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TESTIMONY OF
CAROLINE ANDERSON
Interim President & CEO
Hawai'i Tourism Authority

before the
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Wednesday, March 4, 2026
2 p.m.
State Capitol, Room 325

In consideration of
HB 2585 HD2
RELATING TO AGRICULTURAL TOURISM

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The Hawai'i Tourism Authority (HTA) offers comments on HB 2585 HD2, which establishes statewide, uniform standards to promote agricultural tourism activities in Hawai'i, requires registration with county planning departments, and ensures agricultural tourism remains secondary to and coexists with ongoing agricultural activity.

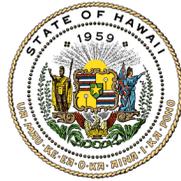
HTA recognizes the importance of supporting Hawai'i's agricultural sector. Agricultural tourism can provide supplemental revenue for farms and ranches while offering visitors educational experiences connected to Hawai'i's working lands and local products. Coordinating the development of new agricultural tourism products is part of HTA's statutory mandate in HRS §201B-3(a)(19).

HB 2585 HD2 also includes important guardrails that help keep agricultural tourism tied to real farming activity. The bill requires agricultural tourism to be accessory and secondary to agriculture, not interfere with surrounding farm operations, and be conducted only on land where productive agricultural use is occurring. HTA supports these safeguards because they help encourage responsible growth and reduce the risk that agricultural tourism becomes a substitute for agriculture.

Mahalo for the opportunity to provide these comments on HB 2585 HD2.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
KA 'OIHANA MAHI'AI A KIA'I MEAOLA
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SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

WRITTEN ONLY

TESTIMONY OF SHARON HURD CHAIRPERSON, BOARD OF AGRICULTURE AND BIOSECURITY

BEFORE THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**WEDNESDAY, MARCH 4, 2026
2:00 PM
CONFERENCE ROOM 325**

**HOUSE BILL NO. 2585, HOUSE DRAFT 2
RELATING TO FARM EMPLOYEE HOUSING**

Chair Tarnas, Vice Chair Poepoe and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2585, House Draft 2 that establishes statewide, uniform standards to promote agricultural tourism activities in the State for all counties that have adopted an agricultural tourism ordinance. Requires agricultural tourism activities to be registered by the county planning department. Requires agricultural tourism activities to coexist with an agricultural activity on a farming operation and to be accessory and secondary to the principal farming operation. Establishes a process for the termination of an authorization for agricultural tourism activities upon a determination that the agricultural activity has ceased. Requires the Department of Agriculture and Biosecurity to submit a report to the 2027 Legislature on the implementation of Part II of this measure. The Department of Agriculture and Biosecurity (Department) supports this measure with two proposed amendments. We defer to the counties with respect to their adoption of necessary ordinances that will ensure agricultural tourism activities are accessory and secondary to a principal farming operation.

The Department notes that registration of agricultural tourism activities with the county planning department requires both "federal and state tax returns verifying farm income from the principal farming operation", "verification of enrollment in a county agricultural use dedication program" and verification of county agricultural water rates, if enrolled." (page 5, lines 8-13) The Department notes that the verification of farm income (page 5, lines 8-9) does not provide guidance as to what minimum amount of farm income from the principal farming operation is necessary to meet this registration

requirement. However, the definition of "secondary to the principal farming operation" (page 8, lines 7-11) appears to ensure that the annual revenue from agricultural tourism activities is less than the annual revenue generated from the farming or agricultural operation on the property.

The Department offers the following amendment to the information content of the county registration of agricultural tourism activities. We suggest that accessory facilities to be connected with the principal farming operation be left to each county to determine.

Page 4, line 15 to page 5, line 3)

"(d) Agricultural tourism activities shall be registered by the owner or lessee with the county planning department before commencement of any agricultural tourism activity; provided that the registration shall include the following information:

(1) A description of access to the farm, including road width, road surface, and parking;

(2) A description of accessory facilities connected with the principal farming operation[~~, such as gift shops and restaurants;~~]"

The Department believes the proposed amendment to Section 205-5(b) (page 27, lines 15-19) deletes more language than it should. We request the restoration of language that acts as important guidance for uses within the Agricultural District.

Page 27, line 15 to page 28, line 1) (restored and new language is bold underscored)

SECTION 5. Section 205-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) ~~f~~Within agricultural districts, uses compatible to the activities described in section 205-2 as determined by the commission shall be permitted. [~~;~~ provided that accessory] Accessory agricultural [~~uses and services] activities~~ described in [~~sections 205-2 and~~

Testimony of Sharon Hurd

March 4, 2026

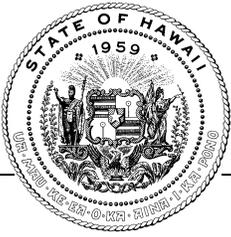
Page 3

~~205-4.5]~~ section 205- may be further defined by each county by zoning ordinance."

We defer to the Land Use Commission and the Office of Planning and Sustainable Development to determine if our proposed amendment is merited.

With respect to the Department's report to the 2027 Legislature, we anticipate it will summarize the counties' efforts to adopt ordinances regulating agricultural tourism uses and activities in compliance with Chapter 205.

Thank you for the opportunity to provide testimony on this measure.



**STATE OF HAWAI'I
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

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Statement of
MARY ALICE EVANS, Director

before the
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Wednesday, March 4, 2026

2:00 PM

State Capitol, Conference Room 325

in consideration of
HB 2585, HD 2
RELATING TO AGRICULTURAL TOURISM.

Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary and Hawaiian Affairs.

The Office of Planning and Sustainable Development (OPSD) **supports with concerns** on HB 2585, HD 2, which establishes uniform agricultural tourism activity requirements applicable to all Counties to promote agricultural tourism as a supplemental revenue stream to farm operations.

OPSD strongly supports agricultural tourism as an additional source of revenue for bona fide farming operations, as defined in Hawai'i Revised Statute (HRS) § 165-2 and we support amendments clarifying that agricultural tourism activities that are secondary and accessory to a principal farming operation may be allowed in every County. We also support County adoption of ordinances regulating agricultural tourism activities and a registration process that improves the Counties' ability to review whether these activities are indeed being operated by a bona fide farming operation.

However, **OPSD is concerned** that the addition of language in this draft of the bill, establishing a rebuttable presumption that the agricultural tourism activities are secondary to the principal farming operation, will make County enforcement of the provision more difficult.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



WENDY GADY
EXECUTIVE DIRECTOR

STATE OF HAWAII
AGRIBUSINESS DEVELOPMENT CORPORATION
HUI HO'OU LU AINA MAHIAI

TESTIMONY OF WENDY L. GADY
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

March 4, 2026
2:00 p.m.

Conference Room 325 & Videoconference

HOUSE BILL NO. 2585, HD2
RELATING TO AGRICULTURAL TOURISM

Chairperson Tarnas, Vice Chair Poepoe, and Members of the Committee:

Thank you for the opportunity to submit testimony **with comments on SB2585, HD2.**

We support the intent of SB2585, HD2, to expand and clarify the role of agricultural tourism as a legitimate component of Hawai'i's agricultural economy. When properly structured, agricultural tourism can provide farmers and ranchers with diversified revenue streams that help stabilize operations, offset infrastructure and compliance costs, educate the public, and create pathways for export-oriented agricultural products.

I. Agricultural Tourism as a Revenue Diversification Tool

Agricultural tourism can serve as an important supplemental income source for agricultural operations. Revenue generated through farm tours, educational experiences, and direct-to-consumer activities can:

- Help offset high infrastructure costs such as irrigation systems, fencing, roads, and processing facilities.

- Support reinvestment into agricultural production; and
- Improve long-term financial sustainability for farmers and ranchers facing volatile input and commodity markets.

For many operations, agricultural tourism is not a replacement for farming, it is a tool that allows farming to continue.

II. Export and Market Development Opportunities

Agricultural tourism also supports Hawai'i's export potential by:

- Introducing visitors to Hawai'i-grown products and local brands.
- Creating demand for value-added agricultural goods; and
- Strengthening linkages between on-farm production, processing, and off-island markets.

These activities help grow Hawai'i's agricultural reputation beyond raw commodities and into branded, value-added exports.

III. Education and Public Awareness

Agricultural tourism plays a key role in educating residents and visitors about:

- Where food comes from.
- The realities of farming and ranching in Hawai'i; and
- The importance of preserving agricultural lands and water systems.

These experiences build public support for agriculture while strengthening the connection between consumers and producers.

IV. Need for Farmer and Rancher Input

We strongly encourage that implementation of SB2585, HD2, include meaningful input from farmers and ranchers. Those operating agricultural enterprises are best positioned to advise on:

- What activities are feasible on working farms.
- What compliance requirements are practical; and

- How agricultural tourism can be integrated without disrupting production.

This bill will be most effective if shaped in partnership with the agricultural community.

V. Clarifying Eligible Agricultural Operations

To avoid confusion and inconsistent interpretation, SB2585, HD2, should clearly define what constitutes an **eligible agricultural operation**. The bill should focus on:

- Operations that are actively engaged in agricultural production; and
- Activities that are accessory and supportive to that production.

Agricultural tourism should be tied to real agricultural activity and not used to justify unrelated development on agricultural lands.

VI. Avoiding Administrative Burdens

It is critical that SB2585, HD2, not create new administrative burdens that adversely affect farmers and ranchers. Requirements should be:

- Clear and predictable.
- Scaled appropriately to farm size and activity; and
- Designed to support, rather than discourage, participation.

Overly complex permitting or reporting requirements risk making agricultural tourism inaccessible to small and mid-scale producers who would benefit the most.

VII. Defining Agricultural Operations

For clarity and consistency, the bill should provide a workable definition of an agricultural operation, such as:

“Agricultural operation” means the cultivation of crops, the raising of livestock or aquaculture species, or the processing of agricultural

products, conducted as an ongoing agricultural activity rather than primarily for recreation or unrelated commercial use.

This ensures that agricultural tourism remains grounded in genuine agricultural activity while allowing flexibility across different types and scales of farms and ranches.

SB2585, HD2, presents an important opportunity to strengthen Hawai'i's agricultural sector by recognizing agricultural tourism as a supportive activity of agriculture. With clear definitions, farmer input, and reasonable implementation, this measure can:

- Help farms diversify revenue.
- Offset infrastructure and operating costs.
- Promote Hawai'i products locally and abroad; and
- Educate the public about agriculture's role in our islands' future.

For these reasons, we support SB2585, HD2, with the comments noted above. Thank you for the opportunity to testify.



TESTIMONY WITH COMMENTS ON HB2585 HD2
RELATING TO AGRICULTURAL TOURISM

House Committee on Judiciary & Hawaiian Affairs

Hawai'i State Capitol

March 4, 2026

2:00 PM

Room 325

Aloha e Chair Tarnas, Vice Chair Poepoe and Members of the House Committee on Judiciary and Hawaiian Affairs:

The Office of Hawaiian Affairs (OHA) offers **COMMENTS** on this measure establishing a statewide framework for agricultural tourism activities within the agricultural district.

Agriculture is foundational to Hawai'i's economic resilience, food security, and cultural perpetuation. For Native Hawaiians, 'āina-based livelihoods are inseparable from malama 'āina, health, and 'ike kūpuna. In fact, one of the pathways to Native Hawaiian economic wellbeing that OHA has committed to advance is finding new markets for Native Hawaiian products, including farming products, that can provide families with a livable wage.¹ However, the viability of agriculture in Hawai'i is constrained by the lack of training programs, start-up costs and barriers to entry for new farmers, not least of which is the cost of farmable land.

In this context, OHA recognizes that well-structured agritourism can provide supplemental income to small and mid-scale producers and may improve farm viability in a state where agricultural profitability remains challenging. Recent statewide research has identified agritourism as a potential diversification strategy capable of leveraging the visitor economy to support local producers when implemented with strong regulatory guardrails and cultural protections.² For Native Hawaiian farmers in particular, diversified

¹ *Mana I Maui Ola: OHA's 15-Year Strategic Plan for 2020-2035*, Strategy No. 8.2, 8.3 [Mana i Maui Ola - The Office of Hawaiian Affairs \(OHA\)](#).

² Ariz. State Univ., Julie Ann Wrigley Glob. Futures Lab., Swette Ctr. for Sustainable Food Sys., *Agritourism in Hawai'i: Understanding the Landscape, Opportunities, and Challenges* (2023), https://globalfutures.asu.edu/food/wp-content/uploads/sites/14/2023/07/Agritourism_FINAL_4.26.23.pdf

revenue streams may assist in sustaining family-based operations, supporting value-added enterprises, and maintaining stewardship practices rooted in traditional and customary practices.

At the same time, OHA recognizes that agricultural tourism requires clear regulatory oversight to minimize the ongoing proliferation of non-agricultural activities on agricultural lands, and supports measure such as this which would provide clear guardrails on permissible activities. Hawai'i courts have repeatedly affirmed that the agricultural district exists to protect and prioritize agricultural use, and have rejected attempts to expand visitor-oriented accommodations in ways inconsistent with that purpose.³ Without rigorous regulation and enforcement standards, agritourism frameworks may increase land speculation, inflate agricultural land values, strain rural infrastructure, and displace local producers.⁴

Thus, while recognizing the value of agricultural tourism as a secondary source of income for bona fide farmers, OHA flags concerns with amendments made to this bill in prior committees. **Specifically, OHA requests deletion of the language at page 4 lines 7 through 9, establishing a rebuttable presumption that agricultural tourism activities are secondary or "accessory" to existing agricultural uses.** A rebuttable presumption turns this bill on its head, shifting proof of nonconformance to the counties, rather than requiring a would-be agritourism operator to prove the existence of bona fide farming operations on the property. Without this amendment, OHA opposes this bill as weakening existing statewide protections for agricultural lands.

Mahalo for the opportunity to provide comments on this measure.

³ *Rosehill v. State of Hawai'i Land Use Comm'n*, 155 Hawai'i 41, 546 P.3d 1023 (2024).

⁴ L. Oberholtzer, *Insights from 15 U.S. Counties About Farmland Protection and Farm Viability*, *J. Agric., Food Sys., & Cmty. Dev.* 1 (2010).

HB-2585-HD-2

Submitted on: 2/27/2026 1:27:53 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sydney Smith	Maui County Ag Working Group	Support	Written Testimony Only

Comments:

Maui County Ag Working Group supports the intent of this bill. We caution the provision that the AgTourism needs to cease when the agriculture activity ceases. There are many cases when the activity may cease through no fault of the farmer or rancher. Coffee berry borer for instance required the stumping of the entire coffee orchard. Feral deer required a whole new fencing protocol with higher fences than allowable until an emergency ordinance could be passed. The AgTourism activity may be the only thing that keeps a farm or ranch viable during and after a disaster.

Here in Maui County our farms and ranches that are successful either have a millionaire supporting it with outside funding or they have an AgTourism component. The pineapple farm once owned by Maui Land and Pine stayed in the black only through the fees they received from the Pineapple tour business. Eventually the entire farm was purchased by the tour business.

Including AgTourism as a viable component of a farm or ranch is a great step forward for Hawaii. Just don't add a provision that a local antagonistic Planning Department employee could use to shut down an operation while trying to survive a natural disaster.

Sydney Smith

Ag Working Group, chair

808-268-3646

HB-2585-HD-2

Submitted on: 3/1/2026 9:28:22 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Kimo Falconer	Hawaii Coffee Growers Association	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe and members of the Judiciary and Hawaiian Affairs Committee.

The members of the Hawaii Coffee Growers Association support HB 2585. Hawaii has moved away from large agricultural operations. The focus has now shifted to a smaller unique agriculture business model. There is so much opportunity to help this sector grow, and by enabling it, we may find it more possible to reduce shipping in our food.

This measure will mandate the individual counties to create their own Agricultural tourism ordinances. This will reduce the costly red tape one currently faces when trying to set up an Ag tourism business. This is very important for the individual farmer trying to make ends meet. Please support HB 2585 and assist the struggling Hawaii farmers.

Mahalo for the opportunity to testify.

HB-2585-HD-2

Submitted on: 3/2/2026 11:44:05 AM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Adam Potter	Puna Chocolate Company	Oppose	Written Testimony Only

Comments:

I am vehemently opposed to this bill. I am so sick of regulation on every issue. Nobody asked for this. This only benefits huge farm tour operators by creating barriers to entry for small and emerging farms operations such as myself.

I am fine if it authorizes DCCA to register and license farms. I am vehemently opposed to county planning offices having increased regulations over us.

In my experience with Hawaii County Planning (and Building), the amount of bureaucracy and expenses they require is impossible to overcome. They will require civil engineers and architects to submit drawings and plans. They do not accept simple drawings or concepts. They will require separate gender bathrooms. Graded, paved walkways for wheelchairs. The compliance will cost \$5000-\$15,000 for architect/engineering design alone plus three to five times that much for parking, restroom, and accessibility modifications. They take 6-24 months to approve plans. This is a deal breaker by including them.

By definition, agriculture tours are in rural locations, and particularly in Hawaii County, we have rocky, steep inclined (volcano) land that are impossible to grade without onerous zigzag portions that will swallow up productive land. We do not have access to plumbing for exorbitant bathrooms. We hire an outhouse service. Our county has a hardon for exporbitant parking spaces. All of these modifications take away usable farm land and reduce production. They are unaffordable.

You must consider the business you are applying this to - farms. We struggle to make ends meet particularly during weather changes and market changes (tariffs, reduced tourism).

Farms need the added income from tours and welcoming visitors to present and sell on property with better margins than partnering with a retail who will cut out profit and demand wholesale discounts.

When I think of the farm tours this will benefit, I think of Dole and other large industrial farms that have the resources to build their tours to code and that are interested in eliminating small farm competition.

No one asked for this. This will not improve affordability or livelihoods of Hawaiian farmers. It will cause grave damage.

The only regulation I feel is acceptable is if it fell under DCCA where we register our activity and pass a safety/practices plan. DCCA has always been a reasonable and expeditious partner. Planning Departments have been onerous and add 6-18 months plus \$50k minimum to any project. I will never vote for an elected official who supports this plan. Our Hawaii Cacao association has just circulated this draft and all are opposed, however, they only have one day to reply as today is 3/2/2026.

Thank you for shelving this proposal.

HB-2585-HD-2

Submitted on: 3/2/2026 12:30:51 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Bateman	Heavenly Hawaiian Farms Aloha Chair Tarnas, Vice Chair Poepoe and Committee Members, I am writing in	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe and Committee Members,

I am writing in **strong support** of **HB 2585 HD2**, relating to agricultural tourism.

Agritourism provides important opportunities for Hawai‘i farmers to diversify income, educate visitors, and strengthen connections between agriculture and our local economy. For many coffee farms and other agricultural operations, responsible agritourism activities are essential to long-term sustainability. The regulatory process needs to be much less complicated and expensive for full farmer participation. The proposed simplified agritourism registration process provides the appropriate balance and is a win-win.

I appreciate the amendments made to this version of the bill and believe HB 2585 HD2 offers a more workable framework that supports farmers while recognizing the realities of operating agricultural businesses in Hawai‘i.

Thank you for considering my testimony, and I respectfully ask for your support of **HB 2585 HD2**. Please approve it and pass it out of committee.

Mahalo nui,
David Bateman, Executive Chairman
Heavenly Hawaiian Farms
Holualoa HI

HB-2585-HD-2

Submitted on: 3/2/2026 1:33:44 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kollette Stith	Mahina Mele Farms	Oppose	Written Testimony Only

Comments:

Aloha we oppose the bill as we want to continue to expand and have the option for farm spa and wellness. We are certified organic macadamia nut and coffee farmers that make value added products like macadamia nut oil that is used in massage. These customers would also be spending their dollars in the community. Agro tourism is so important to share the authentic ways of Hawaii, we allow this to happen is on the farms. Thank you for your consideration.

Mahalo Kollette Stith

Mahina Mele Farms LLC

Public Testimony on HB2585 (Cautious Support with Amendments)

Submitted by Dan Corson and Berndt Stugger, Hawai'i County Residents and Small-Farm Owners

Chair, Vice Chair, and Members of the Committee,

Mahalo for the opportunity to testify. We are Dan Corson and Berndt Stugger, owners of a six-acre working family farm in Hawai'i County. We offer cautious support for HB2585 and respectfully request that the bill explicitly include carefully regulated overnight accommodations as a recognized component of agricultural tourism, along with consideration of the additional points below.

Why Overnight Farm Stays Matter for the Survival of Small Farms

The intent of HB2585—to keep agriculture in agriculture—is deeply aligned with our Community Development Plan and with the values of our rural communities. Yet the economic reality is stark: with rising labor, fertilizer, and operational costs, small farms like ours cannot remain viable on crop revenue alone. We do not want to see Hawai'i's agricultural lands carved into subdivisions or dotted with unregulated structures. What we do want is a path that allows working farms to remain financially sustainable while preserving open space, rural character, and local food production.

Farm stays and agrotourism are both tools that allow small farms to survive without compromising agricultural integrity. Guests who stay on our farm participate in daily farm life—seeing, smelling, and experiencing the rhythms of Hawai'i agriculture. These experiences cultivate a deep appreciation for aloha 'āina and create lifelong memories. Simply by being present, visitors learn about stewardship, sustainability, and the kuleana of caring for the land.

For these reasons, we strongly urge the committee to clearly include limited and regulated overnight accommodations within the definition of agricultural tourism. This addition supports the bill's broader goals: strengthening food security, preserving agricultural landscapes, and reducing pressure to convert farmland to non-agricultural uses.

Practical Realities of Access and Infrastructure on Former Plantation Lands

Most small farms in Hawai'i sit on former sugarcane lands, which come with unique and longstanding quirks. Our farm, for example, is accessed by a private gravel cane road partially owned by adjacent properties. It is fully functional and safe, but it is not a paved county-standard road and never will be one due to all the owners. Our property line extends to the center of the road, so parking along the shoulder occurs entirely on our land.

HB2585 requires applicants to submit information such as road width, surface type, and parking—but the bill does not specify what criteria would trigger denial. Access is a make-or-break issue for many farms. Without clear standards, farmers cannot know whether they qualify or how to comply. We ask that the committee provide transparent, objective criteria so that access considerations do not become arbitrary barriers to participation.

Scale-Appropriate Requirements for Working Farms

Working farms are not mass-market tourism facilities. They include muddy areas, uneven terrain, slopes, and gravel paths. These conditions are normal and expected in agricultural settings. Our farm is not ADA-compliant, and achieving full compliance would require millions of dollars in infrastructure changes—changes that would undermine both our farming practices and the rural character of the land.

We already communicate clearly with visitors about walking conditions, and in years of successful tours, this has never posed a problem. Regulations should reflect the principle that the scale of required facilities must match the scale and nature of the farm operation. For example:

- If a farm is not ADA-compliant, it should not be required to build ADA-compliant bathrooms or parking.
- If a farm self-limits tour size, those limits should guide the level of infrastructure required.

Overly rigid standards and a heavy permitting process risk excluding the very farms this bill aims to support.

Need for a Carve-Out for Existing Agrotourism Operations

HB2585 currently states that “agricultural tourism activities shall be registered...before commencement.” This language does not address farms that are already operating legitimate agrotourism programs. Without a carve-out or transitional allowance, existing businesses could be forced to halt operations while navigating a new permitting process—causing financial harm and unnecessary disruption.

We respectfully request a grandfathering provision or transitional pathway that allows existing agrotourism operations to continue while their applications are processed.

HB2585 has the potential to strengthen Hawai‘i’s agricultural future, but only if it reflects the real conditions under which small farms operate. Including regulated overnight accommodations, clarifying access standards, ensuring scale-appropriate requirements, and protecting existing operations will help ensure that the bill truly supports working farms rather than unintentionally hindering them.

Mahalo for your consideration and for your commitment to preserving Hawai‘i’s agricultural lands and rural communities.

HB 2585 HD2 – RELATING TO AGRICULTURAL TOURISM

Hearing: Wednesday, March 5, 2:00 PM

House Committee on Judiciary and Hawaiian Affairs

Aloha Chair, Vice Chair, and Members of the Committee,

My name is **Miles Mayne**, submitting testimony on behalf of the **Ka'ū Coffee Growers Cooperative**, representing coffee farmers in the Ka'ū District on Hawai'i Island. We **support HB 2585 HD2**.

Our members farm on agricultural lands in a rural district where coffee, macadamia, and other crops are often the primary economic activity. Many of our farms already engage in small-scale agricultural tourism—farm tours, tastings, educational visits, and on-farm retail—that help keep these operations viable and allow farmers to share the story of Hawai'i-grown coffee with visitors.

We appreciate that HB 2585 HD2 moves toward **uniform, statewide standards** for agricultural tourism and requires that these activities **coexist with ongoing agricultural activity** and be **registered with county planning departments**. These amendments improve clarity, reduce the current patchwork of county approaches, and help ensure that agricultural tourism remains tied to actual farming rather than becoming stand-alone commercial use.

From our perspective, this bill is important because it:

- Recognizes agricultural tourism as a **legitimate, accessory use** that provides essential supplemental income to small farms.
- Helps avoid a situation where responsible farmers are left in a legal gray area while trying to host modest, agriculture-focused activities.
- Provides counties with clearer tools to oversee and manage agricultural tourism activities in a consistent and predictable way.

We respectfully offer two brief comments as the bill advances:

- Agricultural tourism activities should remain clearly understood as **secondary and related to the agricultural products grown or produced on the property**, so the focus stays on farming rather than unrelated commercial events.
- We also want to be clear that our support for HB 2585 is limited to agriculture-related activities such as tours, tastings, education, and on-farm retail. We are **not** seeking to authorize large weddings, concerts, or unrelated commercial event venues. Our interest

is in a framework that supports genuine agricultural activity and avoids the kinds of high-impact commercial uses that create conflict in rural communities.

Overall, HB 2585 HD2 is a meaningful step toward a more coherent and fair framework for agricultural tourism in Hawai'i. It supports diversified farm income while maintaining the primacy of agriculture on agricultural lands.

Mahalo for the opportunity to testify.

Ka'ū Coffee Growers Cooperative

Pāhala, Hawai'i Island

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March 4, 2026, 2 p.m.
Hawaii State Capitol
Conference Room 325 and Videoconference

To: House Committee on Judiciary and Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice-Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

Re: COMMENTS ON HB2585 HD2 — RELATING TO AGRICULTURAL TOURISM

Aloha chair, vice chair and other committee members,

The Grassroot Institute of Hawaii offers **comments on** — and **three amendments to** — [HB2585 HD2](#), which would reform statewide rules for agricultural tourism in the state's agriculture district.

Specifically, this bill would require that agricultural tourism be permitted as an accessory and secondary use to a farming operation in counties that have adopted ordinances that regulate agricultural tourism.

In these counties, agricultural tourism operations would have to register with the county planning department and provide information such as what visitor activities will be offered and documentation that the property is enrolled in the county's agricultural property tax dedication program.

The bill would also add food trucks to the definition of an "agricultural-based commercial operation" and delete overnight accommodations of 21 days or less as a permitted use in counties with at least three islands.

Agricultural tourism activities can support the state's goal of having more local food production by offering farmers and ranchers the opportunity to diversify their sources of income.

A 2023 report from the Swette Center for Sustainable Food Systems at Arizona State University noted that agritourism "is a way to capitalize on the state's robust tourism sector while providing producers with

additional income to complement their baseline agricultural activities. ... Such activities include farm tours, value-added product sales, event hosting, farm-to-table experiences, volunteer opportunities, and others.”¹

This bill would be a step in the right direction; however, Grassroot urges the committee to amend it to protect the existing property rights of Hawaii farmers and ranchers.

Hawaii Revised Statutes 205-2(12) and 205-4.5(14) allow overnight accommodations of 21 days or less in counties with at least three islands that have adopted ordinances governing agricultural tourism.² Many farmers and ranchers throughout Maui County rely on this language to run short-term rentals and bed and breakfasts to help supplement income from their farming operations.

At the same time, some counties might be hesitant to legalize agricultural tourism activities because they do not want to encourage additional short-term rental units.

Thus, the committee should keep 205-2(12) and 205-4.5(14) and add the following underlined language to those sections:

“Agricultural tourism activities, including overnight accommodations of twenty-one days or less, for any one stay within a county; provided that this paragraph shall apply only to a county that includes at least three islands and has adopted ordinances prior to the effective date of this law regulating agricultural tourism activities pursuant to section 205-5; provided further that the agricultural tourism activities coexist with a bona fide agricultural activity.”

Likewise, Grassroot is concerned that the new definition of “Secondary to the principal farming operation” in the bill would jeopardize the business of many legitimate farmers and ranchers.

The current definition specifies that annual revenue from secondary uses such as agricultural tourism must not exceed annual revenue from the principal farming operation.

A bad harvest due to drought, disease, pests or other causes could render the principal farming operation unprofitable for a year or two, during which time the farmer or rancher would have to also cut back on their agricultural tourism activities to comply with the rules proposed in this draft of the bill. This would amount to kicking the landowner while they are already down.

As such, Grassroot recommends this definition be struck from the bill.

¹ John Gifford, Abigail Martone-Richards and Jason Pena et al., “[Hawai'i Agritourism: Examining how Agritourism can be Responsibly Implemented to Support Small Farmers and Ecological and Cultural Preservation in the Hawaiian Islands](#),” April 2023, p. 11.

² [205-2 Districting and classification of lands](#), and [205-4.5 Permissible uses within the agricultural districts](#), Hawaii Revised Statutes, accessed Jan. 29, 2026.

Last, Grassroot suggests amending the definition of “principal farming operation,” which currently includes the phrase “from which agricultural production constitutes the majority of the operation's land use, labor, and operational activity.”

From a practical standpoint, it would be impossible to determine whether a particular activity takes up the majority of a ranch or farm’s land use. Free-range cattle might be using the same fields that visitors walk through as part of a ranch tour. How would a county allocate land use to various activities when a farm operation took its visitors on a tour through its coffee trees?

Accepting these suggested amendments would strike the correct balance between protecting property rights and allowing farmers and ranchers to participate in tourism, which is the state’s largest economic engine.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

March 4, 2026

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

TESTIMONY ON HB 2585, HD2
RELATING TO AGRICULTURAL TOURISM

Conference Room 325 & Videoconference
2:00 PM

Aloha Chair Tarnas, Vice-Chair Poepoe, 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 supports the intent of HB 2585, HD1, which establishes uniform statewide standards to promote agricultural tourism in the state. This bill sets clear requirements for agricultural tourism that apply to counties that have adopted an agricultural tourism ordinance. It also requires agricultural tourism activities to be registered with the county planning commission and ensures that they remain secondary to active agricultural operations, terminating upon cessation of farming activity, except under certain circumstances.

Agritourism can play an important role in supporting the economic viability of farms and ranches while educating residents and visitors about agriculture in Hawai'i. We appreciate the Legislature's effort to bring greater clarity and consistency to agritourism standards, particularly in response to differing county approaches and enforcement challenges.

We support the principle that agricultural tourism activities must remain accessory and secondary to a bona fide agricultural operation. Agriculture should always be the primary use of agricultural lands, and agritourism should complement, not replace, active farming or ranching. Maintaining this distinction is essential to protecting agricultural lands and preventing misuse of agritourism as a substitute for non-agricultural commercial or residential development. The amendment establishing a rebuttable presumption that agricultural tourism is secondary to the principal farming operation helps reinforce this intent.

HFB has consistently opposed short-term vacation rental activity on agricultural lands, particularly stays of twenty days or less that function as transient accommodations rather than agricultural experiences. At the same time, we recognize that legitimate agritourism may, in limited circumstances, include overnight components that are directly tied to agricultural education, immersion, or hands-on farm experiences. The key distinction has always been that lodging must remain clearly subordinate to, and supportive of, active agricultural production.

As this measure moves forward, we encourage careful consideration of how statewide standards are implemented to avoid unintended impacts on bona fide agricultural operations. Registration and documentation requirements should be administered in a manner that provides clarity and accountability without creating unnecessary administrative burdens, particularly for small and family-run farms.

We also emphasize the importance of flexibility. Farming is inherently subject to weather events, pests, disease, and market disruptions. Temporary interruptions in production should not automatically disqualify an operation from engaging in agritourism activities that are otherwise consistent with the intent of the law.

We support DAB's recommendation to reinstate guidance language in section 205-5(b) to ensure counties retain appropriate authority to define accessory agricultural uses. We encourage continued collaboration with the Department of Agriculture and Biosecurity and the counties to ensure the final framework is clear, workable, and supportive of agriculture.

Thank you for the opportunity to provide comments on this measure

Chair, Vice Chair, and Members of the Committee,

Thank you for the opportunity to testify. I am the owner of Cacao Services, Inc., a company that for over 15 years has planned and executed planting for cacao farms throughout the state of Hawaii. Many of these are small family-farms that would be unable to afford the substantial costs to fulfill several requirements outlined in this bill. I offer cautious support for HB2585 and respectfully request that the bill clearly recognize that you consider the points outlined below.

Access and Infrastructure on Former Plantation Lands

Many small farms in Hawai‘i are located on former sugarcane lands, which come with longstanding access and infrastructure challenges. Most farms are reached by a private gravel cane road that is partially owned by neighboring properties. While often safe and fully functional, these roads do not meet county paving standards.

HB2585 requires applicants to provide details such as road width, surface type, and parking availability. However, it does not specify the standards that would determine approval or denial. Because access can determine whether a farm qualifies at all, clear and objective criteria are essential. Without them, farmers are left uncertain about eligibility and compliance. We respectfully request transparent standards to prevent access requirements from becoming unintended obstacles.

Reasonable Requirements for Working Farms

Working farms differ fundamentally from commercial tourism facilities. Agricultural environments naturally include uneven terrain, gravel paths, slopes, and muddy areas. These are inherent characteristics of farm operations.

Most farms are not ADA-compliant, and achieving full compliance would require substantial infrastructure investments that would alter both agricultural practices and the rural character of properties.

Regulations should be proportionate to the size and nature of the farm operation. For example:

- Farms that are not ADA-compliant should not be required to install fully ADA-compliant bathrooms or parking.
- If a farm limits tour size, those limits should determine the scale of required infrastructure.

Overly stringent requirements risk excluding the small farms this bill is intended to support.

Transitional Protections for Existing Agrotourism Operations

HB2585 states that agricultural tourism activities must be registered prior to commencement. However, it does not address farms that are already operating legitimate agrotourism programs. Without a transitional provision, existing businesses could be forced to suspend operations while

undergoing a new registration or permitting process, resulting in financial hardship and disruption.

I respectfully request that the bill include a grandfathering clause or transitional pathway that allows current agrotourism operators to continue operating while their applications are under review.

HB2585 presents an important opportunity to strengthen Hawai'i's agricultural future. To achieve that goal, the legislation must reflect the practical realities faced by small farms. Explicitly allowing regulated overnight accommodations, clarifying access standards, tailoring requirements to operational scale, and protecting existing operations will ensure the bill truly supports working farms rather than inadvertently creating new barriers.

Mahalo for a continued commitment to preserving Hawai'i's agricultural lands.

Sincerely,

Daniel O'Doherty

Owner – Cacao Services, Inc.

HONOKA'A

CHOCOLATE

From: Mike Pollard
Founder and CEO of Honokaa Chocolate
45-3584 Old Mamalahoa Highway
Honokaa, HI 96727
808-494-2129

To: Hawaii House of Representatives

Re: Written testimony to HB2585

Aloha Chair and Committee Members,

While I firmly support the general idea of regulating agritourism to the benefit of local farmers, the bill as written (including HD2 amendments) raises more questions than it answers, and significant revision should be considered before advancing it to a vote. Therefore, at this time, I oppose this bill as currently written.

