

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

TESTIMONY OF WENDY L. GADY
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE HOUSE OF REPRESENTATIVES
COMMITTEE ON WATER AND LAND

February 13, 2025
9:30 a.m.

Conference Room 411 & Videoconference

HOUSE BILL NO. 966 HD1
RELATING TO AGRICULTURAL TOURISM

Chairperson Hashem, Vice Chair Lamosao, and Members of the Committee:

The Agribusiness Development Corporation (ADC) **supports** House Bill 966 HD1, which establishes statewide, uniform standards to promote agricultural tourism activities in the State of Hawaii by establishing state agricultural tourism activity requirements that are applicable to all counties that have adopted an agricultural tourism ordinance. This measure also requires agricultural tourism activities to be registered by the respective county planning commission, requires agricultural tourism activities to coexist with an agricultural activity on a farming operation and requires termination of agricultural tourism activities upon cessation of the agricultural activity.

Agritourism activities can be a critical revenue stream for Hawaii's agriculture businesses to find success in a dynamic market. However, the

inclusion of such activities on agricultural land cannot eclipse the potential to grow fresh, and local food, produce, and value-added products, if we are to curb the State's reliance on imported agricultural products. The suggested requirements provide reasonable measures to ensure that the optimal use of agricultural assets supports the production of local agricultural products for both local consumption and export in a manner that is economically and environmentally sustainable.

We support this bill provided that its passage does not replace or adversely impact priorities indicated in our Executive Budget. Mahalo for the opportunity to submit testimony in support of this measure.

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
1428 South King Street
Honolulu, Hawai'i 96814-2512
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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON WATER AND LAND

THURSDAY, FEBRUARY 13, 2025
9:30 AM
CONFERENCE ROOM 411

HOUSE BILL NO. 966, HOUSE DRAFT 1
RELATING TO AGRICULTURAL TOURISM.

Chair Hashem, Vice Chair Lamosao and Members of the Committee:

Thank you for the opportunity to provide testimony on House Bill No. 966, House Draft 1 that establishes statewide uniform standards to promote agricultural tourism activities in the State by establishing state agricultural tourism activity requirements that are applicable to all counties that have adopted an agricultural tourism ordinance. This measure also requires agricultural tourism activities to be registered by the county planning department; agricultural tourism activities are to coexist with an agricultural activity on a farming operation; and requires termination of the agricultural tourism activities upon cessation of the agricultural activity.

The Department of Agriculture (Department) appreciates the intent of this measure and offers the following comments and recommendations

Page 4, lines 7-9

HD1 deleted the requirement that

“(c) Revenue from all agricultural tourism activities on a farming operation shall not exceed revenue from the agricultural activity conducted on the farming operation.”

Department comment: This deleted requirement could have served as an indicator that agricultural tourism activities are “accessory and secondary to the principal agricultural use” (page 4, lines 2-3). Without it, there is no other objective indicator in HD1 to ensure agricultural tourism activities are “accessory and secondary”. That being said, we do not disagree with the reasons given by testifiers in opposition to the cap on revenues from agricultural tourism activities not to exceed the revenue from the farming operation.



Page 4, lines 7-12

New section in Chapter 205

Proposed Subsection (c) defines “productive agricultural use” as:

“...the real property of the working farm, or farming operation as defined in section 165-2, is taxed as agricultural and is current on its real property tax obligations.”

Department comment: Agricultural land is taxed as agricultural but there may be no agricultural uses or activities on the property. Is it the intent of this part to reference each county’s “agricultural (use) dedication program”? These programs encourage the commercial agricultural use of land on a long-term basis by offering lower land value assessments which in turn will reduce the real property tax burden on the farmer or rancher. Should this part of HD1 be amended to reference “agricultural (use) dedication program”, this could be evidence that the property on which the agricultural tourism activities are located on is likely to have “productive agricultural use” or a commercial “farming operation” pursuant to Section 165-2.

Page 6, lines 6-9

Cessation of agricultural activity will result in automatic termination of the authorization to conduct agricultural tourism activities.

