

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



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Chairperson, Board of Agriculture

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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

MARCH 15, 2024
1:00 PM
CONFERENCE ROOM 224

HOUSE BILL NO. 2705, HD1
RELATING TO AGRICULTURAL LEASES

Chair Gabbard, Vice Chair Richards, and Members of the Committee:

Thank you for the opportunity to testify on House Bill 2705, HD1. This bill requires the Department of Agriculture to conduct a study on the requirements and restrictions related to the Department's disposition of non-agricultural park lands and requires a report to the legislature. The Department respectfully opposes this bill as no appropriation has been identified, becoming an unfunded mandate.

As the primary overseer of State agricultural land leases, the Department has major concerns regarding the lack of funding and the timing of the legislative report. From the time of award, we expect the consultant to take nine months to complete the report. Funding is generally released to the department in September, and it is reasonable to expect to execute a contract with a consultant within two months following required procurement methods. This leaves only eight weeks at the most for the report to be completed, which isn't sufficient.

Thank you for the opportunity to testify.





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March 15, 2024

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON HB 2705, HD1
RELATING TO AGRICULTURAL LEASES

Conference Room 224 & Videoconference
1:00 PM

Aloha Chair Gabbard, Vice-Chair Richards, and Members of the Committee:

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

The Hawai'i Farm Bureau respectfully opposes HB 2705, HD1, which requires the Department of Agriculture to conduct a study on the requirements and restrictions related to the dispositions of non-agricultural park lands to maximize the benefit to the State of agricultural lands and to help the State achieve its economic and food production goals.

The Hawai'i Farm Bureau has worked for years for State agricultural land lease terms that are appropriate and beneficial to successful farming and ranching.

- First and most importantly, a study of this magnitude will require adequate funding and time to prepare. HFB believes that any new funding to the Department would be better spent to provide sufficient resources to HDOA so that it can fulfill its current mandates.
- In addition, the premise stated in this measure regarding maximizing *the benefit to the State* of agricultural lands misses the true mission of the Department to support and encourage agricultural production and success. This means the support of the farmers who take the risk and do the work to produce agriculture. The mission is not to maximize the profit to the State from agricultural lands. It is not to require "highest and best" use.
- Agricultural policies, laws, and regulations must incentivize those few in our community who have the skill, the resources, and the drive to take on the difficult

work, investment, and risk to create a sustainable agricultural business on land that they don't own, and can't fully control due to the myriad State restrictions and prohibitions. The purpose of these land leases is to do what the State cannot do on its own; to encourage and support farmers and ranchers to make beneficial use of State lands for food and other agricultural production, to steward the land and other natural resources, including control of destructive invasive species, and to manage and work "open" space.

- We should increase the availability of affordable agricultural land, not just for new or beginning farmers, but for all farmers. We encourage the creation of new agricultural parks.
- Requiring the revocation of leases that are "not generating sufficient income from agricultural production" is something that should not be codified – what is sufficient income? Is it the same for each type of farming? On each type of land, in each area? This is a complex area that is best resolved by the experts at the Department and the Board via the lessee's approved agricultural plan of utilization and site-specific considerations.

HFB does not see the need for HB 2705, HD1. The Department already has the legal authority to place appropriate requirements and restrictions in its lease terms. We encourage this body to appropriately fund the Department so that it has the resources to ensure that lessees are complying with their lease terms, including the required agricultural plan of utilization that was approved by the Department at the commencement of the lease.

State agricultural lands are a vital resource that can be used to meet the State's goals for economic diversification and food self-sufficiency. Adequately funding HDOA is the best way to accomplish this.

Thank you for this opportunity to provide comments on this measure.

HB-2705-HD-1

Submitted on: 3/12/2024 4:05:59 PM

Testimony for AEN on 3/15/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to requiring the Department of Agriculture to conduct a study on the requirements and restrictions related to the Department's dispositions of non-agricultural park lands. Requires a report to the legislature.