Key Concerns

My opposition is based on the following questions raised by the bill text. I request these be addressed to revise the bill for clarity prior to a vote:

1. What is the precise definition of "productive agricultural use," and does it adequately cover emerging or diversified farms like cacao operations?
2. What are the requirements for access and parking?
3. What are the requirements for accessory facilities, such as restrooms or tasting areas?
4. What documents are required to prove productive agricultural use beyond Federal and State tax returns or agricultural dedication enrollment?
5. Are farms currently operating agritourism provided a grace period to register?
6. Is there a requirement for the county planning department to process registrations in a certain and reasonable amount of time?
7. Are there any requirements for insurance?
8. Who will enforce this once it is law?
9. Have our representatives reached out to farms currently conducting successful agritourism to understand their operations?
10. What are the implications of the planning department managing the registration process?
11. Will farms be required to meet ADA standards or other potentially costly standards?

Until these are addressed, this law risks creating more problems for farmers in an already challenging industry.

Potential Impact to Honokaa Chocolate

Honokaa Chocolate Co is Hawaii's most awarded chocolate with over 60 international awards, and using 100% Hawaii grown cacao, We are the only Hawaii based chocolate maker to use cocoa butter pressed from Hawaiian beans at a large scale. We have 2 acres of our own estate cacao and we also purchase beans from up to 8 different farms at any given time. We currently have 5 employees, all live in Honokaa or nearby in Paauilo. The success of our business has been mostly due to our diversification of revenue streams - our downtown store and factory, our farm tours, ecommerce and wholesale to restaurants and chefs. In our tours, we've reached over 10,000 visitors since 2021 with a goal of highlighting the state's burgeoning yet fragile cacao and chocolate industry. When we finish a tour, we've created a long term customer that comes back to purchase more chocolate from our website. 90% of our ecommerce customers are return customers that were created through our tour program. That said, it should be clear to the reader that while tours only make up a small fraction of our revenue, they have a huge impact on our overall long term success and profitability.

Unless this bill is thoroughly vetted with existing agritourism businesses and written properly, it has the potential to significantly impact small operations like ours. Hawaii is known as one of the most difficult states for small businesses—let's not make it harder.

Recommended Revisions

1. Develop a clear set of requirements and summarize them prominently in the bill (e.g., in an introductory or definitions section).
2. Develop a clear management plan: how the registration process will be handled, timelines for approval, grace periods for existing operations, etc. Summarize this with bullet points at the beginning of the bill.
3. Have representatives meet with farms on all islands that are currently conducting successful agritourism to vet the process and ensure no onerous requirements that could derail established or emerging businesses.
4. Provide clear opportunities for public input and testimony, including from stakeholders across islands.

Conclusions

I urge the Chair and committee members to postpone a vote until the requirements and processes are fully vetted, clarified, and reflected in revisions to the bill. I also urge farms conducting agritourism to submit testimony opposing the bill in its current form until these changes are made.

Sincerely,
Mike Pollard
Founder and CEO
Honokaa Chocolate Co

HB-2585-HD-2

Submitted on: 3/1/2026 2:23:00 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Krista Olson	Individual	Support	Written Testimony Only

Comments:

TO: House Committee on Judiciary and Hawaiian Affairs (JHA)

FROM: Krista Olson (Owner-Operator, Ola Mahina Gardens Organic Farm on Hawai‘i Island)

RE: HB2585 HD2 – Relating to Agricultural Tourism – Support with Amendments

HEARING: March 4, 2026, 2:00 p.m., Conference Room 325 & Videoconference

My name is Krista Olson, and I am an organic produce farmer, food security advocate, and resident of Hawai‘i County requesting your support for HB2585, Relating to Agricultural Tourism, with amendments that explicitly address the role of short-term hosted farm stays in sustaining the economic viability of production farms.

I find myself among a group of farmers committed to local food security who anticipate we may have to sell our operations if we are no longer able to offset agricultural production costs with income from hosted farm stays. I recognize concerns about short-term rentals replacing bona fide agricultural activity, and I want to point to the reality on the ground where many of us are only able to continue community food production because of supplemental income from agricultural tourism that includes hosted farm stays. On our farm, 85% of our labor hours are focused on food production and land conservation, yet more than half of our income is generated by educationally-oriented farm stays.

Based on my perspective producing food for my community over the last two decades, I am asking for your support of HB2585 with amendments that clearly include thoughtfully regulated overnight accommodations as an essential part of agricultural tourism. Our five acre production farm supplies organic produce to five local grocery stores and local food hubs throughout the year, yet crop sales alone are not enough to cover the costs of staying in agriculture. Our cost of farming inputs has increased dramatically in the last six years, and is now accelerating as tariffs impact our markets. Like many small farms, we rely on agritourism income—in our case, hosted farm stays—to keep the land in production, support our training program for aspiring farmers, and avoid pressure to sell or subdivide.

State law already recognizes agricultural tourism, including overnight stays of up to 21 days, in certain counties when those stays coexist with bona fide agricultural operations. HB2585 is a logical next step: it creates uniform statewide standards so that all counties can support farm-first

agritourism under clear rules. The goal is not to create new resort areas on agricultural lands, but to give real farmers a viable, well-regulated tool so they can continue farming instead of leaving agriculture or selling their land. Our experience is that there is a ripple effect from our farm stay rental program, as our visitors spend their tourism dollars in our rural community at small local businesses. We are asked regularly for advice on locally owned restaurants, tour operators, and small businesses that need support. This is the sort of mindful tourism that keeps money here in Hawai'i, when dollars spent at large resorts too often end up with large private equity firms. Farm stay income also allows us to contribute to our state and county tax base in ways that farming simply does not.

In considering regulated farm stays, I want to directly acknowledge the recent Rosehill decision. The Hawai'i Supreme Court made it clear that speculative, non-farm-related short-term vacation rentals do not belong in the State Agricultural District, because they undermine the agricultural purpose of the land. I agree with that distinction. What I am asking you to support through HB2585 is something very different: owner-occupied, small-scale farm stays and bed-and-breakfasts that are physically and economically tied to real agricultural production, with strict limits and clear enforcement. This kind of agritourism implements the intent of Chapter 205 by helping farmers remain on the land and keep it in active production, rather than converting it to pure visitor use.

I support clear statutory guardrails to make this distinction enforceable. For example, the bill can require: proof of a bona fide farming operation and a farm plan; a cap on the number of guest rooms; on-site owner occupancy or resident operator; and automatic termination of the overnight use if agricultural use ceases. The law can also explicitly prohibit unhosted or non-farm "vacation rental" use on agricultural lands, so that Rosehill's concern about speculative STVRs is fully respected while still allowing carefully defined agritourism. These conditions will ensure that overnight accommodations remain an accessory, agriculture-supporting use—not a new pathway to resort development on ag land.

For small farmers, the difference between being allowed well-regulated hosted short-term farm stays and being entirely barred from overnight agritourism may be the difference between continuing to farm and giving up. HB2585, with explicit support for strictly conditioned overnight accommodations as part of agricultural tourism, will help keep working farms viable, preserve agricultural landscapes, and provide tourism experiences that align with the state's broader environmental and climate goals.

I wish to highlight here the two critical amendments we are seeking:

1. Clarify definition of agricultural tourism activities to include hosted farm-stays

Add to the definition section of HB2585:

"Agricultural tourism activities" means activities conducted on a working farm or farming operation, as defined in section 165-2, for the enjoyment, education, or involvement of visitors, that are accessory and secondary to the principal agricultural use and do not interfere with surrounding farm operations. Such activities may include, but are not limited to, farm tours,

educational workshops, value-added product sales, farm-to-table experiences, farm-based spa and wellness experiences, and hosted overnight farm-stay accommodations within a farm dwelling or farm-based lodging, where the owner or operator resides on site and agricultural work is the primary use of the property.

2. Statewide authorization for hosted farm-stay overnights (build on HRS 205-4.5(a)(14))

Amend HRS 205-4.5(a) via HB2585 to add a new statewide paragraph modeled on existing paragraph (14):

"() Agricultural tourism activities, including overnight farm-stay accommodations of twenty-one days or less for any one stay, when conducted on a farming operation as defined in section 165-2; provided that:

(A) The agricultural tourism activities coexist with a bona fide agricultural activity;

(B) The activities are accessory and secondary to the principal agricultural use and do not interfere with surrounding farm operations; and

(C) The county has adopted ordinances or rules regulating agricultural tourism activities pursuant to section 205-5."

Add a definition cross-reference:

"For purposes of this subsection, 'bona fide agricultural activity' means a farming operation as defined in section 165-2."

I recognize that there is a need for clear language and monitoring to assure that agricultural production remains the primary use of agricultural land, and propose the following amendments to establish guardrails that protect and strengthen agricultural activity on agricultural lands:

3. Farm credibility and ongoing proof

Add minimum statewide farm-credibility standards:

"Authorization of overnight farm-stay accommodations under this section shall be limited to farming operations, as defined in section 165-2, that are engaged in bona fide agricultural activity as defined in this section. The owner or operator shall:

(1) Submit and maintain an approved farm plan identifying crops or livestock, acreage in production, and agricultural practices; and

(2) Provide annual documentation demonstrating continued agricultural activity, which may include:

(A) Gross farm receipts and gross farm income from agricultural products;

(B) Photographic evidence of fields, plantings, or livestock;

(C) Planting and harvest logs; and

(D) A description of how overnight guests are offered opportunities to engage with or learn about the farm."