Department comment: The termination of the authorization to conduct agricultural tourism activities upon the cessation of the agricultural activity on the farming operation may need to be clarified in cases where the cessation of the agricultural activity is temporary and due to inclement weather, disease/pest infestation, market and supply chain disruptions, change in crop type (orchard crops require multiple years before economic harvest occurs), and so forth.

Page 10, line 21 to page 11, line 7

Amends Section 205-2(d) “agricultural-based commercial operations registered in Hawaii” to include “agricultural tourism activities” and “roadside stand” or “retail activities in an enclosed structure under three hundred square feet in total floor area that is on a trailer...”

Department comment: “Agricultural tourism activities” should be described or referenced in the same manner as the other “agricultural-based commercial operations” to ensure linkage of these uses to “producers” growing agricultural products and value-added products produced using agricultural products grown in Hawaii (page 9, line 10 to page 10, line 20). The Department has concerns about allowing the “roadside stand” or “retail activities in an enclosed structure under three hundred square feet in total floor area” on trailers. A 40-foot long by 8-foot-wide shipping container is 320 square feet. If it is the intent of this measure to allow the producers to operate their mobile roadside stands or retail activities in an enclosed structure away from their respective farms and the agricultural tourism activities, this should be stated in this measure.

Page 25, line 1 to page 26, line 10

Amends Section 205-5(b) to remove reference to the

Department comment: The Department questions whether the proposed deletion of text on page 26, lines 6-10 is necessary. This text establishes the minimum one-acre

Page 3

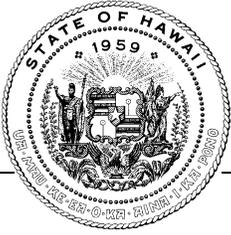
minimum lot size in the Agricultural District, a fundamental land use standard in Chapter 205.

Department staff noticed two spelling errors:

Page 4, line 7, "shallow" should be "shall"

Page 26, line 20, "the" should be "that"

Thank you for the opportunity to present our testimony.



**STATE OF HAWAI'I
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

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Statement of
MARY ALICE EVANS, Director

before the
HOUSE COMMITTEE ON WATER AND LAND

Thursday, February 13, 2025

9:30 AM

State Capitol, Conference Room 411

in consideration of
HB 966, HD1
RELATING TO AGRICULTURAL TOURISM.

Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land.

The Office of Planning and Sustainable Development (OPSD) offers **comments with concerns** on HB 966, HD1, which establishes uniform agricultural tourism activity requirements applicable to all Counties to promote agricultural tourism as a supplemental revenue stream to farm operations.

OPSD strongly supports agricultural tourism as an additional source of revenue for bona fide farming operations, as defined in Hawai'i Revised Statutes (HRS) § 165-2. However, we have long-standing concerns regarding the use of farm dwellings or other dwellings in the State Agricultural District for short-term vacation rentals, as the proliferation of vacation rentals in the Agricultural District displaces primary agricultural use of the land, contributes to rural sprawl, and increases the value of agricultural land and the cost of farmland for bona fide farmers.

Therefore, OPSD recommends that the counties require submission of documents from the registrant verifying the status of the principal farming operation, to include a preponderance of the following: a farm plan, county agricultural tax dedication, a Schedule F tax return, verification of farm income, and verification of county agricultural water rates. This would ensure that agricultural tourism benefits bona fide farm operators and does not promote tourism activities, including vacation rentals, with little or no connection to a farming operation.

OPSD **opposes** the amendment in this bill that would remove the minimum lot size for the State Agricultural District. OPSD finds that allowing lot sizes less than one acre would be inefficient for bona fide farming operations and would promote conversion of the State's limited productive agricultural lands to higher-valued uses.

Thank you for the opportunity to testify on this measure.



TESTIMONY OF
DANIEL NĀHO'OPI'I
Interim President & CEO
Hawai'i Tourism Authority
before the
HOUSE COMMITTEE ON WATER AND LAND
Thursday, February 13, 2025
9:30 a.m.
State Capitol, Room 411

In consideration of
HB 966 HD 1
RELATING TO AGRICULTURAL TOURISM

Aloha Chair Hashem, Vice Chair Lamosao, and Members of the Committee,

The Hawai'i Tourism Authority (HTA) offers comments on HB 966 HD 1, establishing statewide, uniform standards to promote agricultural tourism activities by establishing state agricultural tourism activity requirements that are applicable to all counties that have adopted an agricultural tourism ordinance. It also requires agricultural tourism activities to be registered by the county planning department, agricultural tourism activities to coexist with an agricultural activity on a farming operation, and requires termination of the agricultural tourism activities upon cessation of the agricultural activity. The measure also makes conforming amendments and sets the effective date as July 1, 3000.

Agricultural tourism is a vital niche within Hawai'i's tourism industry, specifically identified in HRS 201B-3(a)(19). Successful development of agricultural tourism initiatives advances Hawai'i toward a regenerative tourism model that actively supports farmers while being sensitive to surrounding communities.

Mahalo for the opportunity to share our comments.



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON WATER & LAND
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 411
Tuesday, February 11, 2025 AT 10:00 A.M.**

To The Honorable Mark J. Hashem, Chair
The Honorable Rachele F. Lamosao, Vice Chair
Members of the Committee on Water & Land

SUPPORT HB966 HD1 RELATING TO AGRICULTURAL TOURISM

The Maui Chamber of Commerce **SUPPORTS HB966 HD1** which establishes statewide, uniform standards to promote agricultural tourism activities in the State by establishing state agricultural tourism activity requirements that are applicable to all counties that have adopted an agricultural tourism ordinance.

The Chamber recognizes that agricultural tourism (agrtourism) offers a wide range of benefits for both farmers and local communities. For farmers, agrtourism provides diversified income streams through activities such as farm tours, farm-to-table dinners, and agritainment, which offer additional revenue beyond traditional agricultural sales. It also helps enhance brand awareness by allowing direct interaction with consumers, enabling farmers to build brand recognition and customer loyalty. Additionally, agrtourism aids in preserving agricultural heritage by educating the public about farming practices, food production, and rural lifestyles, fostering a deeper appreciation for agricultural traditions. Finally, by hosting events and workshops, farmers can strengthen their ties with the community and build social capital.

For communities, agrtourism can stimulate economic growth by attracting visitors who spend on lodging, dining, and shopping. It also creates jobs in hospitality, tourism, and agriculture-related sectors. Moreover, agrtourism can contribute to community development by revitalizing rural areas, attracting tourists, and promoting local businesses. By generating income from non-agricultural activities, agrtourism also incentivizes farmers to keep their land in agricultural production, helping preserve open spaces and natural landscapes.

In essence, agrtourism offers a sustainable way for farmers to thrive, communities to prosper, and consumers to connect with the source of their food.

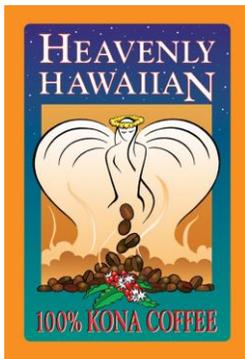
We appreciate that the Legislature amended the measure to remove the language prohibiting agricultural tourism activities from earning more than the income generated from agricultural production. There may be instances where the income from selling products made from the farm's produce (such as jellies, sauces, etc.) exceeds the earnings from growing the ingredients. We believe that farmers should not be restricted in this way.

For these reasons we **SUPPORT HB966 HD1**.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



Heavenly Hawaiian Farms

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coffee@heavenlyhawaiian.com

Aloha Chair Hashem, Vice Chair Lamosao and Committee:

February 11, 2025

Thank you for the opportunity to present testimony in **strong support** of HB966 HD1.

As many on this committee know, farming of every kind is a very challenging venture at best. It requires extensive labor, initial capital investment and regular infusion of cash to make ends meet. And, at the end of the day, there is no guarantee of success or profitability. Farmers, therefore, need to find means to supplement their crop sales. Agricultural tourism is one of the most significant avenues to generate that supplemental cash flow. It allows the farmer to sell more of the farm crop at retail to visitors on the farm. Enhanced sales are generated through the experience of being on the farm, education seeing how a product is developed from the raw crop, experiencing first-hand what a farmer must do to succeed to bring the product to market. And they are able to taste products freshly harvested and processed. On farm sales will generate many times online retail revenue or farmers market sales or wholesale to retail stores. Agriculture tourism is truly a "lifeline" for farmers trying to improve their cash flow.

