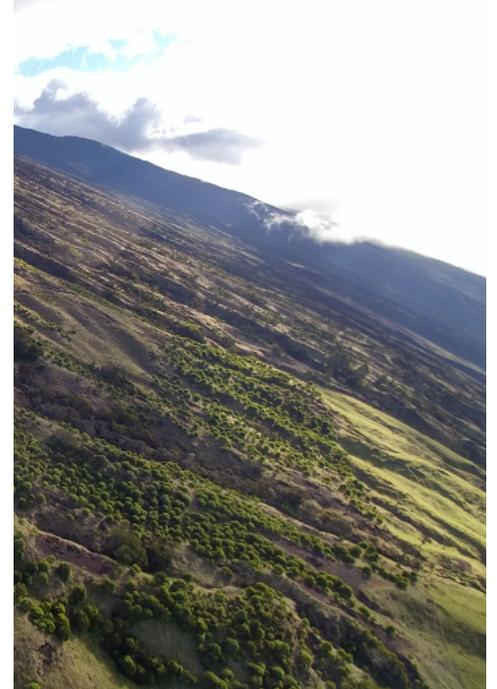
Forestry



Recreation

DLNR PARTNERSHIPS WITH RANCHERS

CLIMATE CHANGE AND CARBON NEUTRALITY



CONTACT PERSON



January 28, 2025

Representative Kirstin Kahaloa, Chair
Representative Matthias Kusch, Vice Chair
House Committee on Agriculture & Food Systems

Comments in Support of HB 1323, Relating to the Transfer of Non-agricultural Park Lands (Requires the Department of Agriculture [DOA] to accept the transfer of and manage certain qualifying non-agricultural park lands.)

Friday, January 31, 2025, 10:00 a.m.;
State Capitol, Conference Room 325 Via Videoconference

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers, and utility companies. LURF's mission is to advocate for reasonable, rational, and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to present comments regarding HB 1323 in support of the various agricultural stakeholder groups who defend the goals of viable agricultural operations and the conservation and protection of agriculture in Hawaii.

HB 1323. The purpose of this measure is to require the DOA to accept the transfer of certain qualifying non-agricultural park lands from the Department of Land and Natural Resources [DLNR] pursuant to Act 90, Session Laws of Hawaii (2003) (Act 90); Chapter 166E, Hawaii Revised Statutes; and for the purposes and in a manner consistent with Article XI, Section 10, of the Hawaii State Constitution, which establishes that "the public lands shall be used for the development of farm and homeownership on as a widespread a basis as possible, in accordance with procedures and limitations prescribed by law."

In furtherance of said transfer of public lands, an Act 90 working group was established by Act 139, Session Laws of Hawaii 2021, which group has determined that certain lands under the DLNR used for "the primary and substantial management objective of agricultural production" should be transferred to the DOA, following the processes and conditions pursuant to Act 90.

This bill therefore amends Chapter 166E, Hawaii Revised Statutes to require the DOA to accept said transfer and management of certain qualifying non-agricultural park lands.

LURF's Position. LURF members include property owners, farmers and ranchers who own, maintain, and engage in agricultural enterprises; who are good stewards of the land; and who consider efforts to protect and support conservation practices and efforts important to the continued conduct of their agricultural operations as well as to help sustain and preserve farming and ranching businesses into the future.

Many farmers and ranchers have been awaiting the transfer of their land leases from the DLNR to the DOA pursuant to Act 90, which was enacted to ensure long-term productive use of public agricultural lands to be managed by the DOA, which department is better suited to administer agricultural lands. The now over 20-year delay of the anticipated transfers, however, has impaired the ability of productive farmers and ranchers to establish and implement long-term plans for their operations, and to confidently continue their production.

LURF **supports** HB 1323, particularly since the bill makes significant effort to advance the transfer of agricultural lands. LURF understands that when agricultural land is removed from appropriate management, Hawaii's environment and the increasing prevalence of invasive species make it costly and difficult to return agricultural operations back to productive working order. It is therefore imperative that these operating agricultural businesses be afforded full support.

LURF further believes that continued collaboration between the departments as well as input from all stakeholders regarding such transfers, and the establishment of clear, consistent, well-defined, and mutually agreed upon processes are vital to accomplish the long-awaited transfers and leases of land effectively and successfully.

By recognizing the importance of assisting the local agriculture industry and need to implement measures which help to support the viability and maintenance of agriculture in the State, this bill will significantly help to promote economically viable agriculture, increased food production, and food self-sufficiency in Hawaii.

