
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 agriculturalists is stifled by governmental regulation and
4 oversight.

5 The purpose of this Act is to encourage owners of
6 neighboring agricultural lands to enter into private agreements
7 to reduce the shared costs of generating and transmitting
8 electrical energy, cold water for refrigeration and cooling, and
9 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
18 park. The owners shall register the private agricultural park

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1 agreement with the department of agriculture, on forms
2 prescribed and prepared by the department, which shall include
3 the following information for each private agricultural park:

4 (1) The names and addresses of all the parties;

5 (2) The tax map parcel numbers and number of acres in each
6 parcel to be included in the private agricultural
7 park;

8 (3) The types of agricultural activities and products
9 being produced or to be produced by each party,
10 including non-agricultural by-products that may
11 include renewable sources of energy for the production
12 of electrical energy or liquid fuel and cold water for
13 cooling, processing, and air conditioning purposes;
14 and

15 (4) Other information that the department of agriculture
16 determines may be of assistance in promoting the
17 private agricultural park;

18 provided that, by subsequent filings, a private agricultural
19 park may add or delete parties and parcels from its original
20 filing.

21 § -2 **Activities permitted in a private agricultural**

22 **park.** (a) Within a private agricultural park, pursuant to

1 private agreements between any or all of the parties of the
2 private agricultural park agreement, one or more of the parties
3 may:

4 (1) Engage in the generation of electrical energy from
5 fossil fuel or renewable energy sources, including the
6 use of falling water, biomass, wind, and solar energy.
7 Any electrical energy generated within the boundaries
8 of the private agricultural park, whether by a party
9 or parties to the agreement or through an agreement
10 between a party or parties and a nonparty independent
11 energy producer, may be produced, sold, transmitted,
12 and consumed by any other party of the private
13 agricultural park agreement; provided that the
14 electrical energy generated is used for agricultural
15 purposes including but not limited to the pumping of
16 agricultural water, cooling, air conditioning, or
17 agricultural processing; provided further that the
18 electrical energy generated is used within the
19 established boundaries of the private agricultural
20 park; and provided further that the transmission and
21 distribution system is solely owned by a party of the
22 private agricultural park agreement;

1 (2) Collect, sell, and distribute cold water to any other
2 party of the private agricultural park agreement to
3 operate cooling and processing facilities for
4 agricultural products or for air conditioning;

5 (3) Collect, store, sell, and distribute nonpotable water
6 for irrigation purposes to any other party of the
7 private agricultural park agreement; and

8 (4) Engage in any other lawful activity within the
9 boundaries of the private agricultural park for the
10 benefit of one or more of its parties."

11 SECTION 3. This Act shall take effect on July 1, 2050.

Report Title:

Agriculture; Private Agricultural Parks

Description:

Allows owners of contiguous parcels within the agricultural district to establish private agricultural parks registered with the department of agriculture. Specifies activities within a private agricultural park. Effective 7/1/2050. (SD1)