However, the current process to get planning approval for an agricultural tourism permit from county planning is extremely intimidating, cumbersome, costly and time consuming. It simply doesn't work for the average farmer. I know fellow coffee farmers who have incurred costs of over \$100,000, mostly in hiring experts, attorneys and advisors just to apply for a permit for a walking path, some small open pavilions highlighting processing activities and restrooms. Applying for a permit with all the associated costs of experts, attorneys, planners, etc to present a package to the county is prohibitive. This doesn't work for the farming community. Therefore, many farmers simply opt out. HB966 HD1 fixes the problem by allowing a farmer to register his/her agricultural tourism activities with a simple registration filing. Stores and restaurants on farms are currently allowed with the registration process. The logical question is, why can't the mere act of getting tourists onto the farm also be handled with a similar registration process?

I strongly support HB966 HD1, and urge this Committee to approve it and pass it out of committee.

Mahalo nui,
Dave Bateman, President,
Heavenly Hawaiian Farms, Holualoa, HI



Food+ Policy Internship 2025

food@purplemaia.org

February 11, 2025

Subject: HB 966, RELATING TO AGRICULTURAL TOURISM

Aloha Kakahiaka Council,

Hawaii Food+ Policy stands in SUPPORT for HB966. This bill addresses the following issue of regulation divided amongst counties within the State of Hawai‘i on Agricultural Tourism.

We believe in order to properly regulate Agricultural Tourism, in its intent to promote and produce agriculture to educate and help grow local farming within the tourism industry; the state government needs to collectively decide on regulations which the whole State of Hawai‘i can follow collectively. These regulations will help to clarify Agricultural Tourism’s standards, land usage, business models, and help all businesses within Agricultural Tourism meet the same requirements and be on the same page.

By solidifying a unionized set regulations for Agricultural Tourism we would be able to have legitimate laws as opposed to administrative rule, so we can ensure businesses are not exploiting the usage of agricultural land and we sufficiently support our economy through more sustainable

ways, for the land, domesticated jobs, education on importance of food sovereignty, and ecosystem management.

This step will further create a healthier pai‘aina with modern economy and preservation of Hawai‘i. Mahalo for your time and care. We hope you consider voting AYE for the future of our home.

Aloha,

Hawaii Food+ Policy

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 2025, the cohort of interns are undergraduates 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.



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February 13, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON WATER & LAND

TESTIMONY ON HB 966, HD1
RELATING TO AGRICULTURAL TOURISM

Conference Room 411 & Videoconference
9:30 AM

Aloha Chair Hashem, Vice-Chair Lamosao, 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 966, HD1, which establishes statewide, uniform standards to promote agricultural tourism activities in the state. This bill sets clear requirements for agricultural tourism that apply to all counties that have adopted an agricultural tourism ordinance. It also requires agricultural tourism activities to be registered with the county planning commission and ensures that they remain secondary to active agricultural operations, terminating when farming activity ceases

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 complement 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.

While we support establishing minimum statewide standards, we believe that the details of agricultural tourism should remain a home rule issue. Counties may have different views on what constitutes agricultural tourism and what activities they choose to allow.

This should be respected and remain under the purview of county zoning. Therefore, we request that the requirement for a county to adopt ordinances regulating agricultural tourism operations remain in place.