Thank you for the opportunity to present comments **in support** of this measure.

HB-1323

Submitted on: 1/29/2025 10:02:34 PM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen A. De Luz	Ernest De Luz Ranch LLC	Support	Written Testimony Only

Comments:

My name is Stephen De Luz. I am the 2nd generation owner of Ernest De Luz Ranch LLC, working with my son & grandson taking this ranch through 4 generations.

I currently lease GL4472, 1,902 acres & GL4473, 3110 acres from DLNR and requested that our leases be transferred to Dept. of Agriculture under act 90. In 2005 DLNR took back 21,000 acres pastoral land & put it into conservation. Having lost 21,000 acres the survival of my business depends on the 5,000 acres I have left

We have provided in the past year approximately 115,000 pounds of choice beef & 68,000 pounds of beef from culled cows & bulls, at 3 ounces per serving that is a million meals for our local markets.

This land has been used for ranching for many years, under the DOA active agricultural land can remain for agricultural use for many more years.

Thank you for your time



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

January 31, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

TESTIMONY ON HB 1323
RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS

Conference Room 325 & Videoconference
10:00 AM

Aloha Chair Kahaloa, Vice-Chair Kusch, 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 1323, which requires the Department of Agriculture to accept the transfer of and manage certain qualifying non-agricultural park lands.

The Hawaii Farm Bureau acknowledges and appreciates that the Department of Land and Natural Resources has worked with the Department of Agriculture, farmers, and ranchers and has made some progress by transferring certain agricultural leases to the Department of Agriculture as intended by Act 90. However, continued efforts are needed to ensure that all qualifying non-agricultural park lands are properly transferred to DOA to effectively support Hawaii's ranchers.

Long overdue to resolve a 20-year state of limbo

The bill will finally resolve the stagnation resulting from Act 90 of 2003, which was intended to ensure the long-term productive use of public land leased for agricultural purposes by transferring certain lands from DLNR to DOA. During all these years, agriculture producers have had no stability or security to conduct long-term planning and investments.

DLNR retains its management responsibility and authority to manage natural resources

DLNR retains its management responsibility and authority to manage natural resource assets no matter which agency holds the lease.

- All transferred leases will be subject to DLNR easements or rights of entry established to allow access to conservation activities, hunting, gathering, and recreation.
- Farmers and ranchers are required to work with the DLNR Soil and Water Conservation Districts to develop and implement an enforceable conservation program.
- The program will dictate practices and systems to protect the land against deterioration and prevent environmental degradation.

These DLNR lands are already being stewarded by agricultural producers who rely on the conservation of natural resources for their livelihood. Providing them with support and beneficial lease terms under the DOA will only further their ability to make investments in conservation efforts on the land.

Best interest of the public

Hawai'i's food producers are essential to the State's goals of greater self-sufficiency and conservation efforts. Enabling their continued work is in the best interest of the public. They should not be trapped in further decades of debate about which agency controls their existence when it is the mission of one agency, DOA, to foster agriculture in Hawai'i, while collaborating with DLNR to ensure the protection of natural resources.

Food production and natural resource conservation are equally important, constitutionally protected public purposes, not mutually exclusive, and both can and must be achieved.

Thank you for the opportunity to share our comments and for your continued support of Hawai'i's agricultural community.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON AGRICULTURE & FOOD SYSTEM

Rep. Kirstin Kahaloa, Chair

Rep. Matthias Kusch, Vice Chair

HB1323

RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS

Friday, January 31, 2025, 10:00 AM
Conference Room 325 & Videoconference

Chair Kahaloa, Vice Chair Kusch, and Members of the Committee,

The Hawaii Cattlemen's Council **supports HB1323** which requires the Department of Agriculture to accept the transfer of and manage certain qualifying non-agricultural park lands.

This bill will ensure that lands in active agriculture are transferred to DOA, pursuant to Act 90, without further delays. We appreciate that the DLNR and DOA have worked together to identify and make progress on certain lease transfers. However, there are still leases that are in active agriculture, but are not being approved to transfer. At an Act 90 Info Briefing in 2024, we were informed that the ag leases that remain with DLNR will not be renewed at the end of their lease, but converted to conservation. This is devastating for leaseholders who have multiple generations stewarding this land, producing beef for the community.

The purpose of Act 90, which was passed in 2003 (more than 2 decades ago) is to ensure the long-term productive use of public agricultural lands by allowing these lands to be transferred to and managed by the Department of Agriculture. This bill ensures that the purpose of Act 90, 2003 is realized and guided by the identification of agricultural lands, including all lands designated as intensive agricultural use, special livestock use, and pasture use, rather than the current situation of land transfers blocked by the impediment of mutual agreement by both boards. This unnecessary impediment has resulted in leaseholders still waiting for their agricultural lands to transfer to the Department of Agriculture more than 20 years later.

