

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
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**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT
AND PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

March 13, 2020
1:45 P.M.
CONFERENCE ROOM 224

**HOUSE BILL NO. 2192 HD1
RELATING TO AGRICULTURAL BUILDINGS**

Chairpersons Gabbard and Nishihara and Members of the Committees:

Thank you for the opportunity to testify on House Bill 2192 HD1. This measure amends Section 46-88, HRS by increasing the maximum area from 20,000 square feet to 60,000 square feet for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for exemption from building permits and building code requirements. The Department of Agriculture supports this measure as it appears to be clearly limited to agricultural structures meant for agricultural production and not to other buildings that may be used for purposes not related to agricultural activities. The Department notes that the effective date was amended from "upon approval" to "7/31/2150" in the HD1 in order to facilitate further discussion.

Thank you for the opportunity to testify on this measure.



HB-2192-HD-1

Submitted on: 3/6/2020 5:45:32 PM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Seward	Testifying for Hawaii Farming LLC	Support	No

Comments:

Dear Chair Gabbard, Chair Nishihara and Senators of the Senate Agriculture & Environment Committee and Senate Public Safety, Intergovernmental & Military Affairs Committee

We respectfully submit this testimony in support of HB2192 HD1.

I am a co-owner/managing member of Hawaii Farming LLC, a large scale commercial greenhouse farming operation on the Big Island growing local food safety certified vegetables which are distributed to consumers across the State of Hawaii. We have 60 employees based on 50 acres in the agriculture dedicated zone of Lalamilo in Waimea, and our products include several varieties of cucumbers (the Keiki Cukes and Kamuela Cucumbers brands) and tomatoes.

Hawaii Farming LLC fully supports HB2192 HD1 for the following reasons:

1) - this bill is an important step to support sustainable local food safety certified agriculture production in Hawaii by strengthening the ability of farmers to successfully deploy modern farming technology in greenhouses on a larger scale.

- a Hawaii building code/building permit exemption already exists for agricultural shade cloth, cold frame and greenhouse structures. The bill simply increases the maximum area from 20,000SF to 60,000SF for each such agricultural structure that could qualify for this existing exemption. The bill is limited only to agriculture structures for agricultural production, and not for other building types.

- larger square footage commercial greenhouses wrapped in fire resistant polycarbonate panels have become market standard worldwide enabling farmers to best achieve larger scale crop production while conserving natural resources and effectuating best in class pest containment.

- our further expansion and diversification plans in modern greenhouses and associated technologies have been slowed partially due to the current language/processes relating

to greenhouses in the State and County legislation/codes. HB2192 HD1 under State legislation would be an efficient and effective solution to benefit local farmers to progress the above goals. It is an important factor allowing us to expedite additional local farming investment which maximizes the use of our limited ag land while complying with important safety principles.

- this bill will further foster sustainable increased local food production aligned with the Hawaii goal of food self-sufficiency. Equally important is the progress this bill will enable in strengthening consumer protection and trust across Hawaii with a greater supply of local fresh vegetables grown in modern sealed greenhouses with best in class containment mechanisms to protect against pests and diseases. This bill will also benefit the local community with additional high-tech farming jobs.

Thank you for your consideration of HB2192 HD1 - we are grateful for the opportunity to provide this testimony.

Respectfully,

John Seward

Co-Owner/Managing Member

HAWAII FARMING LLC

Phone: [\(808\) 260-0789](tel:(808)260-0789)

E-mail: john@hawaiifarming.com

[66-1247 Lalamilo Farm Rd.](#)
[Kamuela, HI 96743](#)



Senate Committee on Agriculture and Environment
Friday, March 13, 2020 at 1:45 p.m. in Conference Room 224

RE: HB2192 – Relating to Agricultural Buildings – In Support

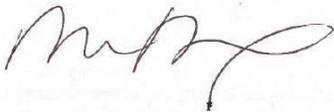
To Chair Gabbard, Vice Chair Ruderman, and members of the Committee:

I am writing to voice support for HB 2192 to increase the size exemptions for greenhouses built in Hawai‘i.

The existing 20,000 sq. ft. exemption for greenhouses is certainly advantageous to Hawai‘i’s farmers, but due to the economies of scale it is too small. To take advantage of the growing conditions and to make these semi-permanent greenhouses economically viable the size exemption should be greater. Changing the 20,000 sq. ft. limit on non-regulated greenhouses to 60,000 sq. ft. would allow many more greenhouses to be built and increase local food production.

I respectfully request your support of HB 2192. Thank you for the opportunity to submit testimony.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nicole Milne', written in a cursive style.

Nicole Milne
Hāmākua District resident
Vice President of Food and Agriculture Initiatives, The Kohala Center

HB-2192-HD-1

Submitted on: 3/11/2020 3:36:17 AM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
vincent george batha	Testifying for big island produce	Support	No

Comments:

I am in strong support of HB2192, as it will make farming on the big island more productive and profitable for farmers and help get Hawaii to its self-sustaining food production goals.