We also request that the implementation of this measure:

- Ensure that registration requirements do not create unnecessary administrative burdens on working farmers and ranchers.
- Provide clarity on what constitutes an eligible agricultural operation to prevent unintended restrictions on small or diversified farms.
- Include input from farmers and ranchers in developing regulations to ensure that agricultural tourism activities remain viable and beneficial for agricultural producers

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



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WATER & LAND
Rep. Mark J. Hashem, Chair
Rep. Rachele F. Lamosao, Vice Chair

HB966 HD1
RELATING TO AGRICULTURAL TOURISM

Thursday, February 13, 2025, 9:30 AM
Conference Room 411 & Videoconference

Chair Hashem, Vice Chair Lamosao, and members of the committee,

The Hawaii Cattlemen's Council **offers comments on HB966 HD1** which establishes statewide, uniform standards to promote agricultural tourism activities in the State by establishing state agricultural tourism activity requirements that are applicable to all counties that have adopted an agricultural tourism ordinance. Requires agricultural tourism activities to be registered by the county planning commission. Requires agricultural tourism activities to coexist with an agricultural activity on a farming operation and requires termination of the agricultural tourism activities upon cessation of the agricultural activity.

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.

While we agree that tourism activities should not interfere with the agricultural operations, we do not agree that revenue from the tourism activities should not exceed revenue from agricultural activity and appreciate that this is no longer part of HB966 in its HD1 form. While this sounds like a good way to ensure agricultural production is the primary activity, the revenue from these two different streams are very different. Restricting revenue will restrict farmers and ranchers ability to continue ag production along with ag tourism successfully.

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



OAHU CATTLEMEN'S ASSOCIATION



Feb. 13, 2025, 9:30 a.m.
Hawaii State Capitol
Conference Room 411 and Videoconference

To: House Committee on Water and Land
Rep. Mark Hashem, Chair
Rep. Rachele Lamosao, Vice-Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: HB966 — RELATING TO AGRICULTURAL TOURISM

Aloha Chair Hashem, Vice-Chair Lamosao and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [HB966 HD1](#), which would create uniform standards for agricultural tourism operations throughout the state.

Specifically, the bill would allow agricultural tourism activities as an accessory and secondary use to primary agricultural uses. It would also allow roadside retail uses, such as food trucks, subject to certain rules.

Any farm or ranch owner wanting to conduct agricultural tourism would be required to register with the county planning department and provide information on farm access, facilities and tourism activities they plan to offer.

Grassroot believes this bill would give farmers and ranchers more freedom to diversify their income sources. Agricultural tourism activities could educate visitors about sustainable practices and land stewardship, in addition to creating employment opportunities and excise tax revenues.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

HB-966-HD-1

Submitted on: 2/12/2025 2:40:09 PM

Testimony for WAL on 2/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Taylor Kellerman	Kualoa Ranch	Comments	Written Testimony Only

Comments:

Aloha

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

Born and raised on windward Oahu, I have worked in Hawaii's Agricultural industry for over 25 years and currently serve on multiple industry Board affiliations.

At Kualoa Ranch, 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 a 15-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

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 do realize that the intent of this bill is to control the abuse of folks who do not represent legitimate ag, however I believe there is a way to do this without penalizing those of us who

are bonafied and contributing members to the ag industry. I also believe there are county regulations already in place that can act as controllers for this process with the proper accountability, and I think a statewide program will lack the ability to be dynamic enough to recognize the nuances of the ag systems for each county.

I appreciate your time and consideration.

HB-966-HD-1

Submitted on: 2/11/2025 12:46:17 PM

Testimony for WAL on 2/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joy Dillon	Individual	Support	Written Testimony Only

Comments:

Aloha, Chairs and all members of the AGR, TOU, WAL & JHA Committees.

I strongly support the passage of HB 966. Passing this bill will encourage investment, protect agricultural integrity in Hawaii, support local farmers and promote regenerative and sustainable tourism. This bill is vital for the future of agriculture in Hawaii. I urge you to pass this bill and encourage the Senate to pass SB 1571,

Thank you for your consideration,

Joy Dillon, Hilo Resident

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: Comments on HB966 RELATING TO AGRICULTURAL TOURISM

Aloha Chair Kahaloa and Chair Tam and Committee Members:

While I support the intent of HB 966 and its purpose of defining and reigning in unchecked and rampant agri-tourism abuses, I am concerned that it may be removing some of those checks and balances. Specifically, Section 5 which discusses county ordinances setting forth procedures and requirements regarding agri-tourism. Right above these deletions at the start of the section, it does say:

Accessory agricultural uses and services described in sections 205-2 and 205-4.5 may be further defined by each county by zoning ordinance.

If the purpose of the following deletions is less prescriptive to allow each county more latitude in defining agri-tourism in their ordinances, then I understand the purpose. But if it is meant to loosen restrictions on agri-tourism, then I have serious concerns.

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.

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

Food first!

Mālama ʻāina,

Kathleen M. Pahinui

Kathleen M. Pahinui
Resident, Waialua, North Shore, Oʻahu

HB-966-HD-1

Submitted on: 2/11/2025 5:21:39 PM

Testimony for WAL on 2/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

In STRONG SUPPORT of HB 966 HD1.

Aloha Chair and members of the Committee,

Please vote YES on this measure.

Nancy Moser in Waikoloa on Hawai'i Island

TESTIMONY ON HB966 HD 1
Water and Land Committee, House of Representative
February 13, 2025

My name is Robert Horcajo, a resident and small farmer on Maui.

I am in support of HB966 HD 1 but would like to offer recent personal experiences in the hopes it will help in your deliberations. I encourage passage of HB966 HD1 for the many small farmers just trying to survive in a very costly State and put food on the table. As an analogy, it's no different to me than the thousands upon thousands of multi-generational families living in home zoned for single family occupancy. They as well are just trying to survive and remain in Hawaii. For many folks who are born and raised here, it may be hard to understand unless you are in that position. What's the old saying, "before you judge a man, walk a mile in his shoes".

A Hawaii Agritourism Study produced by Arizona State University in 2023 bears these numbers: *17% of Hawaii GDP in 2020 from tourism; 85-90% of consumable food sources is imported; 66% of Hawaii farms are less than 9 acres; most of these farmers report no income and 80% that do make less than \$25,000 per year. Many farmers, therefore, must seek additional income off-farm to help make ends meet.* I would suggest it is easier for the farmer to get the additional income from the farm itself and even if the agricultural tourism income more than the actual farm product income, the farm is surviving and adding to the community fabric.

I applaud the AGR for truly recognizing the financial facts on the ground. Eliminating the condition that agricultural tourism income cannot exceed the actual farming income makes complete sense if you talk to the farmer who chooses the path of agricultural tourism. Not every farmer wants to do it, but Hawaii has a new younger generation of farmers, well versed in the benefits of social media, virtual marketing and the most up-to-date travel trends. The farmers of the past are mostly long gone, but so are their much lower cost to do business, land cost included. These new farmers all know that globally, the visitors of today are seeking a more meaningful travel experience, whether it be

volunteerism, eco-tourism, cultural tourism or agricultural tourism. If you ever travelled, you have sometimes felt the need to engage and better appreciate the local culture who call it their home.

The recognition in HB966 HD1 that the farming community nationwide has diversified into agricultural tourism activities is obvious in Hawaii as well. What is not obvious is the majority of the cultural or agricultural tourism activities on agriculturally zoned land is probably un-permitted. It has not crossed the minds of the farmer that they need a Special Use Permit (ie. maui county) to have a guest string a lei from the plants they grow. Same with guest pounding kalo for pa'i'ai or having the guest open a coconut they just picked. The actual allowance of pick-your-own standards (ie. visitor involvement) is not anywhere in the HRS or the Maui County Code, but people do it all the time. Having simply defined statewide standards that do not break the bank of the farmer, standards that clearly support the agricultural community and small businesses and respectively shares the cultural diversity of our lands is sorely needed.

When estimates range from \$50,000 to \$120,000 to hire a Planning Consultant to process a Special Use Permit, something seems surely wrong with how the State supports agriculture. At the same time, visitors can go hiking, fishing, mountain biking, paragliding, etc under the Open Land Recreation definition for Maui County, all without any kind of permit and without any kind of actual farming product, per se. These other activities are obviously activities suggested within various sections of HRS 205-02 where it states: *“agricultural tourism.....for the enjoyment, education, or involvement of visitors”*.