Ranchers are proponents for stewarding the land well and will continue to implement conservation practices when leases are transferred to DOA—the health of the land allows ranchers to continue their production. With long-term leases based on agricultural production, ranchers will be even better situated to invest in long-term conservation practices. If the state truly wants to support agriculture, transferring agricultural lands from DLNR to DOA will help many productive leaseholders continue their production and land stewardship with confidence that they will be supported in their agricultural operations.



According to the State Ag Land Use Baseline, 1.1 million acres of the state's land was in grazing use in the 1980s. In 2015, that number dropped to 761,000 acres. The 2020 State Ag Land Use Baseline reports that pasture continues to decline on Oahu and Hawaii Island. Astute land stewards are well aware that when land is taken out of management, Hawaii's environment and prevalence of invasive species make it costly and difficult to get it back to working order. It is extremely important that we support those who are still operating as agricultural businesses. This bill would do that by transferring agricultural leases to the department that holds agriculture as a priority.

Additionally, these ranches play a critical role in reaching the state's increased local food production goals. Every single one of these ranches contribute to local beef – even cow/calf producers still keep put local beef into the community. In the state's mandate for the DOE to reach 30% local food purchasing for school lunches, beef comes in at the highest percent at 3% of purchases. Our ranchers can contribute even more if they have the appropriate lease terms and support under DOA.

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

**Boteilho Hawaii Enterprises Inc.
PO Box 190
Hawi, HI 96719-0190**

COMMITTEE ON AGRICULTURE & FOOD SYSTEM

Rep. Kirstin Kahaloa, Chair

Rep. Matthias Kusch, Vice Chair

HB1323

RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS

Chair Kahaloa, Vice Chair Kusch, and Members of the Committee,

Boteilho Hawaii Enterprises **supports HB1323** which requires the Department of Agriculture to accept the transfer of and manage certain qualifying non-agricultural park lands.

The Boteilho family started dairy farming and ranching in Pa'auilo since 1966. In 1985, we relocated our dairy operation to North Kohala. Originally consisting of 8,000 acres, the ranching operation has remained at its current location in Pa'auilo for 59 years. In 2010, we lost 2,300 acres to the Palila Bird Habitat. We now have 5,700 acres, which we use to raise replacement heifers for our last remaining dairy in the State. In addition, the ranch operation provides local beef to the community that is sold statewide.

The Ranch operation has been a critical support for the dairy and its survival is attributed to the ranch, both financially and support of its livestock during the droughts in North Kohala. Scale of ranch is critical for our financial viability and we have invested hundreds of thousands of dollars in infrastructure over the years. Included in our testimony are pictures of our operation.

This bill will expedite transfer of lands in active agriculture to DOA, pursuant to Act 90. At a previous Act 90 info briefing, we were advised that ag leases remaining with DLNR will not be renewed at the end of their lease but converted to conservation. This would be disastrous for our company as this agricultural land is critical to our continued survival.

We humbly request your support of HB1323.

Sincerely,

Ed Boteilho Jr.
President
Boteilho Hawaii Enterprises, Inc.

Bahman Sadeghi
Vice-President
Boteilho Hawaii Enterprises, Inc.









SC Ranch Company
P.O. Box 330
Pa'auilo, Hawai'i 96776
805.206.8800 / scranchinc@gmail.com

COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

Representative Kirstin Kahaloa, Chair
Representative Matthias Kusch, Vice Chair

HB1323

RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS

Friday, January 31, 2025, 10:00 AM
Conference Room 325 & Videoconference

Chair Kahaloa, Vice Chair Kusch, and Members of the Committee,

My name is Charles F. Stevens, I am the owner of SC Ranch Company, Inc. and I am submitting this testimony in **SUPPORT of HB1323**. HB1323 requires the Department of Agriculture (DOA) to accept the transfer of and manage certain qualifying non-agricultural park lands.

The SC Ranch Company, Inc. was established over 50 years ago, by the late Dutch Schuman and Gordan Cran. I purchased the ranch in 2012, and serve as the steward of 7,042 acres, under General Lease (GL) No. 4477. I operate the ranch alongside my family, and am proud to report that we provide Hawai'i's households with over 350,000 lbs of beef annually. To operate this ranch at optimum efficiency and production, I've invested \$1 million of my own resources to install water storage systems, continually improve the roads, etc.

