

**From:** [Janet Ashman](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] TESTIMONY: Janet Ashman personal testimony for BLNR meeting August 25 2023 on Items D-4 and D-5, KK and Kapapala Ranches  
**Date:** Thursday, August 24, 2023 9:16:04 AM

---

Aloha,

RE: August 25, 2023 BLNR agenda items D-4 and D-5, with regard to K. K. Ranch, Inc. and Kapāpala Ranch.

I strongly support the transfers of these two ranch leases and RPs to DOA, as DOA is the more appropriate agency to manage ag lands and leases.

I have worked with these two ranch families and I can attest to the fact that they are extremely hard-working, knowledgeable, and dedicated stewards of our natural resources who also provide food for our local communities.

The instability and insecurity of their leases/RPs for all these years is unfair. This is the opportunity to fix that.

Please make sure that the conditions you impose are reasonable and fit the parcels and the business operations so that the ranches can continue to be successful.

Thank you,  
Janet Ashman

**From:** [Billy Bergin](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 23, 2023 Agenda Items D4 and D5  
**Date:** Tuesday, August 22, 2023 10:58:46 AM

---

Aloha Members

As a very long time partner in the ranching industry in Hawai'i as a veterinarian and historian, I would remind the Board of Land and Natural Resources as well as DLNR staff that these ranchers are proven dedicated stewards of the land. They cannot survive without being effective stewards while also caring for the families that support them. It has been disturbing to have state leases such as the two on the BLNR agenda Friday, August 25, denied for 20 years. Further, this was contrary to public policy authorized by the State Legislature in 2003.

Please listen to the ranchers "lived experience" with protecting the 'aina and ensuring they are able to contribute to food security for our island and state into the future.

Dr. Billy and Patricia Bergin

Patti Cook

P.O. Box 6960, Kamuela, HI 96743

[cookshi@aol.com](mailto:cookshi@aol.com)

August 22, 2023

**TO: Hawai'i State Board of Land and Natural Resources**

Meeting August 25, 2023 – Testimony on Agenda Items D4 & D5

**RE: SUPPORT with considerations**

Mahalo for your time to address this long-standing concern. I am not a rancher but as a long time resident of Waimea, I have come to understand some of the issues facing our ranchers including state leases that impact their sustainability. We need ranchers both to contribute to increased food self reliance and because they are, in fact, experienced, effective land stewards who have science-based protocols and practices in place to prevent or at least reduce wildfires, minimize the spread of invasives, and protect the land from erosion and other environmental degradation.

For the above reasons, I have supported the legislative intent of Act 90/2003 for many years and appreciate that now, DLNR is implementing long-standing legislative intent.

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture.

This transfer to DOA will enable reliable, affordable long term leases needed to sustain the ranchers' investments and thereby increase our state's food security, while concurrently exercising responsible land stewardship.

I am compelled to add that these ranchers need and deserve appropriate lease terms. I urge the Land Board and agency staff to listen to and honor the leaseholders' requests so that appropriate terms are afforded to them. The people of Hawai'i need and expect this to ensure that these lands are stewarded responsibly and productively for the long term.

Please also expedite transfer of these leases to DOA, as was legislatively authorized in 2003.

Aloha, **Patti Cook**

**From:** [Oliver English](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Tuesday, August 22, 2023 3:05:38 PM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

Oliver English  
Director of Agricultural Operations  
W.H. Shipman Limited  
16-523 Keaau-Pahoa Rd  
Keaau, Hawaii 96749  
office: 808-966-9325  
fax: 808-966-8522  
[email: oenglish@whshipman.com](mailto:oenglish@whshipman.com)

**From:** [Alex Franco](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 4:25:37 AM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

Sent from my iPhone

**From:** [Henry Gibson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 10:54:01 PM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

Sent from my iPhone

**From:** [greenwell.jimmy@gmail.com](mailto:greenwell.jimmy@gmail.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 - Testimony on Agenda Items D4 and D5.  
**Date:** Tuesday, August 22, 2023 3:21:13 PM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

**From:** [info@hawaiiangardenshome.com](mailto:info@hawaiiangardenshome.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 - Testimony on Agenda Items D4 and D5.  
**Date:** Thursday, August 24, 2023 9:03:08 AM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long-term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

Further, I think it should be a policy that, whenever appropriate, State-owned land suitable for agriculture be transferred to the DOA. This would facilitate more development of Ag Parks and farming, per se.

Sincerely,

Kelly Greenwell



**From:** [gregf@haleakalaranch.com](mailto:gregf@haleakalaranch.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 - Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 6:24:14 PM  
**Attachments:** [image003.png](#)

---

*To the Members of the Board of Land and Natural Resources,*

*I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.*

Greg Friel

*Greg Friel*  
VP/Livestock Manager

Haleakala Ranch Company  
529 Kealaloa Avenue • Makawao, HI 96768  
Phone: (808) 572-1500 • Fax: (808) 572-7288

The communication in this email may contain information that is confidential, privileged and/or prohibited from disclosure. Except as expressly authorized by the sender, you are prohibited from disclosing, copying, distributing, and/or using it. If you have received this communication in error, please immediately delete it and all copies and promptly contact the sender. Nothing in this communication is intended to operate as an electronic signature under applicable law.





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

Submitted via email to: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

August 25, 2023

Dawn Chang  
Chairperson  
Hawai'i State Board of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

**RE: Board of Land and Natural Resources Meeting August 25, 2023, 9:15 a.m.  
Testimony on Items D-4 and D-5:**

D-4. Pursuant to Act 90, General Lease No. S-4475, K. K. Ranch, Inc., Lessee.

D-5. Pursuant to Act 90, General Lease No. S5374, and Revocable Permit Nos. S-7637 and S-7758, Kapāpala Ranch, Lessee, Permittee

Aloha Chair Chang and Members of the Board:

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 intent of Act 90, Session Laws of Hawaii 2003, was to transfer *agricultural* lands from the DLNR to the DOA, the agency whose mission it is to support agriculture. DOA is the agency that is equipped to manage agricultural lands and leases to ensure that farming remains viable on these lands. Since that date twenty years ago, only approximately nineteen thousand acres have been transferred to DOA, with the vast majority of these lands still awaiting transfer.

Agriculture is not DLNR's primary mission, but farming and ranching in the islands are a priority for our communities' food security. Because agricultural leases and revocable permits are better served and supported under DOA, pasture leaseholders can continue to provide critical day-to-day environmental stewardship services. With these caretakers on the ground, observing changes and following through with actions to provide habitat for native species such as nēnē, and to manage invasive species, potential fires, including providing access to water sources, soil health, watershed management, and exotic disease monitoring and suppression, our State resources are better protected. Conservation and stewardship are what these ag lessees and revocable permit holders have already been doing for decades. They know that their success is predicated upon their careful stewardship of the land and other natural resources. And their success is a key component in the State's sustainability goal to double local food production.

Farmers and ranchers must have long-term leases to prudently invest in infrastructure improvement on the leased land. While the DOA laws and regulations are specifically structured to make it practical for farmers to do this, DLNR is unable to provide lease terms that help farmers.

The families of Kapāpala Ranch and K.K. Ranch have both been recognized by BLNR Chairperson Dawn Chang, and many others, as being good stewards of the land. Ranchers can help DLNR fulfill its mission. These families toil every day at the back-breaking work to maintain their successful ranching businesses and dutifully provide ecosystem services, while awaiting this long-promised opportunity for a stable, supportive long-term lease.

HFB respectfully encourages you to approve the transfer of these lands to DOA and to assure that the lease terms and conditions align with our State's goals of self-sufficiency, sustainability, and food security for Hawai'i's future. **HFB has reviewed the DLNR recommendations and we, along with others in the ranching community, have significant misgivings about some of the proposed conditions in these leases. We hope you will seriously consider the thoughtful concerns and suggested alternatives offered by the two families and ensure that the conditions you impose upon them are reasonable and will not result in the downfall of their ranches.**

Thank you for your support of Hawai'i's agricultural producers.

**From:** [Yanghua He](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 6:28:13 AM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.



Hawaii Cattlemen's Council, Inc.

**Board of Land and Natural Resources Meeting  
August 25, 2023, 9:15 a.m.**

**Agenda Items D4 and D5:** Pertaining to Act 90, SLH 2003 for K.K. Ranch and Kapapala Ranch

Chair Chang and the Members of the Board of Land and Natural Resources,

Twenty years ago, the legislature passed Act 90 SLH 2003 to transfer agricultural lands from DLNR to DOA with the intent of ensuring the long-term productive use of these agricultural lands. Today, over 100,000 acres of agricultural land are still under the Department of Land and Natural Resources. We are encouraged that Chair Chang and Chair Hurd have taken steps to transfer lands in agricultural production to the Department of Agriculture.

**We respectfully request that the Board support and approve the proposed transfer of K.K. Ranch and Kapapala leases on agenda items D4 and D5. We also strongly urge you to consider the concerns of the impacted ranchers regarding the aspects of their respective leases.**

The requests they are making in their testimony are to ensure that the ranches can continue to successfully operate and serve both the needs to contribute to the food supply as well as to responsibly and effectively steward the land. They are reasonable and important requests that we hope you will respond favorably to.

Transferring agricultural lands from DLNR to DOA will help many productive leaseholders continue raising cattle for beef and stewarding the land with confidence that they will be supported in their agricultural operations. According to the State Ag Land Use Baseline, 1.1 million acres of the state's land was in grazing use in the 1980s. In 2015, that number dropped to 761,000 acres. The 2020 State Ag Land Use Baseline reports that pasture continues to decline on Oahu and Hawaii Island. Astute land stewards are well aware that when land is taken out of active management, Hawaii's environment and aggressive invasive species make it costly and extremely difficult to get it back to working order. We must support those who are actively running agricultural businesses and who are key contributors to our food system.

**We believe that the DOA is best suited to support these agricultural businesses while ensuring that environmental stewardship of the resources continues. Please support the transfer of agricultural leases from DLNR to DOA.**

The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four county-level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750



thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

Benefits of transferring agricultural leases to DOA

- Leaseholders are more likely to stay in business when they have lease terms appropriate for agriculture. Better terms will allow them to increase the number of grassfed cattle they supply to the Hawaii Market. Producers are eager to help increase Hawaii's food security.
- The land can be better managed and more resources can be deployed to reduce invasive species, rapid response to fire threats, and provide suitable habitat for native species.
- Longer term leases will allow greater participation in climate smart practices such as silvopasture.

Thank you for the opportunity to testify in strong support of this priority for our industry.

Nicole Galase  
Hawaii Cattlemen's Council

**From:** [Joni Kamiya](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 8:07:33 PM

---

Aloha Board Members,

*I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.*

*Joni Kamiya*

Sent from my iPhone



KAPĀPALA RANCH  
P. O. Box 537  
98-1900 Mamalahoa Hwy  
Pahala, HI 96777

[lanipetrie@aol.com](mailto:lanipetrie@aol.com); [lanipetrie@aol.com](mailto:lanipetrie@aol.com)

August 24, 2023

Ms. Dawn Chang  
Chairperson  
Department of Land and Natural Resources  
Honolulu, HI 96813

Dear Chair Chang and Members of the Board of Land and Natural Resources:

SUBJECT: Agenda Item D-5; Transfer of Kapāpala Ranch Lease and Revocable Permits Pursuant to Act 90 Session Law 2003

We thank you for considering GL5374, RP7637, and RP7758 for transfer to the Hawaii Department of Agriculture, HDOA. There has been a lot of effort into bringing this forward and I acknowledge all the people and conversations that have had a hand in formulating this submittal.

We appreciate the amendments that have been made since the June 23, 2023 submittal. Adding the provisions (Recommendations 5A; vi; 6A; iii) which give consideration for reasons of changing the purpose of a lease and enabling the BLNR to act in their capacity to authorize that change has been very meaningful to the long-term success of managing State lands in an ever changing economic, social, and ecological environment.

I ask the Board to weigh in on my requests below that would clarify but not substantially change the recommendations already put forth in this submittal.

- Add the definition of pasture already in the current GL5374.
- Concur that compensation established in GL5374 and RP7637 for public hunting should continue.
- Managing public access and doing a good job of it has costs that should be compensated similar to public hunting.
- Water from Kaniwai is available but may require additional infrastructure in order that the engineering of the water system to deliver adequate volume to the Ranch is not compromised.

- Request an improved map (GPS coordinates gathered with DOFAW staff) replace Exhibit 3B and 3C. See Attached Map.

Furthermore, I would request the Board consider silvopasture be included as an accepted practice of managing pasture land and not a change in purpose. By definition, it is an integration of trees, forage, and the grazing of domestic livestock in a mutually beneficial way.

With longer-termed tenure we see the opportunity to manage land in different ways. The addition of trees would enhance the overall biodiversity, improve recycling of nutrients from soil depth beyond grass roots, improve mortality of trees by reducing the threat of destruction from fire. We would like to enhance specific areas by protecting and cultivating certain trees that are adapted to a specific eco-system.

#### CONSIDERATIONS TO THIS SUBMITTAL'S RECOMMENDATIONS:

##### **Definition of Pasture**

Page 12; Reverter Clause:

Page 14; 5A; vi.

Page 15; 6A; iii.

We recommend that a footnote be added when reference is made to 'pasture' using the definition in Exhibit 4 page 20 of GL5374.

Page 12; Reverter Clause:

Line 6

DOA and the current lessee agree, that should the land no longer be used for pasture<sup>123</sup>

Page 14; 5A;vi.

Additionally, in the event DOA ever seeks to change the allowed use of the subject lands from pasture<sup>123</sup>

Page 15; 6A; iii.

Additionally, in the event DOA ever seeks to change the allowed use of the subject lands from pasture<sup>123</sup>

---

<sup>123</sup>***"Pasture means the conduct of livestock operation consisting of keeping cattle, primarily, and others, in a minor role, such as horses***

***and sheep where animals graze the land for feed production thereon. Compatible uses as woodland management, wildlife management and the cultivation of feed crops to be used strictly within the premises is permitted. The operation of commercial activities such as feedlots (excepting a private feedlot designed to feed the Lessee's own cattle), dairy milking parlors, or boarding of horses is not permitted.***

### **Public Hunting**

Page 14; 5A; v.  
Page 15; 6A; ii.

“The reservation of the management of public hunting of gamebirds and mammals on the land;” be replaced with “The reservation of the management of public hunting of gamebirds and mammals on the land ***with appropriate compensation to the Ranch for the disruption and interruption to normal ranch operations.***”

### **Public Access**

Page 14; 5A; ii.; line 7

“Exhibit 3A. Kapapala Ranch, or any future lessee of the lands being transferred to DOA, shall manage public access over ‘Āinapō Road, Honanui Road, and Wood Valley Access Road under such terms and conditions as Kapapala Ranch (or any future lessee) and DOFAW shall from time to time agree;” be replaced with “Exhibit 3**B**. Kapapala Ranch, or any future lessee of the lands being transferred to DOA, shall manage public access over ‘Āinapō Road, Honanui Road, and Wood Valley Access Road under such terms , ***conditions, and appropriate compensation to the Ranch for the disruption and interruption to normal ranch operations*** as Kapapala Ranch (or any future lessee) and DOFAW shall from time to time agree;”

### **Access to Kaniwai Water**

Page 14; 5A; iv

“The reservation of access to the water in Kanewai Reservoir and the water infrastructure for firefighting, out-planting, and similar forest management purposes;” be replaced with “The reservation of access to the water in ***Kaniwai*** Reservoir for firefighting purposes. ***Additionally, reservations of water for out-planting and similar forest management purposes provided that there is no interruption of water volume and distribution to the Ranch.***”

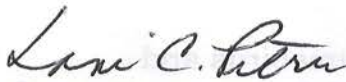
**Silvopasture**

***Amend the definition of pasture and include in the footnote where pasture is being referenced.***

Thank you for the careful consideration to our requests. We are always committed to stewarding public trust lands for the betterment of the land and the people of Hawaii.

Very Sincerely,

KAPAPALA RANCH

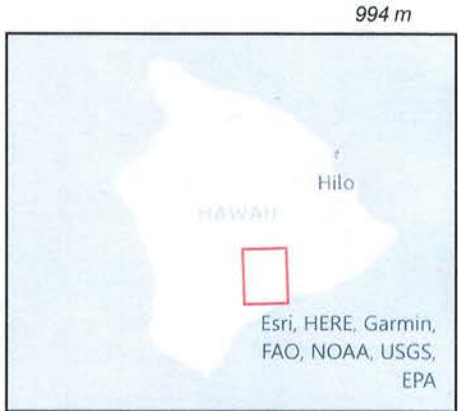
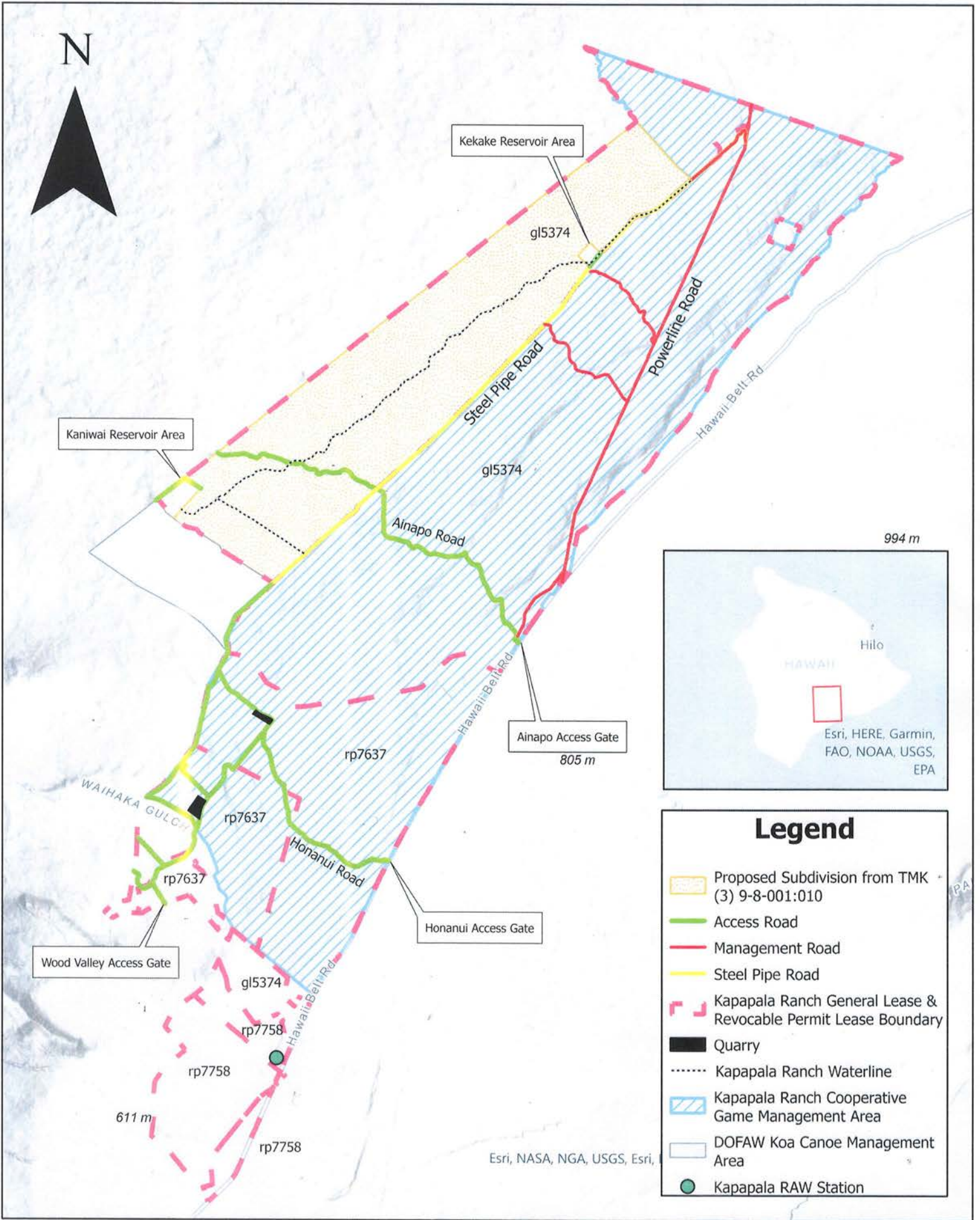


Lani C. Petrie



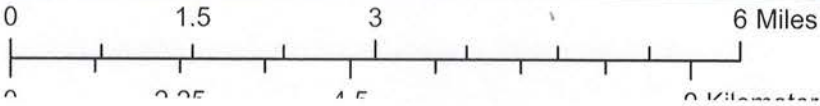
Charles W. Petrie

Attachment



### Legend

- Proposed Subdivision from TMK (3) 9-8-001:010
- Access Road
- Management Road
- Steel Pipe Road
- Kapapala Ranch General Lease & Revocable Permit Lease Boundary
- Quarry
- Kapapala Ranch Waterline
- Kapapala Ranch Cooperative Game Management Area
- DOFAW Koa Canoe Management Area
- Kapapala RAW Station



August 24, 2023

VIA: Email

Marion K A Kapuniai,  
P. O. Box 6753  
Kamuela, HI 96743

Hawaii State Board of Land and Natural Resources  
P. O. Box 621  
Honolulu, Hawaii 96809

RE: **TESTIMONY - MEETING AGENDA – August 25, 2023 9:15 a.m.**  
**ITEM D-4 and D-5**

Aloha:

**I TESTIFY TO SUPPORT ITEM D-4 AND ITEM D-5!**

Lessees of KK Ranch and Kapapala Ranch have honored their lease agreements and have exemplified highest stewardship over the lands they have kuleana for, especially while considering the primary focus on the use of **PUBLIC TRUST LANDS**, that being productivity towards attaining **SELF-SUFFICIENCY FOR THIS STATE OF HAWAII, COMPRISED OF INDIVIDUAL ISLANDS IN THE MIDDLE OF THE PACIFIC!!!**

**WHO, OR WHAT ORGANIZATION, OR WHAT STATE OF THE USA, OR WHAT COUNTRY, IS GOING TO STEP FORWARD AND SAVE US??????? NONE! WE, THE CONCERNED CITIZENS AND THE ELECTED OFFICIALS ALONG WITH THEIR DILIGENT, HIGH PAID STAFF SHALL GET THE JOB DONE, EFFICIENTLY AND WITH WISDOM!!!!**

**We all do respect consideration for recognition and designation of SACRED LANDS AS IDENTIFIED BY KUPUNA and CRITICAL HABITAT.**

If we are not diligent in our responsibilities, we will probably have to eat those birds we are trying to save!

I shall take opportunity to express my disappointment in the sorry sequence of events which have brought us to this point.

I appreciate this opportunity to speak up for diligent land stewardship, an actual sacred responsibility,

Marion K A Kapuniai





**Via E-Mail**  
[blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

August 23, 2023

The Honorable Dawn N.S. Chang, Chair  
And Members of the Board of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

**Comments in Support of Agenda Items D4 and D5 - Transfer of Leases of Kapapala Ranch and KK Ranch from Department of Land and Natural Resources (DLNR) to Department of Agriculture (DOA) Pursuant to Act 90, Session Laws of Hawaii (2003) (Act 90).**

**Friday, August 23, 2023, 9:15 a.m.; Kalanimoku Building Room 132;  
Online via ZOOM; Livestream via You Tube.**

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers, and utility companies. LURF's mission is to advocate for reasonable, rational, and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to express its **support of the transfer of leases of Kapapala Ranch and KK Ranch from DLNR to DOA** pursuant to Act 90, and of the various agricultural stakeholders who defend the goals of viable agricultural operations and the perpetuation and protection of agriculture in Hawaii.

**LURF's Position.** LURF members include property owners, farmers and ranchers who own, maintain, and engage in agricultural enterprises, and who consider efforts to protect and support agriculture significant to the continued conduct of their operations and to help sustain and preserve farming and ranching businesses into the future.

Many farmers and ranchers have been awaiting the transfer of their land leases from the DLNR to the DOA pursuant to Act 90, which was enacted to ensure long-term productive use of public agricultural lands to be managed by the DOA, which is better suited to administer agricultural lands. The 20-year delay of the anticipated transfers, however, has impaired the ability of farmers and ranchers to establish and implement long-term plans for their operations.



LURF supports the transfer of leases of Kapapala Ranch and KK Ranch to the DOA as both ranches have proven to be responsible tenants and stewards of these leased lands. LURF understands that the DOA can best advance and sustain the needs of agriculture and the agricultural industry in this State. Moreover, lands under the DOA are appraised on their agricultural value while lands under the DLNR are auctioned for lease at the highest rates possible, which is commonly beyond the affordability of local farmers and ranchers. The ability of the DOA to provide affordable long-term leases will provide lessees such as Kapapala Ranch and KK Ranch with assurances required to prudently increase their investments in agriculture, such as infrastructure improvements and resource conservation on the leased lands, which would allow them to become even better caretakers of these lands.

By recognizing the significance of, and need to assist the local agriculture industry, and by taking measures which help to support the viability and maintenance of agriculture in the State, transfers such as these significantly help to promote economically viable agriculture, increased food production, and food self-sufficiency in Hawaii.

For the reasons stated above, LURF **supports the transfer of leases of Kapapala Ranch and KK Ranch** from the DLNR to the DOA, and respectfully urges your favorable consideration of this action.

Thank you for the opportunity to present comments in support of this significant matter.

**From:** [Frank Lorenzo](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 %20 Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 6:17:29 PM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

[Sent from Yahoo Mail on Android](#)

**From:** [Lori-Lee Lorenzo](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 9:59:57 PM

---

Hello,

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

Thanks,  
Jesse Lorenzo

**From:** [Jill Mattos](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Tuesday, August 22, 2023 4:07:26 PM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

Sent from my iPhone

**Testimony of The Nature Conservancy  
In Support of Agenda Item D-5, Act 90 Transfer and Kapapala Forest Reserve**

**Hawai'i Board of Land and Natural Resources  
August 25, 2023, 9:15 AM  
Kalanimoku Building, 1151 Punchbowl St., Room 132 and via Teleconference**

Aloha Chair Chang and Board Members:

The Nature Conservancy (TNC) supports the mutually agreed upon withdrawal of 7,000 acres of lands from General Lease No. S-5374 (GL S-5374) and authorization to conduct a public hearing on the addition of those 7,000 acres to the Kapapala Forest Reserve.

We support the division of the land to be transferred to the Department of Agriculture (DOA) and for those 7,000 acres to be added to the Kapapala Forest Reserve. These lands are high-quality koa forest and provide vital habitat for Hawaii's declining populations of forest birds, which require native forests in higher elevations where mosquitoes cannot breed and/or avian disease is not transmissible. Adding these lands to the Kapapala Forest Reserve will allow for the restoration of additional forest, management of public hunting, and creation of new trails and road access for public use.

The DOFAW submission to the Board discusses remaining parcels that will be transferred to DOA that also have remnant native forests, such as the Maunaiu tract. With the potential conservation value of those lands and connectivity to partners such as the Hawai'i Volcanoes National Park, we would encourage continued discussion about how to best manage these lands for benefit for watersheds and native biodiversity, particularly forest birds.

TNC appreciates that the State agencies and Kapapala Ranch were able to reach an agreement on this transfer of land with a focus on conservation. TNC supports the efforts being made by DLNR and DOA. We encourage reviews for each individual parcel to determine whether the land in question should be managed by DOA or DLNR. The DLNR has the expertise and responsibility to consider other factors, such as forest health and function, recreation, cultural and historical preservation, etc. when deciding what should be transferred.

Remnant forests will play an increasingly-critical role in Hawai'i's water security, providing habitat for Hawai'i's unique and vulnerable plant and animal species, offering a buffer to slow the spread of invasive species into more pristine native forest, sequestering carbon, reducing erosion that smothers nearshore fisheries that are an important part of our food security, as well as providing access for management, recreation, and traditional gathering. Managing these forests are critical for Hawai'i's climate change resilience.

**BOARD OF TRUSTEES**

Duke E. Ah Moo Paul D. Alston Kris Billeter Dr. C. Tana Burkert Anne S. Carter (Chair) Ka'iulani de Silva Dave Eadie  
Matt Emerson Hon. Judith Epstein Dr. Alan M. Friedlander Benjy Garfinkle Sean A. Hehir Puni Jackson Brett MacNaughton  
Janet Montag Alicia Moy Bradley E. Smith Julie Smolinski Vern Yamanaka Richard N. Zwern

*Ihupani Advisory Council:* Paul D. Alston Christopher J. Benjamin Kenton T. Eldridge Eiichihiro Kuwana  
Duncan MacNaughton Jean E. Rolles Crystal K. Rose Nathan E. Smith

*Founders:* Samuel A. Cooke Herbert C. Cornuelle

Acknowledging that the current revocable lease situation is challenging for ranchers, TNC supports the highest and best use of these lands and believes DLNR's oversight of them provides more land use options for the people of Hawai'i, today and for generations in the future.

Mahalo for your support and stewardship of Hawai'i's natural resources.

---

*The Nature Conservancy of Hawai'i and Palmyra is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 40,000 acres in 13 nature preserves and work in over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands. We forge partnerships with government, private parties, and communities to protect forests and coral reefs for their ecological values and for the many benefits they provide to people.*

---

**From:** [smoknd83@gmail.com](mailto:smoknd83@gmail.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strong Support for Transfer of Ranching Leases to DOA - Agenda Items D4 and D5  
**Date:** Thursday, August 24, 2023 8:57:10 AM

---

I support the transfer of Kapapala and KK Ranch leases to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these leased state lands that they steward.

Please approve the Set Asides to the Department of Agriculture of lands covered by the leases and revocable permits held by these two ranches (Agenda Items D-4 and D-5).

*Thank You*  
*Sean M. O'Keefe*  
*Kula, Hawaii*  
*Maui Farm Bureau Member*



TESTIMONY OF JACOB D. TAVARES, LIVESTOCK OPERATIONS BUSINESS MANAGER, PARKER RANCH, INC.

TO THE BOARD OF LAND AND NATURAL RESOURCES

AUGUST 25, 2023

TITLE: TESTIMONY ON AGENDA ITEMS D4 & D5

Chairperson Chang and Members of the Board of Land and Natural Resources,

**I am writing this testimony on behalf of Parker Ranch, Inc. in support** of the lease transfer of Kapapala and KK Ranch to the Department of Agriculture. Over the decades, both KK Ranch and Kapapala have demonstrated an exceptional commitment to land stewardship, environmental conservation, and sustainable agricultural practices. Their dedication to the responsible management of these lands, combined with their desire for stability through long-term leases at reasonable rates, make the proposed transfer a prudent and progressive decision.

