# A BILL FOR AN ACT

RELATING TO PRIVATE AGRICULTURAL PARKS.

	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:
1	SECTION 1. The legislature finds that many times necessary
2	cooperation between and among adjoining and neighboring
3	agriculturalist is stifled by governmental regulation and
4	oversight.
5	The purpose of this Act is to encourage neighboring
6	agricultural landowners to enter into cooperative private
7	agreements to reduce the shared costs of generating and
8	transmitting electrical energy, cold water for refrigeration and
9	cooling purposes, and nonpotable water for irrigation.
10	SECTION 2. The Hawaii Revised Statutes is amended by
11	adding a new chapter to be appropriately designated and to read
12	as follows:
13	"CHAPTER
14	PRIVATE AGRICULTURAL PARKS
15	"§ -1 Private agricultural parks. (a) The owners of
16	one or more contiguous parcels, including public lands, within
17	the agricultural district may establish a private agricultural

park. The owners shall register their private agricultural park



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- 1 with the department of agriculture, on forms to be prescribed
- 2 and prepared by the department, and shall include but not be
- 3 limited to the following information for each private
- 4 agricultural park:
- 5 (1) The names and addresses of all of its members;
- 6 (2) The tax map parcel numbers and number of acres in each
- 7 parcel to be included in the private agricultural
- 8 park;
- 9 (3) The types of agricultural activities and products
- 10 being produced or to be produced by each member,
- including non-agricultural by-products that may
- include but not be limited to renewable sources of
- energy for the production of electrical energy or
- 14 liquid fuel and cold water for cooling, processing,
- and air conditioning purposes; and
- 16 (4) Other information that the department of agriculture
- determines may be of assistance in promoting the
- private agricultural park,
- 19 provided that, by subsequent filings, a private agricultural
- 20 park may add or delete members and parcels from its original
- 21 filing.

1	S	-2 Activities permitted in a private agricultural
2	park. (a	) Within a private agricultural park, pursuant to
3	private a	greements between any or all of the members within the
4	private a	gricultural park, one or more members may:
5	(1)	Engage in the generation of electrical energy from
6		fossil fuel or renewable energy sources, including but
7		not limited to the use of falling water, biomass,
8		wind, and solar energy. Any electrical energy
9		generated within the private agricultural park,
10		whether by a member or members or through an agreement
11		between a member or members and a nonmember
12		independent energy producer, may be produced, sold,
13		transmitted, and consumed by any other member within
14		the private agricultural park without regulation or
15		oversight by the public utilities commission, except
16		to ensure the public's health and safety;
17	(2)	Collect, sell, and distribute cold water to any other
18		member within the private agricultural park for the
19		purpose of operating cooling and processing facilities
20		for agricultural products or for air conditioning,
21		without being subject to any regulation by any state
22		or county agency;

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1	(3)	Collect, store, sell, and distribute nonpotable water
2		for irrigation purposes to any other member within the
3		private agricultural park, without being subject to
4		regulation by any state or county agency; and
5	(4)	Engage in any other lawful activity within the private
6		agricultural park for the benefit of one or more of
7		its members, without being subject to regulation by
8		any state or county agency.
9	S	-3 Incentives and permit processing. Anything to the
10	contrary :	notwithstanding, the lands contained in a private
11	agricultu	ral park, whether or not designated important
12	agricultu	ral lands pursuant to section 205-49, shall be entitled
13	to the be	nefits of all incentive and protection programs granted
14	to importa	ant agricultural lands pursuant to section 205-46 and
15	any prior	ity permit processing procedures extended to important
16	agricultu	ral lands pursuant to section 205-46.5."
17	SECT	ION 3. This Act shall take effect upon its approval.
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### Report Title:

Agriculture; Private Agricultural Parks

### Description:

Allows one or more contiguous parcels within the agricultural district to establish a private agricultural park to: (i) generate electrical energy and transmit the electricity over parcel boundaries within the park without regulation by the PUC; and (ii) transmit cold water for cooling facilities and nonpotable water for irrigation across parcel boundaries within the park without state or county regulation.