Optional production benchmark (left to counties):

"Counties may establish reasonable benchmarks for agricultural production or activity, such as minimum gross farm income per acre or minimum acreage in active production, provided that such benchmarks are calibrated to local conditions and crop types."

Annual renewal and automatic termination:

"Farm-stay authorization shall be renewed annually upon a demonstration that the farming operation remains in active production and continues to meet applicable production or activity benchmarks. If bona fide agricultural activity ceases for two consecutive years, authorization for overnight farm-stay accommodations shall automatically terminate."

4. Non-dedicated / dedicated ag footprint guardrail (15% / 85% model)

Add land-use caps to ensure the use remains accessory:

"Overnight farm-stay accommodations and directly related non-agricultural structures and improvements shall occupy no more than fifteen per cent of the lot area or one-quarter acre, whichever is less, unless a county by ordinance establishes a smaller maximum."

"At least eighty-five per cent of the lot area shall be maintained in agricultural use or agricultural-related open space, as shown on a site plan approved by the county."

Intensity cap:

"Farm-stay accommodations shall be limited to a maximum of five guest rooms and ten overnight guests at any one time, or lower limits established by county ordinance. Farm-stay accommodations under this section shall not be used for large events or gatherings, except as otherwise permitted by county agritourism ordinances."

5. County discretion over farm-stay accommodation structures; prohibition on additional farm dwellings

State standard – no use of additional farm dwellings:

"Additional farm dwellings permitted under state or county law shall not be used for overnight farm-stay accommodations, and nothing in this section shall be construed to alter limitations on the use of farm dwellings established by statute or judicial decision."

County discretion on structures – accommodation of farm character:

"Counties shall have discretion to define and permit the types of structures that may be used for farm-stay accommodations, including but not limited to the primary farm dwelling, accessory structures, and unconventional farm-based lodging such as yurts, safari tents, tiny homes, converted farm buildings, or other structures that are characteristic of working farm environments, provided that:

- (1) The property is the principal residence of the farm owner or a designated resident operator who is directly involved in the farming operation;
- (2) Farm-stay accommodations are hosted, with the owner or resident operator present on the property during guest stays, and unhosted transient use is prohibited;
- (3) All structures used for overnight farm-stay accommodations meet basic health and safety requirements established by the county, which may include standards for sleeping areas, sanitation facilities, potable water, egress, and fire safety;
- (4) The county may, at its discretion, establish alternative permitting pathways or health and safety standards for unconventional farm-based structures that reflect the agricultural character and context of the use, in lieu of requiring full compliance with building codes designed for conventional residential or commercial structures; and
- (5) Counties acknowledge that many farm-stay accommodations are hosted in structures that reflect the working character of the farm and may not be permissible under standard Department of Public Works building permit processes, and counties are encouraged to develop reasonable, farm-appropriate standards that balance visitor safety with the preservation of authentic agritourism experiences."

***Rationale: Farm-stays frequently occur in modest, farm-based structures—such as yurts, small cabins, or converted agricultural buildings—that contribute to the authenticity and character of the working farm. Giving counties explicit discretion to regulate these structures through clear health-and-safety-focused standards, rather than requiring full compliance with conventional residential or commercial building codes in every case, allows genuine small farms to participate in agritourism while still protecting visitors and neighbors. This approach prevents the use of additional farm dwellings as short-term rentals, but avoids creating a system where only farms that can afford architects, full code retrofits, and extensive professional planning can legally offer small-scale, hosted farm-stays.

6. Duration and character of stays; ensure they are true agritourism

Duration:

"Overnight farm-stay accommodations shall be limited to stays of twenty-one consecutive days or less for any one guest party."

Character of use:

"As a condition of authorization, the farming operation shall offer overnight guests at least one farm-related experience per stay, which may include farm tours, work-days, classes, demonstrations, tastings, or on-farm product sales, so that overnight accommodations are clearly incidental to and supportive of agricultural tourism rather than a generic lodging use."

7. Enforcement, registration, and revocation

"Overnight farm-stay accommodations under this section shall be registered and regulated as a distinct category of transient accommodation, separate from non-agricultural short-term rentals, by the state and the counties."

"Each county that allows overnight farm-stay accommodations shall establish a permit or registration process, including:

- (1) Initial approval based on an agricultural tourism plan and site plan;
- (2) Annual renewal;
- (3) Annual submission of farm activity documentation; and
- (4) Payment of fees sufficient to cover administration and enforcement."

"If a farming operation fails to demonstrate bona fide agricultural activity for two consecutive years, or if unhosted transient use or other prohibited use is documented, authorization for overnight farm-stay accommodations shall be automatically revoked, in addition to any other penalties provided by law."

"Agricultural tourism overnight accommodations shall be accessory to bona fide agricultural operations and shall not be used to create resort-like uses or de facto residential subdivisions on agricultural lands. Accessory status shall be evaluated in relation to, among other factors, the proportion of land area devoted to agricultural production relative to overnight accommodations and the proportion of on-site labor devoted to agricultural activities."

8. Farm-Stay and Agritourism Promotion Fund (optional section)

Add a new section creating a fund (could be in HB2585 or a companion bill):

"There is established in the state treasury the Farm-Stay and Agritourism Promotion Fund, to be administered by the [Department of Agriculture / Office of Planning and Sustainable Development] in consultation with the counties."

"A portion of county transient accommodations tax revenues attributable to qualifying agritourism accommodations, including hosted farm-stays, or a fixed percentage of county transient accommodations tax revenues, as determined by ordinance, shall be deposited into the fund."[12][13][14]

"Moneys in the fund shall be used exclusively to:

- (1) Promote and market hosted, permitted farm-stays and agritourism operations, including county-supported directories and visitor-education campaigns;
- (2) Provide technical assistance and small grants to support compliance with health, safety, water, wastewater, and accessibility requirements for small, bona fide farms offering agritourism;
- (3) Support county agritourism planning, data collection, and liaison staff;
- (4) Develop and disseminate visitor education materials on cultural respect, farm etiquette, and environmental stewardship; and
- (5) Support community complaint-tracking, mediation, and other measures to protect rural quality of life."

Mahalo for the opportunity to provide testimony and for your consideration of HB2585. I respectfully urge you to add strong language affirming overnight agritourism accommodations that align with the larger goal of keeping small farms a viable and productive part of island food security.

Respectfully,

Krista Olson,

Owner-Operator, Ola Mahina Gardens Organic Farm

HB-2585-HD-2

Submitted on: 3/2/2026 6:26:48 AM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Corinne Maul De Soto	Individual	Support	Written Testimony Only

Comments:

Subject: Testimony in Support of HB 2585 (with Amendments)

Aloha Chair and Members of the Committee,

I respectfully submit testimony in support of HB 2585, with amendments to clearly include well-regulated, hosted overnight farm stays as part of agricultural tourism.

Many small farms in Kona and across Hawai‘i rely on supplemental agritourism income to remain in active food production. In fact, on our farm, the vast majority of labor (~90%) is dedicated to growing food and stewarding the land, yet we are not able to sell enough produce to support our management of the land. Carefully managed, owner-occupied farm stays provide the financial stability that allows us to continue supplying local markets, training new farmers, and keeping agricultural lands in production rather than selling or taking the land out of crop production. I can confidently say that without farm stay revenue many small farmers (us included) would not be able to continue farming.

I recognize the concerns raised by the recent Rosehill decision and agree that speculative, non-farm short-term vacation rentals do not belong on agricultural lands. However, hosted, farm-tied accommodations are fundamentally different. When appropriately managed and accessory to bona fide agricultural activity, they support — rather than undermine — the purpose of the State Agricultural District.

For many small farmers, the ability to host regulated farm stays is the difference between continuing to farm and leaving agriculture altogether. HB 2585, with thoughtful amendments, will help preserve working farms, maintain agricultural landscapes, and align tourism with Hawai‘i’s long-term sustainability goals.

Mahalo for your consideration.

Corinne M. De Soto

HB-2585-HD-2

Submitted on: 3/2/2026 12:06:33 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alexandria Hollis	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

I am writing in support of **HB 2585**, relating to agricultural tourism.

Agritourism provides important opportunities for Hawai‘i farmers to diversify income, educate visitors, and strengthen connections between agriculture and our local economy. For many coffee farms and other agricultural operations, responsible agritourism activities are essential to long-term sustainability.

I appreciate the amendments made to this version of the bill and believe HB 2585 offers a more workable framework that supports farmers while recognizing the realities of operating agricultural businesses in Hawai‘i.

Thank you for considering my testimony, and I respectfully ask for your support of HB 2585.

Sincerely,
Alexandria Hollis
Heavenly Hawaiian, Ltd.
Hawai‘i Island

HB-2585-HD-2

Submitted on: 3/2/2026 12:22:53 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Woolley	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

I am writing in support of **HB 2585**, relating to agricultural tourism.

Agritourism provides important opportunities for Hawai‘i farmers to diversify income, educate visitors, and strengthen connections between agriculture and our local economy. For many coffee farms and other agricultural operations, responsible agritourism activities are essential to long-term sustainability.

