



OFFICE OF PLANNING STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
PLANNING PROGRAM ADMINISTRATOR II
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

Statement of
RODNEY FUNAKOSHI
Planning Program Administrator, Office of Planning
before the
**SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT
AND WATER AND LAND**
Monday, February 11, 2019
2:45 PM
State Capitol, Conference Room 224

in consideration of
SB 941
RELATING TO AGRICULTURAL LANDS.

Chairs Gabbard and Kahele, Vice Chairs Ruderman and Keith-Agaran, and Members of the Senate Committees on Agriculture and Environment and Water and Land.

The Office of Planning (OP) **supports** SB 941. SB 941 would amend Hawaii Revised Statutes (HRS) § 205-4.5 (b) to provide written notice to the Land Use Commission (LUC) of the agricultural uses or activities within 30-days of the subdivision, sale or lease from the owner or occupier of the agricultural lands.

SB 941 would also provide the LUC with additional enforcement authority to ensure appropriate agricultural use of lands.

Thank you for this opportunity to testify.



DAVID Y. IGE
Governor

JOSH GREEN
Lieutenant Governor

MIKE MCCARTNEY
Director

LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

DANIEL ORODENKER
Executive Officer

Bert K. Saruwatari
Planner

SCOTT A.K. DERRICKSON AICP
Planner

RILEY K. HAKODA
Chief Clerk/Planner

RASMI AGRAHARI
Planner

FRED A. TALON
Drafting Technician

Statement of
Daniel E. Orodener
Executive Officer
Land Use Commission
Before the
Senate Committee on Agriculture and Environment
and
Senate Committee on Water and Land

Monday February 11, 2019
2:45 PM
State Capitol, Conference Room 224

In consideration of
SB 941
RELATING TO AGRICULTURAL LANDS

Chairs Gabbard and Kahele; Vice Chairs Ruderman and Keith-Agaran; and members of the Senate Committees on Agriculture and Environment; and Water and Land:

The Land Use Commission (LUC) supports this measure that would require information on the agricultural uses or activities whenever agricultural district lands are subdivided, sold, or leased be provided to the LUC; and provides the LUC with specific enforcement authority and powers to address any violations of Hawai'i Revised Statutes ("HRS") section 205-4.5 and decision and orders.

Abuses on agricultural district lands can be a significant problem and the LUC welcomes the authority to curtail such abuse. We would note however, that this measure may require the addition of resources to effectuate.

Thank you for the opportunity to testify on this matter.

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Acting Chairperson
Board of Agriculture

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF THE DEPARTMENT OF AGRICULTURE
BEFORE THE SENATE COMMITTEES ON AGRICULTURE & ENVIRONMENT AND
WATER & LAND

FEBRUARY 11, 2019
2:45 P.M.
CONFERENCE ROOM 224

SENATE BILL NO. 941
RELATING TO AGRICULTURAL LANDS

Chairpersons Gabbard and Kahele and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 941 that includes:

- Requiring an owner or occupier of agricultural land to notify the Land Use Commission (LUC) of the agricultural uses for which land was subdivided; and
- Granting the LUC enforcement authority over conditions, restrictions, uses, and subdivision of agricultural lands, including the right to enter and inspect lands, issue orders, and impose fines or liens for violations.

The Department of Agriculture supports the intent of this measure and otherwise defers to the Land Use Commission.

Subdivisions of agricultural lands and exempted agricultural structures that do not conform to the State's statutory requirements and the counties' zoning ordinances and rules can result in the loss of potentially productive agricultural land for agricultural production to a degree equal to that of urbanization. Urbanization of agricultural lands requires the compilation and consideration of much more information and follows a very deliberative and discretionary permitting process and is in sharp contrast to the ministerial processes used to review subdivisions of agricultural land.

Thank you for the opportunity to comment on this measure.



SB-941

Submitted on: 2/10/2019 2:29:33 PM

Testimony for AEN on 2/11/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

LATE

SB-941

Submitted on: 2/11/2019 4:09:22 AM

Testimony for AEN on 2/11/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Simon Russell	Testifying for Farm Maui LLC	Support	No

Comments: