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Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Senate Commerce and Consumer Protection Committee,

The Hawaii Farmers Union United (HFUU) is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports HB973.**

HB973 will repeal a burdensome requirement for additional rules by the Department of Agriculture to address unrealized nuisance issues related to hemp growers in Hawaii. This bill is essential to protect the rights and interests of hemp farmers across our state.

The current regulations requiring additional rules to address nuisance issues, such as smell, noise, and excessive lighting, single out an already well regulated fledgling industry. We recognize the state's responsibility to ensure the safety and health of its citizens, but this bill provides the needed balance of safety and fairness to farmers. We urge the passage of House Bill 973 in order to ensure the survival of our small and medium sized farmers.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF



[www.hawaiihempfarmersassociation.org](http://www.hawaiihempfarmersassociation.org)

March 27, 2023

RE: Support HB 973 Remove Duplicative Rules

Aloha Chair Keohokalole and Members of the Senate Committee on Commerce and Consumer Protection,

The Hawaii Hemp Farmers Association is a nonprofit organization consisting of farmers, processors, and manufacturers. We support deletion of the nuisance rules in 141-43 that singled our hemp farmers and added an extra layer of regulation to agricultural lands. Hemp farmers must still abide by health and safety regulations and existing agricultural zoning requirements. Only one incident in the state drove the creation of this extra set of rules and, to the best of our knowledge, has since been resolved.

Thank you for your continued support of Hawaii Hemp farmers.

Respectfully,

*Gail Byrne Baber*

Gail Byrne Baber

President and Farmer

*Ray Maki*

Ray Maki

Co-Vice President and Farmer

*Brittany Neal*

Brittany Neal

Co-Vice President and Farmer

HB 973

Delete Hemp Nuisance Rules

**LATE**

TO: Chair Jarrett Keohokalole, Vice Chair Carol Fukunaga, and CPN Committee Members

FROM: Robert Bence, Farmer, for Hawai'i Sustainable Farms

DATE: 3/28/2023

RE: Strong Support of HB 973 HD2 (Hemp is harmless, no crop specific duplicate regulations)

Please for local farmers like my family as well as local consumers who can't obtain safe locally grown hemp, support HB 973 HD2 to repeal the requirement for additional rules by the department of agriculture to address claims of nuisance issues, including smell, noise, and excessive lighting arising out of the activities of a hemp grower. Please finally allow this legal and harmless hemp plant to be grown by Hawai'i Farmers on the Ag lands that we own and grew up on.

The entire state is being blamed for one neighbor farming in a way that is not common or unique to hemp, the complainants are coming from a very small group of malahini who would object to any of the same nuisances posed by any other commercial agriculture operation.

**As highlighted by the testimony of Sharon, the amazing new head of HDOA, these farming complaints are already addressed by existing state and county laws.**

The current buffer zones also violate my legal rights as a licensed hemp farmer to grow on the Ag land I own for interstate commerce. My USDA AMS contact said that where to grow on agriculture zoned land is regulated by the USDA and that there are no buffer zones. The vocal gentlemen estates that neighbor that one hemp farmer conduct businesses unrelated to farming like massage on prime ag lands. They complained and asked everyone they knew to also complain and they would complain about any commercial scale Ag activity...this issue of people buying Ag land for residential use and then complain about commercial Ag activities in Ag zoned land is supposed to be protected by the Hawai'i Right to Farm Act.

The buffer zones are so large the majority of farms in Hawai'i can't grow any hemp and the production of hemp is not intrinsically offensive in any way. The ones complaining are not from Hawai'i and instead of working it out they complained to the legislature with stories reminiscent of reffer madness. Those might be legitimate if they live in a residentially zoned neighborhood; however, not acceptable in ag zone to be complaining about noise and supposed smells during the occasional parties they attend at a gentleman estate owned by a dentist. This type of encroachment of residential to agricultural zoned lands was meant to be addressed by the Hawai'i Right to farm act. The offending farm is not impacted by these buffer zones; however, the buffer zones and these additional rules have destroyed the entire state's hemp industry for innocent farmers.

I am a local, disabled, diversified farmer growing on family lands, in Kula, purchased with help from a UDSA direct farm mortgage and in Waimanalo as part of a partnership on state lease land. Farming full-time since graduation of UH Mānoa with BBA. I am passionate about growing food. The buffer zone, movement and other double regulations will hopefully be addressed by the new members of this legislature, the governor and are excellent new head of the HDOA. **These huge buffers are not on any other farming in the state not even the most dangerous pesticides or the smelliest pig/chicken CFAO so such blanket barriers to harmless hemp is unjust discrimination. Any supposed nuisance on ag activity already has a method to be addressed through the same existing laws for any nuisance operation. The vast majority of the people in Omaopio, Kula and Hawai'i strongly support this sustainable, nutritious and harmless crop.**

The benefits of hemp as a superfood and a myriad of other uses from soil remediation to advanced nano particles of hemp graphene superconductors, from animal bedding to housing, from fresh juice to solvent-less extracts, to seed breeding to microgreens...the market potential and environmental benefit list would go on for countless pages. Hawai'i farmers shouldn't be left behind any longer and consumers should be allowed to have the quality thc free food with more omegas than tuna fish from local farms not the over 99.9 percent imported due to state laws.

Hemp has saved my life from seizures after the birth defect caused them and required brain surgery after a stroke learned to walk and talk again, hope my voice in support of hemp helps the plant in return.

Appreciate your help.

Strong support for HB 973 HD2

Mahalo  
Robert Bence  
Farmer  
Hawai'i Sustainable Farms  
Kula, HI 96790  
And  
Farm Board Member of  
Keki O Ka 'Āina