

LINDA LINGLE
Governor



SANDRA LEE KUNIMOTO
Chairperson, Board of Agriculture

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**TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
WEDNESDAY, FEBRUARY 4, 2009, 9:00 A.M.
ROOM 312**

**HOUSE BILL NO. 213
RELATING TO DEVELOPMENT**

Chairperson Tsuji and Members of the Committee:

Thank you for the opportunity to comment on House Bill No. 213. The purpose of this bill is to set a time limit for the Department of Agriculture (DOA) to respond to a development related request within forty-five (45) days of receipt or the development will be deemed automatically approved. The department opposes this bill as we believe it could set a negative precedent allowing improper use of agricultural lands.

The DOA staff makes every effort to address requests for structural developments on its agricultural land expeditiously. In this day of increased sensitivity to preventing residential estates on agricultural land (fake farms), building requests must be carefully scrutinized and researched prior to approval. Building plans must be reviewed and determined appropriate for individual farms. Business plans must be discussed with the tenant to determine intent and applicability. When parcel boundaries need to be amended, surveys must be conducted and land parcels redefined. In addition, Board of Agriculture (BOA) action is required for approval/disapproval of ALL

improvements to be erected on its lands. The BOA may require additional information in order to make its decision. The consequence of automatic approval can be extremely dangerous by creating non-conforming structures on our lands. The DOA is not aware of any long-term outstanding requests. We believe we are actively working with all parties who are currently requesting improvements to their leaseholds and that our performance record indicates we will continue to address requests in a timely manner. If the legislature is aware of any instances of long-term outstanding requests, we respectfully request these parties be brought to our attention so we can best address the issues.

wooley1-Christopher

From: Stephen Bowles, 1]]
Sent: Tuesday, February 03, 2009 5:52 AM
To: AGRtestimony
Cc: Rep. Cindy Evans
Subject: HB 213-testimony

Chairman Tsuji

Subject: HB 213 Hearing @ 9:00, February 4, 2009

Dear Chairman Tsuji,

I favor the passage of HB213. In 2008, I experienced three 6 months delays in permit approvals, all of which ultimately passed with no significant changes to the permit applications. One resulted in a severe layoff in construction as it occurred prior to the economic slump. A second resulted in delays in an educational program and a third permit got lost in the approval system, again causing delays. These are some of the reason Hawaii cannot be competitive in business and agricultural production. This bill is timely and should be passed and the agencies not permitted to adjust it in rule adoption or revision. It should be a mandatory requirement. Mahalo, Stephen Bowles