Hawaii State Constitution
Article XI, Section 3

The State shall:
- Conserve and protect agricultural lands
- Promote diversified agriculture
- Increase agricultural self-sufficiency
- Assure the availability of agriculturally suitable lands

The Legislature shall:
- Provide standards and criteria to accomplish the foregoing

Ground Rules

1. Listen to understand
2. Respect others – do not dominate the conversation
   a. no side conversation
3. Create opportunities for a win-win situation
4. Keep it short and sweet!
Preserving Agricultural Lands
February 8, 2003
State Capital, Room 309

- Introduction
- Purpose of the Meeting
- Constitutional Issue: Article XI, Section 3, State Constitution
- How do we create the common ground to address the constitutional mandate?
- Next steps...

Why are we here? The purpose has changed from the first of the week to the end from addressing a legislative issue to examining how we can address the constitutional mandate.

Dean: who is involved in the Agricultural Coalition and why?

Anthony:
Purpose: House Bill 453 was heard in Agriculture Committee – transfer of development credits and agricultural land
- Chair wanted interested parties to meet offline to discuss the issues
- The request is for the agricultural coalition of farmers, UH-College of Tropical Agriculture and Human Resources, and all state agencies to participate over a period of time to keep examining various options and to address this complex issue.
- Need to address issues relative to agricultural land preservation
  - A response is desired by next week
  - Other bills: Representative Kanoho have a fuller discussion on agricultural land preservation
  - All land bills deferred

- Holding decision-making
- Reacting to legislation:
  1. Decide who sets agendas
  2. What is the magnitude?

- Need to address the land use legislation
- Focus: Are these important to the State?

? What is the read on legislators?
We want something that legislators will pass-
- We must make effort to state clearly what is needed
- There are people who draft legislation without the full perspective
- Strategy:
  - Develop a process to have the discussions to address the complexity of the issues
  - Formulate legislation that best meets the needs of most people
There are lots of people who want to address this issue in a good faith effort

Lehua (representing Donna Wong): We want to see no depletion of agricultural lands and no expectations of such. We look forward to working on the toughest issues.

John: About the issue being discussed on the table, everybody should respond to B1. We need to address all the B1 land use issues and think of solutions that accommodate the B1 perspective.

Dick: In the LESA Commission, the LESA bill (study, digitize) didn’t pass. Legislation did not happen. Other techniques are needed.

Jim Greenwell (Agricultural Coalition):
- There are many acres in pasture.
- What is agriculture?
- Cattle is at the bottom of the ladder.
- Land owners are users.
- There should be a discussion here.

Rodney Hiraguchi (Taro, a dying industry): Only 150 farms remain. We would like to survive and shoot for a win-win situation. Land and water issues go hand-in-hand for us.

C.N. Lee: We came to hear and learn more about this legislation. We would like to see Article XI fulfilled.

Abe M. (OP): We need to try to look at the issue in detail to see what we can agree on. I am hopeful.

Mae N. (HC & S) – Land Use Legislation
- Topic of Discussion: The opportunity, if we can come up with a definitive way of looking at this legislation, is that there is Federal funding available that can be used to support implementation
- There is a limited window because of the Farm Bill
- We have looked at farmability but not at Agricultural land, an internal part for developers – What is best for them?

Myron: What I am hoping for is that there is going to be some assurance land available for agricultural use.

Ruby (OSP): I am looking for a broad-based commitment to a process to examine options and develop recommendations for agriculture expansion and to promote agricultural use of agriculture lands.

Resources → Wide
Opportunity → Stakeholders

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Preserving Agricultural Land Outline (draft)
How to have adequate land base:
- How to get the product to the people
- There must be agreement to balance the needs of stakeholders

We want to have other stakeholders involved
- US Department of Agriculture, NRCS, Farm Services Agency, and county planning departments
- Environmental groups
- Hawaiians
- Agricultural research (e.g. HARC, USDA)

Loren (Agricultural Coalition – Waialua Coffee): Let’s inquire to the committee who has drafted the bill:
- What’s its perspective?
- What does it imply?
- What makes it feasible? → (economic point of view)
- What about the land use?
  - City and County of Honolulu Bill 39 helps and use ordinances because of economic feasibility
- How are state offices engaging county councils?
  - Agriculture
  - Economic
  - Land Preservation

We need a business plan about how to address this issue.

Hiroshi Sakai (land development researcher):
About the agricultural condition on Kauai:
- No one is budging on the sub-division rules
- Legislative background
  - Hawaii must commit to uniform laws.
- Diversity: agriculture is a study structure stimulus for Hawaii
- What has to be done?
  1. Land is **KEY** – we have to get land at reasonable prices
  2. Zoning – infrastructure increases cost
  3. Financing for agriculture

Wendell K (Hawaii Farm Bureau):
There must be a commitment to understanding:
- Keep farmers in business
- Work out details
- Come up with a concrete plan

Dan (Land Use Research Foundation):
- Let’s try to get in substantive plan together, it is **not** possible to do it today
• Process
  o Who is involved?
  o How should we continue
• Let’s promote agriculture as economic development for the State – Remain OPTIMISTIC!
• A consensus is possible
• Land use must be more defined
• There are two tracks

Len: Let’s create a two year plan

Jeff M. (Kamehameha Schools):
Kamehameha Schools has 150 acres in agricultural use. 70,000 have changed from designation to another; there is much agricultural involvement. We lease to 1100 small farms. That is the part of the land use solution.

EVERY PLACE IS DIFFERENT
• People
• Solutions
• Opportunities

We need to answer the question “What works?” and find out “What do we have to do to make farmers succeed?” There will be a 25 year transition.
• Catch all kinds of ideas
• Gather and create a knowledge base
• It is required to have dialogue over time to come up with legislation

Henry I. (Campbell):
• Who will be leading this effort?
• What are the issues?
• Suggest the process (but keep it realistic and balanced)

Meredith Chang (Alexander & Baldwin)
• Land owners and farmers must:
  o Agree on the process
  o Commit to dialogue and conversation
    ▪ Resolve differing ideas to reach an understanding
• Preserving agriculture
  o Lands will be part of this

Jim Spencer (Professor on Public Policy; Teaches political science, urban planning, and geographic information systems to Masters students at UH):

We need to understand land issues.
What are the issues to research?
• Observe how the process works
  o A conference is being hosted in April
    ▪ Land use
      • economic implications
      • community employment
    ▪ Ranges
    ▪ Sustainable development

Dean: What is the State mandate?
  • Believe in partnerships
  • Put stakeholders together
  • What can we do for the economy?
  • Impacting the future of Hawaii

Tom Hill (Hawaii Farm Bureau): There is no progress, so no final conclusions can be drawn.
  • Preservation
  • Wealth should be applied to the land
  • Agriculture should be looked at as economically viable

Tenant of Campbell, Kamehameha Schools, and Molokai
  If nothing is done, there is no future for agriculture.
  We should address land issues immediately, and look at Wahiawa SOON!

  Process of reclassification is still ongoing and taking big chunks!

The legislature shall communicate with

  ↓
  People

  ⇔

  still a legislative decision!

Ernie Tattori:
  • Look at future young farmers
  • Prime Agriculture land
    o Ewa has TONS!
    o Wahiawa to Ewa (need to preserve)
    o North Shore for agriculture on Oahu
  • In developing the lands, homes should not be place on good land.
  • Oahu has a big food issue.
  • For over 100 years, the economy was based primarily on agriculture. Today, it is tourism-focused.

Roy (Pioneer Seed, Hawaii Farm Bureau):
  • Conserving agricultural lands – keeping green space (we need to balance)
Crops are getting growing faster, and are more profitable
We have to improve → Resolve
Bring consensus → in 2 years

Joanne Yukimura (Kauai council member)
- Have to preserve agricultural land
- Preservation of agricultural lands is important, but not sufficient. Have tried various approaches:
  - 1977 – condominium-ize as subdivision
  - It required one dwelling per lot
  - If there is no dwelling, speculator value is out
- Define a process to follow
  - Who is missing?
  - Keep the end in mind
  - How do we see Hawaii in 2-5 generations?
  - What is the impact on the future of the State?

Alan T. (Hawaii Farm Bureau):
To implement programs, we must agree to a bill. We need to set a policy or direction and leave details in another manner. There must be some effort made to preserve agricultural land or amend the Constitution.

Sandy (Department of Agriculture):
About the important issue-
- There are models out there
- We must implement in the state
- Look at those efforts that have not worked, and have been repealed as well
- Learn from others’ mistakes – educate ourselves

To keep this moving forward, the legislature must look at how stakeholders are involved. This is an INCLUSIVE process.

**THEMES**
- The group must remain committed and collaborative
- Let’s research
  - What works in this state?
  - In other states?
  - In other countries?
Design process
  - Department of Agriculture / OSP → C2M – workshops
  - American Farmland Trust

State Association Counties June meetingWould like to have some info
  - Focusing on an agricultural theme
  - Look at resources

Two outstanding dates have been asked to save by Representative Kanoho: February 26, March 19

Proposal to legislatures – Let’s formalize a broad-based working group!
Here is what we do:
  - Identify what we are doing
  - Info-sharing

Research: We need on-the-ground experience
  - Use local resources with mainland issues
    - Hamakua
    - Oahu
    - Elsewhere
  - We need to understand how tools work in different areas (TDR incentives)

Next Steps
  - Research the specifics of House Bill 453 concepts and other legislative proposals
  - Identify process and group proposal to E. Kanoho for ratification
  - Today we need to have small group discussion
  - 3 Themes: Collaborative and committed, research, design

Everyone get started by looking at existing plans:
  - ADC
  - Hawaii Farm Bureau
  - College of Tropical Agriculture and Human Resources

Who else needs to be here or invited?
  - County planning department and planning commission
  - Sierra Club – other environmental groups
  - Real estate association
  - US Department of Agriculture
  - Agricultural marketing expertise
  - Brief journalists
  - Native Hawaiian cultural groups
  - Land planners
  - Legislative Agriculture chairs
  - Bill drafters

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Preserving Agricultural Land Outline (draft)
• Majority Researchers
• LRB staff
• Anybody who wants to be here and shows up (except the State legislators who will be briefed later)

*Keep expanded core group set and allow others to come in to watch*

Design Process
• Keep narrow focus
  o Address Article XI in total
  o Preserve, protect, and promote IAL and agriculture
• Need to learn more about new tools and not just focus on bill drafting
• Work towards legislation
  o Some product to address Article XI to protect agricultural lands
• Need to know what is successful farming
  o Self-sustaining
  o Economic feasibility
• Considerate of long term vision and its impacts for state and agriculture
• Allow for education/learning/info-sharing – no need to assign a group to endorse final products
• May produce multiple products from group or individuals
• Produce core proposal to preserve agricultural lands
• Considerate of other values besides economic feasibility (i.e. conservation value)
• Work on #1 and #4 (Article XI of State constitution)
• Produce state policy (enabling legislation)
• Address IAL with good economics
• Don’t produce negative legislation (polarize land owners)

Objective

- land (infrastructure)  
- marketing  
- financing  
  \{ study group areas = proposals for review by core group }

- Study feasibility of specific incentives (i.e. TDR, others) which preserve IAL
- Need to both preserve agricultural land and promote agriculture industry development

Agriculture in Hawaii→ is tenant based!
Cattle industry→

Threat exists as long as landowner has potential to shift to urban

Process Proposal Outline
• Identify issue
• Where do we need more info? (fact finding)
• Hold forum to learn new ideas which might address issues
• Develop specific proposal to address issues
• Vision of successful Agriculture in Hawaii
• Use various strategic plans – Farm Bureau, Agricultural Development Corporation, CTAHR
• Maximum county participation – Farm Bureau encouragement
• Documentation
• Find money to fund process
• Determine time frame
  o Number of meetings
  o When is next session?
• How are we getting to specific legislation?

Must have a way to make it work!
• Legislation sees agricultural lands as rural lands
• There is talk about land desegmenting

Eliminating of 15-acre boundary amendments by counties NOW
Funding of OSP for boundary review

We want to know what works and what doesn’t work in Hawaii
We want to know more about tools and how it might help agriculture in Hawaii
We need to develop a plan for agriculture in Hawaii – what might successful agriculture look like in Hawaii?

Provide to Legislature
1. Agreement as to operating principles
   a. Produce legislation to protect agricultural land
   b. Make agriculture successful
   c. Understand what makes Agriculture work
   d. (What tools, legislation, or other things help)
2. Statement of Process
   a. Design and timetable

*Agreed upon proposal*

We agree to address all issues embedded in Article XI and in doing so focus on legislation to protect agricultural land in context of understanding what makes for successful agriculture.

Land Use Commission Presentation
• Importance of agricultural land
• General issues
• Specific issues
What is the relationship between Representative Kanoho’s process and ours? We propose process to Representative Kanoho. We’re it!

Tony: Land use-
   - How is it mapped?
   - Where are the problems?

February 26:
   - Process
   - People
   - Timeframe

Website: Department of Agriculture

   - Ground Rule
   - Format
     - Not by his time table
     - Appropriate time
   - More detailed process
   - Need more information on
     - History of issue
     - Chronology if activities, studies
     - State land use information
   - OP will commit to fund bringing in expertise, like American Farmland Trust to educate us on tools, etc.

Practical-
   - Different ways to participate
   - Hawaii planning
   - Hawaii Farm Bureau
   - University – response

Pull- Key Points to Contact
   - Economic feasibility – important if trying to reach for future
     - Non-Economic values

College – List UH-College of Tropical Agriculture and Human Resources
   - Summarize
   - Follow up with Kanoho

Future meetings to be held on Saturdays