

TESTIMONY
SB 2781



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

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Statement of
ABBEY S. MAYER
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEE ON WATER, LAND, AGRICULTURE
AND HAWAIIAN AFFAIRS**
Friday, February 5, 2010
2:45 PM
State Capitol, Conference Room 229

in consideration of
SB 2781
RELATING TO AGRICULTURAL LANDS

Chair Hee, Vice-Chair Tokuda and Members of the Senate Committee on Water,
Land, Agriculture and Hawaiian Affairs.

The Office of Planning respectfully opposes SB 2781 Relating to Agricultural Lands.
This measure allows designation of important agricultural lands by the Legislature.

The process adopted in 2008 by the Legislature for designating Important
Agricultural Lands is carefully balanced to ensure that the farmer or landowner and the
counties have incentives to file requests for a declaratory order from the State Land Use
Commission to designate IAL; the State Department of Agriculture, the State Office of
Planning, and the County planning departments have an opportunity to provide comments;
and the State Land Use Commission must consider the standards and criteria mandated by
the Legislature in Chapter 205-44 in reaching a decision to designate lands as IAL.

This thoughtful process is warranted because designation as IAL brings both the responsibility to keep land for agricultural uses and the benefit of tax incentives and other agricultural supports. The Office of Planning believes that the current law should be given a chance to demonstrate its effectiveness. Under the current law over 3,773 acres on Kauai and 27,133 acres on Maui have already been designated through voluntary petitions by landowners.

Thank you for the opportunity to testify.



KAMEHAMEHA SCHOOLS

February 5, 2010

TESTIMONY TO THE SENATE COMMITTEE ON WATER, LAND, AGRICULTURE & HAWAIIAN
AFFAIRS

By

Kapu C. Smith, Senior Land Asset Manager
Endowment/ Land Assets Division
Kamehameha Schools

Hearing Date: Friday, February 5, 2010
2:45 p.m., Conference Room 229

Dear Chair Hee and Vice Chair Tokuda:

Testimony in Support of Senate Bill No. 2781 Relating to Agricultural Lands

I am Kapu C. Smith, Senior Land Asset Manager for Kamehameha Schools' Kawaihoa Plantation in Waialua, Oahu. I am here to testify in support of S.B. 2781 because voluntary or legislative designation of important agricultural lands should be based on the protection of Class A and B that are irrigated or have sufficient quantities of water to produce sustained high yields of crops.

Thank you for the opportunity to express our views on this matter.



Hawaii Farm Bureau
F E D E R A T I O N

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SB 2781 RELATING TO AGRICULTURAL LANDS

Chair Hee and Members of the Committee:

Hawaii Farm Bureau Federation on behalf of our farmer and ranch families and organizations **OPPOSES** SB 2781 allowing IAL designation by the Legislature.

Important Agricultural Lands was enacted into the State Constitution in 1978. In 2005, the standards and criteria to establish IAL was finally passed into law. It took 27 years. Since 1978, HFBB annually introduced measures to implement the Constitutional Mandate but failed, until 2005. Why? We believe it was because the law in 2005 was not a land use law ...it was an ag viability law. Landowners could support having viable agricultural operations on their lands. Prior proposals suggested maps that identified lands to be in agriculture but provided no support for the lands to be in agriculture ...help to the farmers and ranchers. The 2005 law also respected private property rights. Therefore, it allowed a three year window of opportunity for private landowners to voluntarily designate their lands. We believe, that as a democratic society this is a very important matter and is a very significant part of Farm Bureau policy.

The Legislature worked hard hammering out the IAL law. Farm Bureau has been working hard to have private landowners designate within the 3 year window. We firmly believe that forced designation before that time period could be viewed as a taking. We therefore, respectfully request that the IAL law be allowed to run its' course. We respectfully request that this measure be held. If there are any questions, please contact Luella Costales at 848 2074. Thank you

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SB 2781

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