
A BILL FOR AN ACT

RELATING TO LAND EXCHANGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that agriculture was the
2 economic mainstay of the central Oahu plains. This industry,
3 specifically sugar cane and pineapple, had a greater stake in
4 how and where communities grew. However, in 1996, the Waialua
5 sugar mill closed, and in 2008, Del Monte fresh produce ended
6 operations. What remains are several thousand acres of
7 agricultural land that is currently in diversified agricultural
8 production on short-term leases or left fallow by owners
9 currently unwilling or unable to lease to farmers. Dole Food
10 Company, Inc., has listed over fifteen thousand acres of these
11 lands, including lands designated as conservation and watershed
12 lands, for sale on Oahu between the area of central Oahu and the
13 north shore. The legislature further finds that current
14 agricultural zoning permits subdivision of agricultural parcels,
15 which makes these properties attractive to parties seeking to
16 develop land for other purposes. As it is the State's
17 responsibility under article XI, section 3, of the Hawaii State
18 Constitution to conserve and protect agricultural lands, promote



1 diversified agriculture, increase agricultural self-sufficiency,
2 and assure the availability of agriculturally suitable lands,
3 the legislature should consider acquiring suitable agricultural
4 land for long-term leases for diversified, bona fide
5 agricultural operations to increase agricultural production.
6 The large tracts of land listed for sale by Dole Food Company,
7 Inc., provides a unique opportunity to fulfill the intent under
8 the Hawaii State Constitution.

9 The legislature further finds that over the past few years,
10 the State has made it a priority to shift toward sustainability
11 in agriculture and decreasing our food imports. Act 55, Session
12 Laws of Hawaii 2013, amends the Hawaii State Planning Act to
13 create a new state policy to promote economically competitive
14 activities that increase Hawaii's agricultural self-sufficiency,
15 including the increased purchase and use of Hawaii-grown food
16 and food products by residents, businesses, and governmental
17 bodies.

18 Among the possible methods of acquiring these agricultural
19 lands is a land exchange. Land exchanges completed in other
20 states have provided public benefit in conservation, economic
21 growth, ecological, and recreational purposes. Such exchanges



1 have been successful for national parks and conservation areas.
2 For example, in December 2008, the Montana Board of Land
3 Commissioners approved a land exchange to swap five hundred
4 seventy acres of privately owned land with four hundred thirty-
5 five acres of state land in order to increase public access,
6 recreational opportunities, and land conservation on state trust
7 lands near Whitefish, Montana.

8 The purpose of this Act is to:

- 9 (1) Appropriate moneys for the governor or governor's
10 designee to investigate the possibility of exchanging
11 state land for certain parcels of land currently owned
12 by Dole Food Company, Inc.;
- 13 (2) Require the governor or the governor's designee to
14 negotiate and, as appropriate, facilitate land
15 exchanges with Dole Food Company, Inc.;
- 16 (3) Provide that any lands acquired pursuant to this Act
17 be placed under the control of the agribusiness
18 development corporation; and
- 19 (4) Require the governor or the governor's designee to
20 submit a report to the legislature.



1 SECTION 2. (a) The governor or the governor's designee
2 shall negotiate and, as appropriate, facilitate land exchanges
3 with Dole Food Company, Inc., in accordance with chapter 171,
4 Hawaii Revised Statutes, for the purpose of acquiring lands
5 identified under section 4 of this Act as suitable for long-term
6 diversified agricultural production.

7 (b) The governor or the governor's designee shall
8 coordinate with the agribusiness development corporation, the
9 department of agriculture, the department of land and natural
10 resources, and any other department or agency of the State that
11 holds title to or an assignment of state land that may be
12 appropriate for exchange under subsection (a); provided that
13 title to any lands received by the State through an exchange
14 pursuant to subsection (a) shall be transferred to the
15 agribusiness development corporation.

16 SECTION 3. The governor or the governor's designee shall
17 submit a report to the legislature no later than twenty days
18 prior to the convening of the regular session of 2016 on:

19 (1) The feasibility of a land exchange of parcels of high
20 interest to the State; and



1 (2) Any appropriations, proposed legislation, or
2 administrative action necessary to accomplish the
3 goals of this Act.

4 SECTION 4. There is appropriated out of the Hawaii
5 agricultural development revolving fund established pursuant to
6 section 163D-17, Hawaii Revised Statutes, the sum of \$400,000 or
7 so much thereof as may be necessary for fiscal year 2015-2016
8 for the governor or the governor's designee to investigate the
9 possibility of acquiring lands owned by Dole Food Company, Inc.,
10 between the north shore and central Oahu area that are suitable
11 for long-term diversified agricultural production, including
12 conducting appraisals to determine the fair market value of the
13 lands and identifying which of the Dole lands identified as tax
14 map key numbers 6-4-01-01, 6-4-02-01, 6-4-03-03, 6-4-03-03A, 6-
15 4-04-01, 6-4-014-01A, 6-4-04-08, 6-5-01-14, 6-5-01-30, 6-5-01-
16 31, 6-5-01-32, 6-5-01-44, 6-5-01-45, 6-5-01-46, 6-5-02-01, 6-5-
17 02-02, 6-5-02-06, 6-5-02-07, 6-5-02-08, 6-5-02-11, 6-5-02-23, 6-
18 6-25-01, 6-6-25-02, 6-6-25-06, 6-6-27-08, 6-6-27-09, 6-6-27-10,
19 6-7-01-05, 6-7-01-08, 6-7-01-26, 6-7-01-34, 6-7-01-37, 6-7-01-
20 63, 6-7-02-14, 6-7-02-37, 6-7-02-46, 6-7-02-47, 6-8-02-05, and
21 6-8-03-09 are in the agricultural district. The investigation



1 shall also consider an exchange of state land, including an
2 appraisal of the state lands to be exchanged, if appropriate
3 state land is found.

4 The sum appropriated shall be expended by the agribusiness
5 development corporation for the purposes of this Act.

6 SECTION 5. This Act shall take effect on July 1, 2015.



Report Title:

Land Exchange; Dole Food Company; Governor; Appropriation

Description:

Appropriates moneys to investigate the possibility of acquiring lands owned by Dole Food Company, Inc., that are suitable for long-term diversified agricultural production, and to identify which of those lands are in the agricultural district. Requires the governor or the governor's designee to negotiate and, as appropriate, facilitate land exchanges with Dole Food Company, Inc. Requires a report to the legislature. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