In 2023, I learned that GL4477 (SC Ranch Company) was listed on an internal Department of Land and Natural Resources (DLNR) "no-transfer" list. Eventhough, I was a lessee in good standing, and I was doing a public good, I was stunned.

I am happy to report that the DOA's Board of Agriculture approved the transfer of GL4477 (amongst three other leases) on Tuesday, January 28, 2025. I understand that there are over 90 leases awaiting approval to transfer by the DLNR's Board of Land and Natural Resources. If the amendments to Act 90 (HB1323) were passed, the livelihood of 90+ lessees (including myself), would not be dangling – awaiting action by the DLNR and their Board.

Act 90 is state law, enacted 22 years ago. The DOA is better-suited to manage non-agricultural park lands utilized by agricultural businesses (i.e. ranching). Further, the lease terms are more aligned with the agricultural business cycle.

I thank you for honoring the purpose and intent of Act 90, and acknowledging the urgency of this matter. Please accept my testimony in **SUPPORT of HB1323**.

Charles F. Stevens
SC Ranch Company, Inc.

HB-1323

Submitted on: 1/30/2025 9:28:44 AM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Warren Watanabe	Maui County Farm Bureau	Support	Written Testimony Only

Comments:

Aloha Chair Kahaloe, Vice Chair Kusch, and Members of the Committee:

The Maui County Farm Bureau strongly supports HB1323. We acknowledge progress has been made recently, however it must continue. Agriculture must be considered as a great use of land as our producers are excellent stewards of this valuable resource and provide for our communities. We cordially request your support for HB1323. Mahalo.

Warren K. Watanabe

Executive Director

LARRY JEFTS FARMS, LLC
PO BOX 27
KUNIA, HAWAII 96759
(808) 688-2892

HB1323, Relating to The Transfer of Non-Agricultural Park Lands
House AGR Hearing – 10:00 AM
Friday, January 31, 2025

Testimony By: Larry Jeffs
Position: Support

Chair Kahaloa, Vice Chair Kusch, and Members of the House AGR Committee:

I am Larry Jeffs, owner and operator of Larry Jeffs Farms, LLC. We have more than 42 years of Hawaii farm experience on Molokai and Oahu. Our family farms grow about 1 million pounds weekly of import replacement produce. I am a volunteer director, serving as Chair of the West Oahu Soil and Water Conservation District (SWCD). I have also served as an officer of the Hawaii Farm Bureau for many years.

We appreciate the collaboration of the Department of Agriculture and the Department of Land and Natural Resources to transfer large pasture lands to the Department of Agriculture. However, continued work for transfers is needed.

We understand that there are still leases in active agriculture that have not been transferred. The transfer of these lands to the DOA ensures long-term leases. Ranchers and all agriculture producers need long-term leases before capital investments can be made.

We believe the Department of Agriculture best manages agricultural lands while ensuring continued measures for conservation and preservation. In turn, ranchers with long-term leases can expand their contribution to import replacement production.

Thank you for the opportunity to testify.

HB-1323

Submitted on: 1/30/2025 11:53:52 AM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lani Petrie	Kapapala Ranch	Support	Written Testimony Only

Comments:

We strongly support HB1323. It is long overdue that Act 90 and the agricultural lands that this bill intended to protect be put into long-term management by ranchers and farmers.

HB-1323

Submitted on: 1/28/2025 3:44:02 PM

Testimony for AGR on 1/31/2025 10:00:00 AM

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

Comments:

I support HB 1323 RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS.

Mahalo,

Theresa Thompson

HB-1323

Submitted on: 1/29/2025 7:38:01 PM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Brendan Balthazar	Individual	Support	Written Testimony Only

Comments:

I strongly ask you to support this bill. I am one of the ranches that was taken off the list to transfer. I initially invested \$350,000 to dig a well and put in all the infrastructure. We were awarded the outstanding producer for conservation practices by NRCS. I have been there for over 22 years and this property was in ranching for over 100 years. If I loose this along with another state lease I am out of business. Act 90 was implemented for ranchers like me but it had no teeth. DLNR had the choice to keep the land if they wanted even though it was agg land and always was in agg. They should not have this power. The intent of act 90 should be fulfilled which is to transfer agg lands to DOA. The accompanying photo shows the property. The blue line is only where the cattle can go and fenced off. The red line is the property boundary. White is my roads, and green is the pipelines and tanks. You can also see in the photo that was taken 2 weeks ago when we had no rain for 6 months there is no barren area as DLNR claims as a reason for not transferring because they claim the run off kills the fish and coral reefs. However you will notice two major gulches on each side of the property where cattle don't go, when it rains hard it will flood ,take out the roads and send lots of dirt into the ocean. The other thing they sited was making it access to hiking and to another state parcel over 2 miles from the top boundary. Anyone can see how steep and dangerous it would be to try to hike up that mountain. There is no water except from my well. It is a dry area with verry little seasonal rain yet DLNR says they want to plant it with native trees. Not sure if keiwe trees are native as you see some at the bottom but most trees need rain. You can see in the photo that there is no bare ground and the property is managed with no over grazing. Sorry I though I could send a photo but it did not go through . Anyone who would like to see it please email me diamondbranchhi@aol.com