KK Ranch and Kapapala have a proven track record of being exemplary custodians of the land they operate on. Their dedication to maintaining the delicate ecological balance, preserving local biodiversity, and implementing innovative agricultural techniques has set a high standard for sustainable land use practices in our state. By continuing to lease these lands to entities that have already demonstrated their commitment to environmental stewardship, we ensure the perpetuation of these invaluable practices for the benefit of both current and future generations.

The mission of the Department of Agriculture aligns with the unique needs of both KK Ranch and Kapapala. The Department's expertise in agricultural development and commitment to fostering cooperative partnerships positions it as an ideal partner for these ranches. The proposed transfer offers an opportunity for a collaborative and productive relationship, enabling the ranches to contribute even more significantly to Hawaii's agricultural landscape.

At Parker Ranch, we have had the privilege of working closely with both KK Ranch and Kapapala. We share a boundary fence line with Jason and Jeri and can appreciate the relentless commitment they have to their operation, and the betterment of the livestock industry. Lani and Bill showed their true character when we were in need, pasturing cattle for us in 2021 as we recovered from the devastating Mana Road Fire. We have witnessed firsthand their dedication, resilience, and the positive impact they have on our local communities. Their commitment to preserving the land's cultural and historical significance while also pursuing modern agricultural techniques is truly commendable.

By supporting the lease transfer of Kapapala and KK Ranch to the Department of Agriculture, we ensure the continuity of responsible land stewardship. The long-term stability offered by the Department of Agriculture's terms, will enable these ranches to plan for the future, invest in critical infrastructure and innovative technologies, and create a lasting legacy for Hawaii's agricultural heritage.

Thank you for considering my testimony in support of this critical initiative.

*Jacob Tavares*  
Jacob D. Tavares





## **Ponoholo Ranch Limited**

P O BOX 700489  
KAPOLEI, HI 96709  
(808) 306-7769

### **BOARD OF LAND AND NATURAL RESOURCES**

**DATE: August 25, 2023 TIME: 9:15 AM**

**Re: Agenda Items D-4 & D-5**

Aloha Chair Dawn Chang and Members of the Board of Land and Natural Resources:

Ponoholo Ranch strongly supports the transfer of lands leased or permitted to Kapapala Ranch and KK Ranch from the DLNR to the HDOA. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of HDOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better stewards of these lands.

Ponoholo Ranch Limited operates its cattle ranch on Hawaii Island on over 10,000 acres of land, some fee simple, some leased. Some of the leased lands have been with the State of Hawaii. In fact, we have leased State of Hawaii land, managed by DLNR since our inception in 1979. Two of the leases we have held in recent years have been long term and one was a revocable permit we leased on a month-to-month basis for over 40 years.

In 2002, when one of the DLNR leases we previously held for many years came up for renewal, it was required to be put out for auction. At auction someone else bid up the price and to keep this lease, which had become an integral part of our operation and upon which we had invested many dollars on improvements, we won the auction by paying about 7 times the economic value of that land, in essence buying back the improvements WE had made over the years. Fortunately, when the rent reopened after 10 years we were able to demonstrate to DLNR the economic carrying capacity of the lease and they reduced the annual rent to a fair rate.

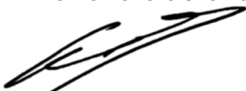
We have worked for many years to try to get our leases transferred to HDOA under Act 90, 2003 for the reasons the legislature passed Act 90 in the first place: to allow farmers and ranchers to work with a State Department which specialized in agriculture, and which had favorable terms to promote agriculture and sustainability in the State.

As our 20 year leases with DLNR were coming to an end in the early 2020's, we spent very little money investing in improvements on these leased DLNR lands. It made no economic sense for us to invest money in the last 10 years of the lease, only to have to buy back our OWN improvements at Auction. In fact, the way the DLNR system now works, it makes sense for the current operator to let the leased property get run down. This is contrary to the best stewardship of the land, but it is an economic reality.

We were fortunate when in early 2018 former HDOA Chair, Scott Enright, worked with DLNR to attempt to get many of the pasture leases transferred to HDOA, supporting the legislative intent of Act 90. Representatives from DLNR, including DOFAW, and HDOA spent a day at Ponoholo Ranch to see all the things the ranch was already doing production-wise, but most importantly stewardship-wise and discuss any concerns the agencies may have. The outcome of the fact-finding visit was that the lease for Ponoholo would be transferred from DLNR to HDOA per Act 90. With a long term lease instead of a month-to-month tenure, we were able to make significant investments.

We take our kuleana seriously. So do the two ranches being discussed today. Having lease terms that support investment in the land and increased productivity of the cattle makes sense for production AND for environmental sustainability. Transferring the leases from DLNR to HDOA for KK Ranch and Kapapala Ranch makes sense, just as it made sense to do so for Ponoholo Ranch several years ago.

There is NO loss for the community if ranchers succeed. It is not the environment versus food production. It truly is a win/win, a win for productivity and a win for the environment. Ranchers do every day what the State does not have the manpower or budget to do!



Alan Gottlieb  
Vice President



**HOUSE OF REPRESENTATIVES**

*Hale o nā Luna Makaʻāinana*

STATE OF HAWAII  
STATE CAPITOL  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

August 25, 2023

Chair Dawn Chang  
Board of Land and Natural Resources  
1151 Punchbowl St. Room 132  
Honolulu, Hawaii 96813

RE: BLNR Agenda Items D4 and D5: Act 90 Transfers

Dear Chair Chang and Members of the Board of Land and Natural Resources,

Thank you for the opportunity to submit testimony in support of the Act 90 transfers.

Twenty years ago, the State Legislature passed Act 90, SLH 2003, to provide that public lands classified for agricultural use by the Department of Land and Natural Resources (DLNR) should be transferred to and managed by the Department of Agriculture (DOA) for the development of farms on a widespread basis as possible. Act 90 provided that non-agricultural park lands may be transferred from DLNR to DOA upon the mutual agreement of the Board of Land and Natural Resources (BLNR) and the Board of Agriculture. Although transfers occurred over the years, full implementation of Act 90 is incomplete, which led to the formation of the Act 90 Working Group in 2021. The Working Group found that lands under DLNR “used for the primary and substantial management of agricultural production should be transferred to DOA, following the process and conditions pursuant to Act 90.” (See Act 90 Working Group Report at page 3).

We are in strong support of the implementation of Act 90 and encourage the BLNR to approve the transfer of these lands to DOA. We will continue to monitor the status of these transfers and look forward to working with both DLNR and DOA in the future.

Rep. Cedris Asuega Gates  
Chair, House Committee on  
Agriculture & Food Systems

Rep. Linda Ichiyama  
Chair, House Committee on  
Water & Land

Rep. David A. Tarnas  
Chair, House Committee on  
Judiciary & Hawaiian Affairs

**From:** [rockerg@hawaii.rr.com](mailto:rockerg@hawaii.rr.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Meeting August 25, 2023 – Testimony on Agenda Items D4 and D5.  
**Date:** Wednesday, August 23, 2023 10:53:17 PM

---

I support the transfer of Kapapala and KK Ranch to the Department of Agriculture. The past actions of both of these ranches have proven that they are responsible tenants and stewards of these lands. The ability of DOA to provide affordable long term leases will provide them the assurances needed to increase their investments in agriculture and become even better caretakers of these lands. We urge you to listen to the leaseholders so that the appropriate terms are afforded to them and they can continue to improve their contribution to the community on these state leased lands that they steward.

Sent from my Verizon, Samsung Galaxy smartphone

D.5. ACTION ITEM: Pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), as mutually agreed upon between Department of Land and Natural Resources (DLNR) and Department of Agriculture (DOA),

Honorable Chair Chang and the Members of the Board of Land and Natural Resources,

My name is Charles Stevens. I am the owner of S.C. Ranch, a 7,700 acre ranch, located in Pa‘auilo, on Hawai‘i island, a member of the Hawaii Cattlemen’s Council, and I am in SUPPORT of Agenda Action Item D.5. S.C. Ranch has been operating for nearly 50 years, after establishment by the late Dutch Schuman and Gordon Cran. In 2012, I purchased the ranch, and my family is working daily to improve water catchment and storage capabilities, and incorporate sustainable land-based practices, to protect and serve as a responsible steward of these lands.

I understand that the purpose of Act 90, 2003 is to ensure the long-term productive use of public agricultural lands by allowing these lands to be transferred to and managed by the Department of Agriculture (DOA). I, along with the Hawaii Cattlemen’s Council, continue to advocate for the transfer of all agricultural lands, including all lands designated as intensive agricultural use, special livestock use, and pasture use. These are lands that are in active agricultural production and producing food for our community.

Honorable Chair Chang, I thank you for acknowledging the importance of Act 90 to the ranching community, and I thank you for including “D.5. ACTION ITEM: Pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), as mutually agreed upon between Department of Land and Natural Resources (DLNR) and Department of Agriculture (DOA),” on the agenda. Our SUPPORT is specific to:

**D.5.2.** Set Aside of Remainder of Lands under General Lease No. S-5374, Kapapala Ranch, Lessee (Approximately 15,684.168 Acres, more or less), to Department of Agriculture for Agricultural Purposes Including Pasture, existing Single Family Residential and Employee Residential Use, and Eco-tourism Purposes.

**D.5.3.** Set Aside Lands under Revocable Permit Nos. S-7637 and S-7758, Kapapala Ranch, Permittee, to Department of Agriculture for Pasture Purposes; Ahulili and Kapapala, Kau, Hawaii, Tax Map Keys: (3) 9-6-011:002, 9-8-001:003, 006, 011, 012, and 013.

These actions as proposed, advances the implementation of Act 90, which we support: Conservation Values, Cultural and Recreation Values, and Overall Management Consideration Values, are at the core of S.C. Ranch operations. We view our pasture lands, as food producing land, thus, we take great measures to manage grazing responsibly, control invasive species and wildfire, and maintain fences and roads.

We appreciate the opportunity to testify in SUPPORT of agenda item “D.5. ACTION ITEM: Pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), as mutually agreed upon between Department of Land and Natural Resources (DLNR) and Department of Agriculture (DOA),”. My family would like to invite you, committee members, and your staff, to visit S.C. Ranch, and view our operations.

Charles Stevens  
S.C. Ranch