

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 HOUSE COMMITTEE ON AGRICULTURE

JANUARY 31, 2020
9:00 A.M.
CONFERENCE ROOM 312

HOUSE BILL NO. 2192
RELATING TO AGRICULTURAL BUILDINGS

Chairperson Creagan and Members of the Committee:

Thank you for the opportunity to testify on House Bill 2192. 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.

Thank you for the opportunity to testify on this measure.

HB2192_AGR_01-31-20_AGR,WLH,CPC



HB-2192

Submitted on: 1/29/2020 2:44:53 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
vincent george batha	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

HB-2192

Submitted on: 1/29/2020 7:31:32 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

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

Comments:

We fully support HB2192 as an important step to support sustainable local food safety certified agriculture production by strengthening the ability of farmers to successfully deploy modern farming technology.

We are a large scale local greenhouse farming operation with over 60 employees based on 50 acres in the agriculture dedicated Lalamilo area in Waimea. Our main operating entity Hawaii Farming LLC was recently formed via a merger of several existing farming entities - we commercially grow several varieties of food safety certified cucumbers (including the Keiki Cukes and Kamuela Cucumbers brands) and tomatoes distributed to customers across the State of Hawaii. 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. Larger square footage commercial greenhouses wrapped in polycarbonate panels have become market standard worldwide enabling farmers to best achieve large scale crop production while conserving natural resources and effectuating best in class pest containment. Changing the current 20,000SF maximum greenhouse size exemption to 60,000SF under the State legislation relating to Agricultural Buildings would be an efficient and effective solution to benefit local farmers progress the above.

HB2192 would be an important factor allowing us to expedite additional farming investment which maximizes the use of our limited ag land and complies with important fire and safety principles. It will also benefit the local community with additional high-tech farming jobs and consumers across Hawaii with a greater supply of local fresh vegetables grown in best in class modern greenhouses.

Thank you.

HAWAII FARMING LLC
John Seward

HB-2192

Submitted on: 1/29/2020 10:10:05 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Weidenbach	Hawaii Aquaculture & Aquaponics Association	Support	No

Comments:

The design and constuction of shade houses, hoop houses, and greenhouses is well established across the state and nation. The requested increase in size is consistent with the goal of increasing local food production and food security.

HB-2192

Submitted on: 1/30/2020 5:07:12 AM

Testimony for AGR on 1/31/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Allen	Bamboo Farm	Support	No

Comments:

Hawaii County farmers (most of the farmers in the state, with the least financial resources) have been unnecessarily spending several thousands of dollars on full architect-stamped engineering and building plans and the permitting process equivalent to residential house plans just to build simple, unoccupied farm structures when supposedly the State and County are trying to promote farming and make it financially feasible, which is what HRS Section 46-88 was enacted to address.

As a small farmer on the Big Island for over 20 years, **I fully support HB 2192**, which helps with the costs of maintaining a viable small agricultural business.



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e-mail info@hfbf.org; www.hfbf.org

January 31, 2020

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON HB 2192
RELATING TO AGRICULTURAL BUILDINGS

Room 312
9:00 AM

Aloha Chair Creagan, Vice Chair DeCoite, and Members of the Committee:

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 provides comments on HB 2192, 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.



Shrimp Improvement Systems, LLC

January 29, 2020

Testimony to the
House Committee on Agriculture
January 31, 2020
Hearing times: 9:00am
State Capitol – Conference Room 312
415 South Beretania Street
Honolulu, HI 96813

RE: HB2192 relating to Agricultural Buildings

Dear Representative Creagan, Representative DeCroite, and Committee Members,

I am writing to **SUPPORT** HB2192 relating to agricultural buildings increasing the maximum area for each agricultural shade cloth structures, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.

Shrimp Improvement Systems (SIS), located in Kailua-Kona, Hawaii, always strives to provide the highest quality facilities to produce our product and always looking to expand our ability to provide a sustainable resource to the local community, in the most effective and efficient capacity.

SIS is a small employer, with approximately 24 full-time staff and 14 part-time and casual staff. We are an aquaculture farm producing broodstock shrimp, shrimp for meat, and oysters. Raising a healthy and high quality product requires great care and protection. Producing a quality product is the lifeblood of the company. Policies and procedures are established to ensure biosecurity and we use a number of techniques and technology available to increase production, provide protection to the product from external factors that impact the growth and health of the animals.

We often find it extremely time consuming, burdensome and cost prohibitive to work through the regulations and requirements to obtain permits and meet requirements that are unnecessary for the type of structures that are used at our facility. One example is the requirement to install sprinkler systems in all of our metal greenhouse structures that contain water tanks for shrimp production. Not only was it costly to install, there are constant maintenance and monthly expenses for monitoring services. In addition, it requires us to have dedicated phone lines for the monitoring services. As described above the water tanks are enclosed in metal greenhouses are not a fire hazard, making the additional expenses difficult to justify.



Shrimp Improvement Systems, LLC

Additionally, reducing the current 20 foot spacing requirement between structures to 15 feet also helps to utilize valuable land at our facility, while still allowing access for trucks, emergency vehicles, etc.

We thank you for the opportunity to provide testimony for your consideration in this crucial matter.