I appreciate the amendments made to this version of the bill and believe HB 2585 offers a more workable framework that supports farmers while recognizing the realities of operating agricultural businesses in Hawai‘i.

Thank you for considering my testimony, and I respectfully ask for your support of HB 2585.

Sincerely,
Donna Woolley, Owner

Island Sun Coffee

Big Island of Hawaii

HB-2585-HD-2

Submitted on: 3/2/2026 12:34:32 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harold M Hoogasian	Individual	Support	Written Testimony Only

Comments:

Please support hb 2585.

Harold

HB-2585-HD-2

Submitted on: 3/2/2026 2:23:42 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Visut Buasriyottiya	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

I am writing in support of **HB 2585**, relating to agricultural tourism.

Agritourism provides important opportunities for Hawai‘i farmers to diversify income, educate visitors, and strengthen connections between agriculture and our local economy. For many coffee farms and other agricultural operations, responsible agritourism activities are essential to long-term sustainability.

I appreciate the amendments made to this version of the bill and believe HB 2585 offers a more workable framework that supports farmers while recognizing the realities of operating agricultural businesses in Hawai‘i.

Thank you for considering my testimony, and I respectfully ask for your support of HB 2585.

Sincerely,
Visut Buasriyottiya
Kona Rainforest Coffee
Hawaii Island

HB-2585-HD-2

Submitted on: 3/2/2026 3:45:51 PM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Comments	Written Testimony Only

Comments:

I think the bill has many of the essentials that will support bonafide farmers while preventing 'gentleman farms' from taking advantage. Farms should not be vacation rentals; that's what hotels are for. Farms with beginning farmer training programs will have the ability to provide verified farm worker housing if HB1737 passes this year.

I have two concerns: 1) the requirement of "verification of enrollment in a county agricultural use dedication program". It is not clear what this refers to. Zoning?

2) not all farms are 'for profit.' There are numerous nonprofit farms on each island that supply our communities and food banks with fresh produce that may not meet the 'proof of income' requirement through a reported income tax document; however, the value/amount of the food produced can still be measured and documented. Ag water rates are based either on proof of income in ag or the value of produce grown and distributed. For nonprofits that choose educational ag tourism as one way to support their programs while still focusing primarily on agriculture, proof of production and the in-kind value of produce would be the equivalent.

House Committee on Judiciary & Hawaiian Affairs
Hearing: March 4, 2026, 2:00 PM | Conference Room 325 & Videoconference

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

Aloha. My name is **Angela I. Fa‘anunu**. I submit this testimony in **support of HB 2585, HD2** with amendments. I am a breadfruit farmer in Hilo and an assistant professor of sustainable tourism at the University of Hawai‘i at Hilo, with research expertise in agritourism. The views expressed are my own and do not represent those of my employer.

I commend the Legislature for advancing uniform agritourism standards. Research shows approximately 56 percent of Hawai‘i farmers earn less than \$10,000 annually, and fewer than five percent of Hawai‘i Island farms participate in agritourism—largely due to restrictive, costly, and slow permitting processes (Fa‘anunu, 2022). I respectfully request the following amendments to ensure clarity, equity, and workability.

Recommended Amendments

1. Define “Agricultural Tourism Activities”

The bill authorizes agricultural tourism activities, provides purpose, conditions, and a registration framework but does not define what activities qualify. Without a clear definition, counties will interpret the term inconsistently, undermining the bill’s statewide uniformity goal. The bill’s reference to “restaurants” should also be reconciled with the retail food establishment definition under HRS §205-2(d)(14)(C). To support the bill’s goal of statewide clarity and consistency, I respectfully recommend refining the definition of “agricultural tourism activities” to reflect nationally recognized agritourism research distinguishing core activities directly tied to farm-based activities from peripheral activities, indirectly tied to farming operations (Chase et al., 2018). Though accommodations are core activities elsewhere, the following proposed definition for agricultural tourism activities reflects the Legislature’s stance on accommodations. In proposed §205- (j), add the following definition:

“Agricultural tourism activities” means visitor-oriented activities and agriculture-based commercial operations permitted under HRS §205-2(d)(15) that are conducted on a working farm that are directly connected to, and secondary to, ongoing agricultural production. Activities may include farm tours, educational programs, U-pick operations, on-farm direct sales, value-added processing of farm-grown products, on-farm markets, and food and beverage service featuring farm-produced goods. Agricultural tourism activities shall not include peripheral uses not directly tied to agricultural production—such as overnight accommodations, weddings, or recreational activities—to ensure that farming remains the principal land use while supporting legitimate agritourism enterprises. Agricultural tourism activities should also include farmers markets, plant nurseries, and agriculture-based museums for educational purposes that are directly related to farming operations including those located off-site.”

2. Revise the Definition of “Secondary to the Principal Farming Operation”

The bill defines “secondary” based solely on annual revenue—a metric that disadvantages small, diversified, education-based, and culturally focused farms. Prices of agricultural products are often low (e.g., ‘ulu at \$0.90–\$1.30/lb) while agritourism experiences may generate \$20 to \$700

or more per person. Hawai‘i County’s current application of using revenue as a standard is strongly opposed by Hawai‘i Island farmers (Fa‘anunu, 2022). In proposed §205- (j), amend as:

“Secondary to the principal farming operation” means the use of a parcel of land that generates annual revenue that is less than the annual revenue generated from the principal farming operation or agricultural operation conducted on the parcel of land is subordinate to the principal farming operation, as determined by the county planning department based on criteria that may include annual revenue, land area in active agricultural production, labor hours dedicated to farming, or the farm’s stated operational purpose.

3. Protect Farms with Existing Overnight Accommodation Permits

HB 2585, HD2 eliminates overnight farm stay provisions previously authorized under HRS §205-2(d)(12) and §205-4.5(a)(14) without addressing farms currently holding valid permits. For some small farms, these stays represent the majority of income and support visitor education (Fa‘anunu, 2022). Abrupt elimination without transition provisions would cause significant financial harm. Add a new subsection to §205- :

(k) Notwithstanding any other provision of this section, any farming operation holding a valid permit or approval for overnight agricultural tourism accommodation issued prior to the effective date of this Act may continue to operate under that permit until its expiration or for a period of three years from the effective date of this Act, whichever is later. Upon expiration, renewal shall be subject to the requirements of this section.

4. Ensure a Streamlined and Accessible Registration Process

The documentation requirements in proposed §205- (d) may deter small farms with limited administrative capacity. Without clear timelines and proportionate fees, registration risks becoming a barrier rather than an accountability tool. In §205- (d), add at the end:

Agricultural tourism activities shall be registered by the owner or lessee with the county planning department before commencement of any agricultural tourism activity; provided further that the county planning department shall: (1) complete registration review within sixty days of a complete application; (2) establish a registration fee schedule proportionate to the scale of the agricultural tourism operation; and (3) provide plain-language guidance materials to assist applicants.

Conclusion

Agritourism strengthens farm viability, expands local food production, and deepens community connection to the land. I urge the Committee to **pass HB 2585, HD2 with the above amendments**. Mahalo piha for the opportunity to testify and for your continued support of Hawai‘i’s farmers and agricultural lands.

Angela I. Fa‘anunu, Ph.D., Hilo, Hawai‘i

References

- Fa‘anunu, A.I. (2022). *Agritourism in Hawai‘i: Opportunities & Challenges—Agritourism study for Hawai‘i Island, 2022*. Report to the United States Department of Agriculture.
- United States Department of Agriculture National Statistics Service (USDA NASS). (2019, April). *Census of Agriculture 2017 Census by State*. https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Census_by_State/index.php
- Chase, L. C., Stewart, M., Schilling, B., Smith, B., & Walk, M. (2018). Agritourism: Toward a conceptual framework for industry analysis. *Journal of Agriculture, Food Systems, and Community Development*, 8(1), 13–9. <https://doi.org/10.5304/jafscd.2018.081.016>

HB-2585-HD-2

Submitted on: 3/3/2026 11:23:26 AM

Testimony for JHA on 3/4/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Heather Korotie	Individual	Support	Remotely Via Zoom

Comments:

TO: House Committee on Judiciary and Hawaiian Affairs (JHA)

FROM: Heather Korotie (Owner-Operator, The Mango Farm on Hawai‘i Island)

RE: HB2585 HD2 – Relating to Agricultural Tourism – Support with Amendments

HEARING: March 4, 2026, 2:00 p.m., Conference Room 325 & Videoconference

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

Thank you for the opportunity to testify on HB2585 HD2, which establishes statewide standards for agricultural tourism activities in Hawai‘i. I strongly support the intent of this measure and respectfully request targeted amendments to clearly include hosted overnight farm-stays on bona fide working farms as a defined, tightly regulated form of agritourism under HRS 205-4.5, with strong guardrails to protect agriculture and rural communities.

Although my testimony focuses on hosted farm-stays, the same principles of clear guardrails, flexibility for small farms, and an on-the-ground “secondary” test can and should be applied to other agricultural tourism activities such as wellness retreats, farm-tours and tastings, farm-to-table dinners, and educational workshops.

