
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



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

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

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



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

9 The purpose of this Act is to:

- 10 (1) Require the department of agriculture to negotiate
11 and, as appropriate, facilitate land exchanges with
12 Dole Food Company, Inc.;
- 13 (2) Provide that any lands acquired pursuant to this Act
14 be placed under the control of the agribusiness
15 development corporation; and
- 16 (3) Require the department of agriculture to submit a
17 report to the legislature.

18 SECTION 2. (a) The department of agriculture shall
19 negotiate and, as appropriate, facilitate land exchanges with
20 Dole Food Company, Inc., in accordance with chapter 171, Hawaii



1 Revised Statutes, for the purpose of acquiring lands that are
2 suitable for long-term diversified agricultural production.

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

11 SECTION 3. The department of agriculture shall submit a
12 report to the legislature no later than twenty days prior to the
13 convening of the regular session of 2017 on:

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

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

19 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Land Exchange; Dole Food Company

Description:

Requires the Department of Agriculture to negotiate and, as appropriate, facilitate land exchanges with Dole Food Company, Inc. Requires a report to the Legislature. (SB1374 HD1)

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