Mahalo,

David Leong
President



Email: communications@uluPono.com

HOUSE COMMITTEE ON AGRICULTURE
Friday, January 31, 2020 — 9:00 a.m. — Room 312

UluPono Initiative supports HB 2192, Relating to Agricultural Buildings

Dear Chair Creagan and Members of the Committee:

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, 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, Hawaii 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

999 Bishop Street, Suite 1202 | Honolulu, Hawai'i 96813 ☎ 808.544.8960 📠 808.432.9695 | www.uluPono.com

HB-2192

Submitted on: 1/30/2020 5:14:09 AM

Testimony for AGR on 1/31/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kacey Clark	Individual	Support	No

Comments:

As a member of a small farming family who has been farming on the Big Island for over 20 years, **I fully support HB 2192**, which helps with the costs of maintaining a viable small agricultural business.

Hawaii County farmers (most of the farmers in the state, with the least financial resources) have to unnecessarily spend several thousands of dollars on full architect-stamped engineering and building plans and the permitting process equivalent to residential house plans just to build simple, unoccupied farm structures when supposedly the State and County are trying to promote farming and make it financially feasible, which is what HRS Section 46-88 was enacted to address. HB 2192 address this issue and needs to be passed.

Thank you.

HB-2192

Submitted on: 1/30/2020 3:37:40 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Blazak	Individual	Support	No

Comments:



Hawaii Floriculture and Nursery Association

HOUSE OF REPRESENTATIVES
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2020

COMMITTEE ON AGRICULTURE

Rep. Richard P. Creagan, Chair
Rep. Lynn DeCoite, Vice Chair

NOTICE OF HEARING

Friday, January 31, 2020 9:00 a.m.
Conference Room 312
State Capitol
415 South Beretania Street

HB 2192 RELATING TO AGRICULTURAL BUILDINGS. 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.

My name is Eric S. Tanouye and I am the President for the Hawaii Floriculture and Nursery Association. HFNA is a statewide umbrella organization with approximately 300 members. Our membership is made up with breeders, hybridizers, propagators, growers, shippers, wholesalers, retailers, educators, and the allied industry, which supports our efforts in agriculture.

The Hawaii Floriculture and Nursery Association (HFNA) **SUPPORTS House Bill 2192**

This bill will help the agriculture industry in Hawaii. We all know our climate is changing and we will need to take appropriate measures to be able to continue to farm. One of these measures is being able to create an environment that will protect our crops from dangerous weather such as new greenhouses and other compliant structures. With a more controlled environment and protection, we can also increase yield.



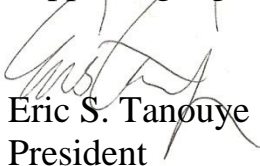
Hawaii Floriculture and Nursery Association

The increase in size of agriculture structures will help future business plan models for commercial growers. The current size may not be an efficient use of land. Multiple greenhouses need the required 15 feet between structure. With larger greenhouses you will need less structures and there will be less land loss due to restriction of land between structures.

With a reduced cost to greenhouses, new growers will be able to make the investment into farming using current technology and cultural practices. Furthermore, established growers may consider making the transition from outdoor or shade houses to covered greenhouses. This allows our nurserymen and women to be more sustainable and efficient.

If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 22, cell 960-1433 and email eric@greenpointnursery.com.

Supporting Agriculture and Hawaii,



Eric S. Tanouye
President

Hawaii Floriculture and Nursery Association



HOUSE OF REPRESENTATIVES
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2020

COMMITTEE ON AGRICULTURE

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State Capitol
415 South Beretania Street

HB 2192 RELATING TO AGRICULTURAL BUILDINGS. 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.

My name is Thong Teng Neo and am the current President of the Hawaii Tropical Flower Council (HTFC). HTFC is a statewide association of commodity organizations, i.e.: anthurium, orchid, protea, tropic flowers and foliages, blooming and foliage plants. The Hawai'i Tropical Flower Council directs promotion and supports research of Hawaii's tropical flower industry. Each of the state's major flower commodity groups (anthuriums, orchids, proteas, tropic flowers and foliages, blooming and foliage plants) is represented on the council's board of directors. HTFC serves as a non-profit Hawaii Corporation to promote for its commodity groups and other producers of tropical horticulture grown in the State of Hawaii.

HTFC Supports HB2192.

We believe that this bill provides support to the Agriculture industry by allowing our Nurserymen and women to choose agriculture structures of varying size while still being able to rely on less strict building laws that are required for housing structures.

Thank you for taking the time to read this testimony and if you have any questions, I can be reached at neo@greenpointnursery.com or 808 959 3535 ext. 2615.

Sincerely,

Thong Teng Neo
President
Hawaii Tropical Flower Council

HTFC ■ P.O. Box 4400 ■ Hilo, HI 96720 ■ www.hawaiitropicalflowercouncil.org





HOUSE OF REPRESENTATIVES
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2020

COMMITTEE ON AGRICULTURE

Rep. Richard P. Creagan, Chair
Rep. Lynn DeCoite, Vice Chair

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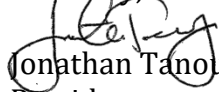
My name is Jon Tanouye and I am the current President of the Orchid Growers of Hawaii (OGOH).

OGOH Supports HB2192.

We believe it is important to plan for the future. With climate change, weather is a factor that is always on a grower's mind. This bill will provide options for our industry in the forms of affordable greenhouses and other structures to protect our crops from weather and other environmental concerns.

If you have any other questions you may contact me to discuss and I can be reached by phone at 808-959-3535 and email jon@greenpointnursery.com.

Sincerely,


Jonathan Tanouye
President

Orchid Growers of Hawaii (OGOH)