God Bless

Brendan

HB-1323

Submitted on: 1/29/2025 9:37:13 PM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lilia Kapuniaia	Individual	Support	Written Testimony Only

Comments:

Chair Kahaloe, Vice Chair Kusch, and Members of the Committee,

My name is Lilia Kapuniaia, and I am submitting this testimony in **SUPPORT of HB1323**. HB1323 requires the Department of Agriculture (DOA) to accept the transfer of and manage certain qualifying non-agricultural park lands.

Act 90 is state law, enacted 22 years ago. There are over 90 leases awaiting approval to transfer by the DLNR's Board of Land and Natural Resources. The DOA is better-suited to manage non-agricultural park lands utilized by agricultural businesses. Further, the lease terms are more aligned with the agricultural business cycle.

I thank you for honoring the purpose and intent of Act 90, and acknowledging the urgency of this matter. The DLNR's refusal to implement Act 90, public law, is astounding. Please accept my testimony in **SUPPORT of HB1323**.

Lilia Kapuniaia

January 29, 2025

Dear Hawaii State Congresspersons,

Re: Oppose HB1323

This bill transfers 100,000 acres of Hawaii's protected lands to management by the Department of Agriculture (DOA) for purposes other than preservation. Much of this land contains old growth forests and sanctuaries for endangered species, and is a critical source of clean, uncontaminated watershed.

DOA is focused primarily on agriculture; farming, grazing. Removing this land's management from the Division of Land and Natural Resources (DLNR) will remove habitats of many native plants and animals, and protection of pure water sources. This could inhibit accessibility to adjacent public lands.

DLNR wants to continue managing these lands. It wants to continue reforestation, expanding protections, and saving species. Preservation and care are now even more imperative with global climate change.

Since 2003, DLNR has transferred approximately 18,000 acres to DOA and is dedicated to continuing this mutual management of efficient land use. It has been effective.

A better solution: Approval of HB14 this legislative session, where the Board of Land and Natural Resources—a team of capable experts understanding both environmental and agricultural needs—would take the lead in efficiently implementing continued land transfers from DLNR to DOA.

Sincerely,
Kelli Lundgren
Resident of Maui
Volunteer at 'Ahihi-Kina'u NAR

HB-1323

Submitted on: 1/30/2025 8:16:19 AM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Vanessa Stevens	Individual	Support	Written Testimony Only

Comments:

Chair Kahaloe, Vice Chair Kusch, and Members of the Committee,

My name is Vanessa Stevens, and I am submitting this testimony in **SUPPORT of HB1323**. HB1323 requires the Department of Agriculture (DOA) to accept the transfer of and manage certain qualifying non-agricultural park lands.

Act 90 is state law, enacted 22 years ago. There are over 90 leases awaiting approval to transfer by the DLNR's Board of Land and Natural Resources. The DOA is better-suited to manage non-agricultural park lands utilized by agricultural businesses. Further, the lease terms are more aligned with the agricultural business cycle.

I thank you for honoring the purpose and intent of Act 90, and acknowledging the urgency of this matter. Please accept my testimony in **SUPPORT of HB1323**.

Vanessa Stevens

HB-1323

Submitted on: 1/30/2025 8:50:22 AM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele McLean	Individual	Support	Written Testimony Only

Comments:

Please support this bill to help Maui's existing, successful ranchers and farmers.

Mahalo!

HB-1323

Submitted on: 1/30/2025 9:46:27 AM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
J Ashman	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill

HB-1323

Submitted on: 1/30/2025 9:46:43 AM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Cabral	Individual	Support	Written Testimony Only

Comments:

Strong support

HB-1323

Submitted on: 1/30/2025 9:48:48 AM

Testimony for AGR on 1/31/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John R. Gordines	Individual	Support	In Person

Comments:

I support this much needed funding.