We, Mahina Farms Maui, are one of those small farmers processing a Special Use Permit currently so our guests can make their own lei or pound poi from the lei plants and canoe crops we propagate, amongst other activities. We are processing the SUP ourselves, even though retired staff from the same Department and anyone you talk to is surprised we need such a permit. At this point, we are doing it to show how off kilter our system of governance is today. As a Native Hawaiian family, we feel it is our kuleana not only to grow these plants but also our right to share our traditions and practices in an authentic and sustainable way, as permitted by existing HRS 205 standards.

I also applaud the AGR to including my suggested language in Section 3 (d) (14) (G) allowing the use of trailers for roadside stands and retail structures and negating the need for a building permit. We were asked to get a building permit for an 8ftX10ft ag retail structure and it could not be on a trailer without a Special Use Permit. This is in spite of our MCC Chapter 16.25.105 negating the need for a building permit if under 200 sf or negating the need for a permit if on a trailer (ie. food trucks and tiny homes). HRS 46-88 also exempts agricultural buildings and structures statewide up to 1,000 sf but because roadside stands or retail ag structures were not specially noted in the state standards, it is therefore disallowed in the eyes of Maui County. Passage of this provision will give all farmers statewide another “tool in the toolbox” to sell their farm products, if they so choose to use it.

Lastly, specific to Section 2 of HB 966, can I suggest the addition of another item:

1. an agricultural tourism operation shall pertain to only farm products produced on the farm in a purposeful way. No discretionary permit shall be required. While this seems like a no-brainer, history has shown it's critical to be clear as possible in legislation. For many practitioners of the any culture, how one shares traditional and cultural practices might be more important than the practice itself. Setting the tone in HB966 HD1 would be helpful with future County legislation who will further define County standards.

Mahalo nui for your considerations. I am more than willing to answer any questions of thoughts you may have about what I have presented here. bob



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HB-966-HD-1

Submitted on: 2/12/2025 10:05:08 AM

Testimony for WAL on 2/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Varel	Individual	Support	Written Testimony Only

Comments:

Aloha Legislators;

I strongly support the passing of HB 966, as an operator and caretaker of a 1200 acre sustainable farming operation, Waihee Valley Plantations in Waihee Maui, we struggle to make a living, restricted on pricing by competition, every increasing material and field cost, increasing cost and with climate change, no crop is a consistent producer.

Its sad, that a farmer would have to get a special permit to share how we farm organically and sustainably. Not only the prohibitive cost of added legislation and rules, but the time and money needed to get that permit.

We all know the facts; 85% plus of our food is shipped in, at prices that much lower in most cases then we can produce them for, majority of farms are small with most reporting no income and those that do report are making less then 25,000 a year. The additional revenue that we could receive from sharing our farming experience with both tourist and locals via a tour operation is desperately needed.

Having farm tours allowed on our property without major hurdles, is a financial make or break in our scenario.

Folks who have toured our farm, say it was one of the most enjoyable events of their visit to Maui.

I think thats the aloha, we would all like to share, wouldn't we?

With the plethora of different farming operations in our state, ag tourism, could and should be one stongest offering for one our more negelected sector of our economy.

I humbly request your passing and support of HB 966.

Sincerely

John Varel
Waihee Valley Plantations

HB-966-HD-1

Submitted on: 2/12/2025 4:56:58 PM

Testimony for WAL on 2/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Kimo Falconer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamasao and member of the Water and Land Committee,

I am testifying in support of HB 966 and ask you to consider the farmers and ranchers looking to find ways to better their situation with the potential added income they can receive through the Ag tourism means. This measure will help simplify the entitlement process as well as make it realistically affordable. The language of this bill however, needs to be debated. The topic of Ag tourism income not exceeding Ag production income has risen through a false understanding of how an Ag producer makes ends meet. No matter what you produce, if you work in this field, one has to find a way to cover their costs and hopefully make a little extra. Who cares how it is done? Will this bill, if it passes as it is currently drafted, stop the businesses where their tourism income now exceeds their production income? Think of Kula Lavender Farm, Surfing Goat Dairy, Ocean Vodka, Kualoa Ranch...All these are models of where we can take our Ag production with the side benefit of showing what we do, and make the extra money to stay in the black.

Please consider this suggestion and Mahalo for giving me the opportunity to testify.