Our farm: agriculture first, supported by a hosted farm-stay

My family operates a 1.716-acre working farm in South Kona, where we grow tropical fruit, supply the local food system through distributors and markets, and run a small, hosted farm-stay as part of one integrated agritourism enterprise. Agricultural work on our farm requires more than twice the labor hours of the farm-stay component, but generates only a small fraction of the income. The farm-stay is our primary livelihood and is what allows us to continue farming instead of selling, subdividing, or letting the land go under-utilized while we seek off-farm employment.

Farm-stay income is reinvested into orchard maintenance, new plantings, soil health, water stewardship, and wages for onsite farm assistants. Without the ability to continue operating a hosted farm-stay, we would likely be forced to reduce agricultural activity or sell, with a very real risk of the land shifting away from agriculture. HB2585, with specific amendments, can preserve farms like ours while preventing the misuse of agricultural land for unhosted short-term rentals or resort-like development.

1. “Secondary” must be based on land and labor, not gross revenue

As currently drafted, HB2585 defines “secondary to the principal farming operation” so that agricultural tourism must generate less revenue than the principal farming operation. For many small farms, that will never be true: farm-stay income must be higher than commodity sales to make agriculture viable. If gross revenue is the sole test for “secondary,” the bill will unintentionally eliminate the small, >5 acre working farms that agritourism is meant to support.

I respectfully request that the definition of “secondary to the principal farming operation” be amended so that:

- “Secondary” is evaluated based on the predominance of agricultural land use, labor, and operational focus on the parcel.
- Gross revenue can be considered as one factor, but is not determinative.

Suggested language:

“Secondary to the principal farming operation” means that agricultural tourism activities do not constitute the primary and predominant use of the land or operation and remain incidental to agriculture as evidenced by factors that may include:

- (1) The proportion of land area devoted to agricultural production relative to land area devoted to agricultural tourism improvements and accommodations;
- (2) The proportion of on-site labor hours devoted to agricultural activities relative to agricultural tourism; and
- (3) The predominance of agricultural practices, infrastructure, and investments on the parcel.

Gross revenue from agricultural tourism activities may be considered but shall not be determinative of whether the activities are secondary to the principal farming operation.

This approach better reflects the realities of small farms in today’s economy while keeping agriculture clearly in the lead.

2. Strong statewide guardrails for hosted overnight farm-stays

HB2585 is an ideal vehicle to create a clear, statewide framework for hosted farm-stays that support agriculture, while keeping strong guardrails against unhosted short-term rentals and resort-like uses on agricultural land.

I respectfully propose:

- A new paragraph in HRS §205-4.5(a) expressly permitting hosted overnight farm-stay accommodations of 21 days or less on farming operations as defined in HRS 165-2, provided they coexist with bona fide agricultural activity, remain accessory and secondary to agriculture, are hosted, do not use additional farm dwellings, and are regulated by county ordinance.

- A new subsection in the HB2585 §205-__ that establishes strong guardrails, including that overnight farm-stay accommodations are:
 - Limited to bona fide farming operations under HRS 165-2 that are actually engaged in commercial agriculture, with reasonable, flexible minimum production or activity benchmarks (such as gross farm receipts or acreage in active cultivation) established by each county to reflect local conditions and crop types.
 - Hosted only, with the farm owner or resident operator living on the property and directly involved in farming.
 - Limited to stays of 21 days or less.
 - Clearly secondary based on land use, labor, and operations, not a simple revenue ratio.
 - Capped in scale and intensity by county (guest count, rooms, lot-area percentage).
 - Prohibited from using additional farm dwellings and from becoming unhosted STRs.
 - Automatically terminated if agriculture ceases for the statutory period or if unhosted use or other prohibited use is documented.

These guardrails ensure hosted farm-stays remain narrowly tailored tools to keep real farmers on the land, not loopholes for speculative rentals.

3. County discretion over farm-based structures with health-and-safety standards

Many farm-stay accommodations are hosted in modest, farm-based structures that contribute to the authenticity and character of the working farm: yurts, small cabins, pavilions, safari tents on platforms, tiny homes, or converted farm buildings. These can meet basic health, sanitation, water, egress, and fire-safety standards, but they often do not fit standard Department of Public Works building permit categories designed for conventional residential or commercial structures.

If full DPW compliance is effectively required for every farm-stay structure, most genuine small farms will be priced out, even if they operate safely and responsibly. For our farm alone, bringing our existing hosted accommodations into full DPW compliance would likely cost upwards of \$100,000.

I respectfully ask that HB2585 explicitly authorize counties to:

- Define and permit types of structures that may be used for farm-stay accommodations, including unconventional farm-based lodging.
- Establish alternative permitting pathways or health-and-safety-focused standards tailored to the agricultural context, in lieu of full residential or commercial building code compliance, provided visitor safety and neighbor protections are maintained.
- Maintain the prohibition on using additional farm dwellings for overnight accommodations and preserve existing limitations on farm dwellings under statute and court decisions.

This balances visitor safety, neighborhood protection, and the economic realities of small farms.

4. Require all four counties to adopt agritourism ordinances

HB2585's new framework applies "only to a county that has adopted ordinances regulating agricultural tourism uses and activities." For statewide standards to be meaningful and fair, all four counties should adopt and maintain agritourism ordinances consistent with the new §205-__.

I respectfully request that §205-5(b) be amended to:

- Require every county to adopt and maintain agritourism ordinances with provisions for registration, access/road standards, health and safety, hours and intensity, enforcement, and penalties.
- Require those ordinances to be consistent with the statewide requirements and strong guardrails described in HB2585.

This ensures that genuine, hosted farm-stay agritourism is implemented with clear, enforceable standards across all islands.

Conclusion

HB2585 is an important step toward consistent, statewide standards for agricultural tourism. With the amendments described above, it can also provide a carefully limited, hosted-only path for overnight farm-stays that:

- Keep small farms economically viable and in active production.
- Maintain agriculture as the primary use of the land, based on land area and labor.
- Prevent misuse of agricultural lands as unhosted short-term rentals or resorts.
- Give counties the tools they need to regulate farm-based structures in a way that balances safety with authenticity.

Mahalo for your consideration and for your work on behalf of Hawai'i's agricultural communities and rural economies.

Respectfully submitted,
Heather Korotie
Owner-Operator, The Mango Farm on Hawai'i Island

McCully Works

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Hilo, Hi. 96720

Testimony in Support with Recommendations – HB2585 HD2

Relating to Agricultural Tourism

Chair, Vice Chair, and Members of the Committee:

Thank you for the opportunity to provide comments on HB2585 HD2. I've been farming in Hawaii since 1976; field vegetables, greenhouse vegetables, foliage plants, orchids, orchid breeding, coffee and anthuriums for cut flowers. I've never engaged in agritourism. In fact I used to be quite dismissive of it as a means to “sell the sizzle rather than the steak”. But not now. It's too hard to predict crop costs and market value, and vertical integration and seeking alternative sources of income are now critical to success.

This measure recognizes that agricultural tourism has become an essential tool for Hawai'i's farms. Many farmers now rely on visitor experiences—farm tours, tastings, educational events, and direct product sales—to supplement agricultural income and remain economically viable. It's commonly referred to as “verticality” and it allows for incremental improvements, sometimes significant, in farm income.

HB2585 HD2 takes an important step toward establishing a more consistent statewide framework for agricultural tourism. A clear and predictable regulatory environment can help farmers diversify their revenue streams while maintaining agriculture as the primary land use.

Let's simplify the process for farmers and increase the likelihood that agritourism can become a meaningful component of a farm's business model. In my opinion we should ;

- 1. Adopt a simple registration model.**

The process should function as a ministerial registration with the county planning department rather than a discretionary permitting process. Farmers should be able to register agritourism activities by providing basic information about the farm operation, access, and visitor activities.

- 2. Remove the revenue comparison requirement.**

The bill requires agritourism revenue to be less than revenue from the principal farming operation. A clearer standard is simply to require that agritourism remain **accessory and supportive of an active agricultural operation**, rather than imposing financial tests.

3. **Provide flexibility for seasonal farming cycles.**

Agriculture often involves periods when fields are fallow or crops are between production cycles. In coffee we can stump our trees and be without revenue for more than a year while waiting for this severe pruning to result in future improved yields and profitability.

Any provision terminating agritourism authorization due to a temporary cessation of farming activity should recognize seasonal and crop-rotation realities.

4. **Allow reasonable accessory uses.**

Agritourism commonly includes farm stands, small food service, tasting rooms, and educational activities. The statute should clearly allow these activities when they are directly related to the farm operation and products grown on site. The first farm visit I ever made in an area that allowed agritourism was in England in 1982 when we had an overnight farmstay with a fantastic farm breakfast served prior to the morning tour.

Agritourism represents one of the most realistic and desirable ways for strengthening the future sustainability of Hawai'i's farms. By streamlining the regulatory process and allowing reasonable operational flexibility, the Legislature can help farmers generate additional income while keeping agricultural lands in productive use.

Mahalo for the opportunity to provide comments on this measure.

Mahalo for your consideration,

James McCully
Hilo, Hawaii

'Always Something New'

www.mccullyworks.com

Mauna Kea Orchids - A Coffee Farm - Awa Pua Hale