In modern greenhouse production, scale is everything. Small greenhouses (less than 1 acre) are important but more suitable for growing at a farmers market level. For production to reach the purchasing needs of the Hawaiian Island market, large economical greenhouses are needed. Growing crops in greenhouses for wholesale purchase in the islands requires facilities that are large enough to grow thousands of pounds of produce daily. Cucumber production for example needs to have 6 crops at different stages of life constantly growing in order to have a steady supply of cucumbers every day. If the greenhouses were only 20,000 sq ft, it would take 12 greenhouses each with extra setbacks around the house and would not be an economical use of land. Added to that, the extra costs associated with building small individual greenhouses compared to large greenhouses is substantial.

Raising the size of exempted greenhouses to at least 60,000 sq ft would drastically cut construction costs and conserve land that would be needed for open areas between many smaller greenhouses.

FYI

Why not just go through the building permit process for these larger footprint buildings?

The current interpretation being used by the county planners requires buildings larger than the 20,000 sq ft code exempted greenhouses to have huge setbacks from property lines and adjacent buildings of any type if they are constructed with anything more than a polyethylene covering. Polyethylene or "poly" for short is a clear lightweight plastic like saran wrap and it will not hold up in Hawaii with our strong winds and direct

sunshine. The alternative, Polycarbonate, (the clear stuff over your lanai) will hold up for 15 years and does not have to be changed every windstorm at tremendous cost to the farmer and burdens to our landfills for the ruined poly. Unfortunately the county building department forces a greenhouse with this polycarbonate covering to have 60' setbacks all around the perimeter of the greenhouse.

This code interpretation by the county building department is based on the flammability of poly vs polycarbonate. This is an outdated concept as modern polycarbonate used on greenhouses will not self sustain burning but polyethylene will not only burn, but burn hot and fast and does not need a fire source to keep it burning.

Rather than go through a lengthy code revision, this simple change to allow up to 60,000 sq ft greenhouses to be built without permits would solve this problem. These greenhouses are built on agricultural land with very little around them but other ag land. The restrictive setbacks that are currently being enforced are removing valuable producing farmland from our farmers. Remember, greenhouses need to be put on level land and Hawaii does not have an abundance of this in agricultural zoning especially on the Big Island.

I am in strong support of HB 2192 as it will make farming on the big island more productive and profitable for farmers and help to get Hawaii to it's self sustaining food production goals.

Vince Batha

Big Island Produce asset holdings llc



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March 13, 2020

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

TESTIMONY ON HB 2192, HD1
RELATING TO AGRICULTURAL BUILDINGS

Room 224
1:45 PM

Aloha Chairs Gabbard and Nishihara, Vice Chais Ruderman and Wakai, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

The Hawaii Farm Bureau supports HB 2192, HD1, which increases the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.

The Hawaii Farm Bureau is supportive of all reasonable efforts to help grow agriculture in Hawaii.

Thank you for your continued support of our local farmers and ranchers.



Email: communications@ulupono.com

SENATE COMMITTEES ON AGRICULTURE & ENVIRONMENT AND PUBLIC SAFETY,
INTERGOVERNMENTAL, & MILITARY AFFAIRS
Friday, March 13, 2020 — 1:45 p.m. — Room 224

Ulupono Initiative supports HB 2192 HD 1, Relating to Agricultural Buildings.

Dear Chair Gabbard, Chair Nishihara, and Members of the Committees:

My name is Amy Hennessey, and I am the Senior Vice President of Communications & External Affairs at Ulupono Initiative. We are a Hawai'i-based impact investment firm that strives to improve our community's quality of life by creating more locally produced food; increasing affordable clean renewable energy and transportation options; and better managing waste and fresh water resources.

Ulupono supports HB 2192 HD 1, which increases the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.

As Hawai'i's local food issues become increasingly complex and challenging, local producers will need additional resources and support to address and overcome them. Ulupono supports efforts to increase local food production here in the state, while also decreasing and eliminating the hurdles that exist for those looking to invest in new opportunities for Hawai'i agricultural production. Section 46-88, Hawai'i Revised Statutes, provides a much-needed incentive for local food production operations to bypass a lengthy and costly permitting process.

We believe that opening the door to new investments in agricultural infrastructure will directly support more local food production and an economically robust homegrown agriculture industry, which strengthens our community with fresh, healthy food.

Thank you for this opportunity to testify.

Respectfully,

Amy Hennessey, APR
Senior Vice President, Communications & External Affairs

Investing in a Sustainable Hawai'i

HB-2192-HD-1

Submitted on: 3/9/2020 2:55:58 PM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vickie Parker Kam	Individual	Support	No

Comments:

Aloha Chair Gabbard and Vice Chair Ruderman,

I am writing in support of HB2192 HD1 to allow for a larger shade cloth or green house to support agriculture production. As a small farmer myself, I am heartened to see support for our struggling ag industries as provided within this bill

Much Mahalo, Vickie Kam

HB-2192-HD-1

Submitted on: 3/11/2020 5:38:10 PM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support HB2192. With fires becoming more and more frequent, the area of structures exempt from codes should be decreasing, not increasing.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei, Maui

HB-2192-HD-1

Submitted on: 3/13/2020 8:51:49 AM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kalani	Individual	Support	No

Comments:

HB-2192-HD-1

Submitted on: 3/13/2020 8:53:08 AM

Testimony for AEN on 3/13/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
J Ashman	Individual	Support	No

Comments: