

PEA Committee

From: Bobbie Patnode <bobbiepatnode@fastmail.fm>
Sent: Friday, November 30, 2018 3:49 PM
To: PEA Committee
Subject: Testimony for PEA-37 12-3-18

Aloha Chair Sugimura and PEA Committee,

I am a partner in Patnode Family Farm and a member of the Ag Working Group.

The Ag Working Group started working on One Farm Plan back in 2013. It has been a top priority for the group for the last five years.

On July 17, 2017, I testified "I believe it is important to identify there are two problems to address:

1. Farmers are asked to provide three different plans to the county, to the three different departments that have regulations – Water, Planning and Real Property Tax.
2. The three departments use different criteria to verify Ag, causing more issues for farmers.

These are two related but separate problems. The first can be solved with some administrative effort. The second requires the Council to establish clear policies regarding support for agriculture."

What has happened since July 2017?

Ms. Sugimura has inquired of several folks what they think. Our Managing Director suggested an ordinance putting the responsibility into one department. She has worked with the County to bring together the different departments and created a single application form. The AWG and others were asked for their comments in April. AWG responded with several concerns, and then we heard nothing. We asked to be included in discussions, but were not. On Oct. 17th Ms. Sugimura attended an AWG meeting and afterwards I sent her our comments and again asked to be included in discussions. When we heard this would be on the agenda today, I again asked for AWG to be included in discussions. I have attached those emails for your reference. I don't think this form is ready to be used in Maui County.

Meanwhile, AWG continued to work with Planning to review the Draft Rules for enforcing Title 19 in the Ag District.

Working with the Planning Dept. as they updated their rules, we have emphasized that we should not create Rules which are not what the law requires – in other words don't make unnecessary regulations. This was also recommended by the Title 19 Audit. We've

completed the review and now on Dec. 21st, there will be a public comment meeting on the draft rules, which now do not require a farm plan. Well that's progress!

I understand the MAPPS project will enable departments to share information as legally allowed between departments. We still need to identify what is legally allowed to be shared.

As I stated last year, The Agriculture Working Group supports creating a single process to verify a property's agricultural use to be used by all departments.

Maui County will be able to hire one set of qualified Agriculture Inspectors, knowledgeable in 21st century ag practices, to verify farming for the Planning, Water and Finance departments, thereby simplifying County administrative processes and saving the County money.

Qualified Agriculture Inspectors may increase tax revenues for the County, as only verified agriculture will receive the Ag tax rate.

Farm data can be kept in one place. Whenever any change must be made, it can be made once.

Farmers will be able to submit their verification paperwork one time, once a year, and the County will use it for all required purposes. Each department can interpret the plan data according to their department rules.

One farm plan will be able to be used for farms that span multiple TMKs.

And finally, Maui County administrative departments will be able to work together to provide a consistent support for agriculture.

I also want to say, the department people we've worked with have been awesome and have provided valuable information and assistance.

Thank you.

Bobbie Patnode

Attachment:

From:

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To:

yukilei.sugimura@mauicounty.us, Shelly K. Espeleta <Shelly.Espeleta@mauicounty.us>

Cc:

Miki Yokouchi <cmiki.yokouchi@mauicounty.us>, Sherilyn Otsubo <sotsubo@mauicounty.us>, AWG members

Subject:

Re: PEA-5 Ag Tourism and PEA-37 One Farm Plan

Date:

Friday, November 16, 2018 10:51 AM

Size:

19 KB

Aloha Shelly and Yuki Lei-

The AWG met last night and briefly reviewed the One Farm Plan material. As it was sent yesterday, some had not had a chance to look it over. We believe the same issues exist that we saw when Yuki Lei came to our meeting in October. This is the note I sent to her afterwards:

Subject: Feedback from AWG meeting 10-17-18 on One Farm Plan application

Date: Sat, 27 Oct 2018 13:30:11 -1000

Aloha Yuki Lei-

Thank you for coming to the Ag Working Group meeting on Oct. 17th and presenting the work that has been done by the Administration departments on a combined farm application form. The Ag Working Group expressed that much of the same concerns reported last April still exist.

The Ag Working Group continues to have significant concerns with the lack of qualified inspectors in the departments. Using one form and having the data kept by RPT doesn't solve that problem. It was also expressed that a farm is often more than one TMK and this needs to be recognized as farming methods will treat all the TMKs as one farm, but our departments don't yet know how to do this. We also identified that allowing departments to access information that is not allowed by law will be problematic. For example, RPT and Planning should not have access to farm income information, as that is not required by our tax law or Title 19. The farmer's personal and business information needs to be secure and protected.

The Ag Working Group would like to be included in future discussions of how to improve the processes that farmers use with our County departments. We think that will help create a better understanding. We very much appreciate all the work that the departments are doing to figure this out.

Thanks for your continued efforts.

-Bobbie Patnode

Moderator for the Agriculture Working Group

Consequently, the AWG does not think it is a good idea to have this come to Committee until the issues are worked out. We truly appreciate the support from the Council and Administration. At this time, more work needs to be done. We have been working with the Planning Department for several months, and we have completed a revision of Planning Department Rules that would eliminate the need for a farm plan. We believe that many of the issues we have working with the County can be resolved by working directly with the departments involved. This combined application does not resolve the issues and Ag Working Group does not support it in this form. We do support continuing to work with the Departments to improve our processes.

Please let me know if you have questions.

Thank you,

Bobbie Patnode

Moderator for the Ag Working Group

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