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DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
**HOUSE COMMITTEE ON TOURISM
AND
HOUSE COMMITTEE ON AGRICULTURE**
Wednesday, February 10, 2016
10:00 AM
State Capitol, Conference Room 312

in consideration of
HB 2601
RELATING TO AGRICULTURAL TOURISM.

Chairs Brower and Tsuji, Vice Chairs Ohno and Onishi, and Members of the House Committees on Tourism and Agriculture.

The Office of Planning (OP) does not support HB 2601 in its current form and provides comments to address our concerns. HB 2601 would amend Hawaii Revised Statutes (HRS) § 205-2(d)(11) to repeal the county adoption of an agricultural tourism ordinance as a precondition for allowing agricultural tourism in the State Agricultural District.

OP supports provisions that would enable bona fide farming operations to increase farm income through value-added agricultural tourism activities. However, the use of agricultural land under the guise of agricultural tourism has had the effect of increasing the value of agricultural land for non-agricultural income. Higher-valued land uses on agricultural land contribute to the impermanence syndrome, a phenomenon of spiraling disinvestments and rising costs for agriculture that lead to instability and decline in the agricultural sector.

The existing provisions in HRS Chapter 205 governing the spectrum of agricultural tourism activities in the Agricultural District are confusing and difficult to administer. This bill incompletely addresses the need to refine and improve land use policy related to agricultural tourism. Therefore, OP strongly recommends the use of HB 2091 as the vehicle for clarifying HRS Chapter 205 and assuring adequate safeguards to facilitate bona fide agricultural tourism, while discouraging the proliferation of higher-valued activities on agricultural land that are not related to bona fide farming.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

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LATE

TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEES ON TOURISM
AND AGRICULTURE

February 10, 2016
10:00 A.M.
CONFERENCE ROOM 312

HOUSE BILL NO. 2601
RELATING TO AGRICULTURAL TOURISM

Chairpersons Brower and Tsuji and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2601 that seeks to repeal the requirement that counties enact ordinances regulating agricultural tourism on a "working farm" or a "farming operation". The Department of Agriculture offers comments.

The Department of Agriculture has long supported bona fide farming operations having the opportunity to generate supplemental income from uses and activities that are clearly accessory and secondary to the principal agricultural activity. The present law makes the counties responsible for ensuring these statutory guidelines are met. Without county agricultural tourism regulations in place, existing regulations not specific to agricultural tourism will govern, they may be more cumbersome, and the result may not be as that anticipated in this measure.

Furthermore, we are always concerned about the unintended adverse consequences of otherwise well-intentioned measures. Without clear definition, monitoring, and enforcement specific to agricultural tourism, there is risk that agricultural tourism could become the primary activity on a farm. This, in turn, will increase agricultural land values based on the opportunity to establish agricultural tourism operations rather than the potential for agricultural production. Increased agricultural land value from agricultural tourism may discourage investments in agricultural operations. The cost of agricultural land may increase for new farmers seeking land to purchase or lease for farming.

Thank you for the opportunity to present our testimony.





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February 10, 2016

HEARING BEFORE THE
HOUSE COMMITTEE ON TOURISM
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON HB 2601
RELATING TO AGRICULTURAL TOURISM

Room 312
10:00 AM

Aloha Chair Brower, Chair Tsuji, Vice Chair Ohno, Vice Chair Onishi, and Members of the Committees:

I am Randy Cabral, President of the Hawaii Farm Bureau Federation (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

HFB opposes HB 2601, which repeals provision requiring counties to adopt ordinances regulating agricultural tourism as a precondition for allowing agricultural tourism activities in an agricultural district.

HFB was an active participant in drafting of the language currently in place in HRS 205-2(d)11 recognizing agricultural tourism as a permissible use in the agricultural district in 2006. Agricultural tourism was just gaining a foothold in the islands and we recognized its' potential as a means to expand the revenue base of our farmers and ranchers. Across the country there were many examples of agricultural tourism incorporated within productive farms and ranches. It was a means not only to provide additional income to farms and ranches but provided a learning experience for many who no longer had a connection to agriculture.

We recognized that there are many different activities that comprise agricultural tourism. Farm stands, tours, demonstrations, you-picks, and bed and breakfast operations are among the diversity of activities comprising agricultural tourism. At the same time, HFB had as a priority the need to keep bona fide agricultural operations as the primary activity on farmland. Crossing the line to tourist related activities without significant agricultural production was not the intent. All of the Counties have different priorities of what they are

willing to accept as permissible uses on their agricultural lands. We felt it was appropriate to be consistent as in other land uses to use the zoning chapter to delegate this authority to the Counties. To accomplish this objective, HFB supported language that recognized agricultural tourism but required the Counties to develop an agricultural tourism ordinance.

We believe that the details of agricultural tourism is a Home Rule issue and we request that the requirement that a County adopt ordinances regulating agricultural tourism operations remain in statute. Counties may differ in their opinions of what they allow. This should be duly respected and falls within the purview of County zoning code.

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

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2016 3:44 PM
To: TOUtestimony
Cc: sylviacabralmaui@gmail.com
Subject: Submitted testimony for HB2601 on Feb 10, 2016 10:00AM

HB2601

Submitted on: 2/8/2016

Testimony for TOU/AGR on Feb 10, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
sylvia cabral	Individual	Support	No

Comments: Time to open agricultural lands for camping, for homeless camping, for ag tourism. Farmers pay minimum wage and should have the opportunity to allow housing for farm workers as a benefit. This is a very important crucial bill not only for homeless but also for ag farmers. The antiquated law only requiring one house and one farm house per 2 + acres is ridiculous. Farm workers are paid minimum wage and offering them housing would be such a great advantage for both the workers and the owners. The county/state habit of evicting "hippie huis" is tragic. Those huis should be "grandfathered" at least. Some of those residents have lived on those large country parcels since the 60s & 70s. Now 60 & 70 with the health problems that come with age, the county of Maui is putting hundreds of elders out of housing and onto the cement where they will surely die of displacement. Please change these laws now.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2016 5:24 AM
To: TOUtestimony
Cc: kauaihale@gmail.com
Subject: Submitted testimony for HB2601 on Feb 10, 2016 10:00AM

HB2601

Submitted on: 2/8/2016

Testimony for TOU/AGR on Feb 10, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Louisa Wooton	Individual	Support	No

Comments: Our family farm on Kaua'i absolutely supports this legislation for AG Tourism. This legislation would be HUGE step in supporting diversified AG and keeping food producing operations viable for our State. Mahalo for this opportunity to testify in SUPPORT of HB2601.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 4:13 PM
To: TOUtestimony
Cc: tulsi@mauiishome.com
Subject: Submitted testimony for HB2601 on Feb 10, 2016 10:00AM

HB2601

Submitted on: 2/9/2016

Testimony for TOU/AGR on Feb 10, 2016 10:00AM in Conference Room 312

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

Comments: I support this bill for ag tourism. Thank you

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 10:23 PM
To: TOUtestimony
Cc: katc31999@gmail.com
Subject: *Submitted testimony for HB2601 on Feb 10, 2016 10:00AM*

HB2601

Submitted on: 2/9/2016

Testimony for TOU/AGR on Feb 10, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Katarina Culina	Individual	Support	No

Comments:

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