
A BILL FOR AN ACT

RELATING TO LAND EXCHANGE.

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

PART I

1
2 SECTION 1. The legislature finds that agriculture was the
3 economic mainstay of the central Oahu plains. This industry,
4 specifically sugar cane and pineapple, had a greater stake in
5 how and where communities grew. However, in 1996, the Waialua
6 sugar mill closed, and in 2008, Del Monte fresh produce ended
7 operations. What remains are several thousand acres of
8 agricultural land that is currently in diversified agricultural
9 production on short-term leases or left fallow by owners
10 currently unwilling or unable to lease to farmers. Dole Food
11 Company, Inc., has listed over fifteen thousand acres of these
12 lands, including lands designated as conservation and watershed
13 lands, for sale on Oahu between the area of central Oahu and the
14 north shore. The legislature further finds that current
15 agricultural zoning permits subdivision of agricultural parcels,
16 which makes these properties attractive to parties seeking to
17 develop land for other purposes. As it is the State's
18 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 part is to appropriate funds to
10 investigate the possibility of exchanging state land for certain
11 parcels of land currently owned by Dole Food Company, Inc., that
12 are located between central Oahu and the north shore area, and
13 to pay for costs of executing the exchange if appropriate state
14 land is found, taking into consideration the market value of the
15 state lands to be exchanged.

16 SECTION 2. There is appropriated out of the land
17 conservation fund established pursuant to section 173A-5, Hawaii
18 Revised Statutes, the sum of \$200,000 or so much thereof as may
19 be necessary for fiscal year 2015-2016 to investigate the
20 possibility of acquiring land owned by Dole Food Company, Inc.,
21 in the central Oahu area that are in the conservation district



1 and suitable for watershed management, including conducting
2 appraisals to determine the fair market value of the lands, and
3 identifying which of the Dole lands identified as tax map keys
4 6-1-02-01, 6-1-02-23, 6-1-02-24, 6-2-02-02, 6-2-02-04, 6-2-05-
5 35, 6-2-06-01, 6-2-06-02, 6-2-06-04, 6-2-06-06, 6-2-07-02, 6-2-
6 07-04, 6-2-07-08, 6-2-07-11, 6-2-10-06, 6-3-01-02, 6-3-01-03, 6-
7 4-01-01, 6-4-01-04, 6-4-01-05, 6-4-01-12, 6-4-02-01, 6-4-03-03,
8 6-4-03-03A, 6-4-04-01, 6-4-04-01A, 6-4-04-06, 6-4-04-08, 6-5-01-
9 14, 6-5-01-30, 6-5-01-31, 6-5-01-32, 6-5-01-44, 6-5-01-45, 6-5-
10 01-46, 6-5-02-01, 6-5-02-06, 6-5-02-07, 6-5-02-08, 6-5-02-11,
11 6-5-02-23, 6-5-05-02, 6-6-06-11, 6-6-10-10, 6-6-12-01, 6-6-14-
12 04, 6-6-18-39, 6-6-20-11, 6-6-25-01, 6-6-25-02, 6-6-25-06, 6-6-
13 27-08, 6-6-27-09, 6-6-27-10, 6-7-01-05, 6-7-01-08, 6-7-01-17, 6-
14 7-01-26, 6-7-01-30, 6-7-01-34, 6-7-01-36, 6-7-01-37, 6-7-01-58,
15 6-7-01-59, 6-7-01-63, 6-7-02-14, 6-7-02-37, 6-7-02-46, 6-7-02-
16 47, 6-7-03-02, 6-7-03-05, 6-7-03-06, 6-7-03-07, 6-7-03-09, 6-7-
17 03-10, 6-7-03-11, 6-7-03-17, 6-7-04-01, 6-7-04-04, 6-7-07-40, 6-
18 7-13-07, 6-7-14-17, 6-8-02-05, 6-8-03-09, 6-8-06-17, 6-8-07-05,
19 7-1-02-04, 7-1-02-06, 7-1-02-11, 7-1-02-23, 7-1-02-34, 7-1-03-
20 19, 7-1-03-47, 7-1-03-57, 7-1-03-66, 7-1-04-16, 7-1-04-24, 7-1-
21 05-45, 7-1-05-51, 7-1-05-59, 7-1-06-06, 7-1-07-15, 7-2-01-03, 7-



1 3-15-56, and 7-3-16-44 are in the conservation district. The
2 investigation shall also consider an exchange of state land,
3 including an appraisal of the state lands to be exchanged, if
4 appropriate state land is found.

5 The sum appropriated shall be expended by the department of
6 land and natural resources.

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$400,000 or so much
9 thereof as may be necessary for fiscal year 2015-2016 to
10 investigate the possibility of acquiring land owned by Dole Food
11 Company, Inc., in the central Oahu area that are suitable for
12 long-term diversified agricultural production, including
13 conducting appraisals to determine the fair market value of the
14 lands, and identifying which of the Dole lands identified as tax
15 map keys 6-1-02-01, 6-1-02-23, 6-1-02-24, 6-2-02-02, 6-2-02-04,
16 6-2-05-35, 6-2-06-01, 6-2-06-02, 6-2-06-04, 6-2-06-06, 6-2-07-
17 02, 6-2-07-04, 6-2-07-08, 6-2-07-11, 6-2-10-06, 6-3-01-02, 6-3-
18 01-03, 6-4-01-01, 6-4-01-04, 6-4-01-05, 6-4-01-12, 6-4-02-01, 6-
19 4-03-03, 6-4-03-03A, 6-4-04-01, 6-4-04-01A, 6-4-04-06, 6-4-04-
20 08, 6-5-01-14, 6-5-01-30, 6-5-01-31, 6-5-01-32, 6-5-01-44, 6-5-
21 01-45, 6-5-01-46, 6-5-02-01, 6-5-02-06, 6-5-02-07, 6-5-02-08, 6-



1 5-02-11, 6-5-02-23, 6-5-05-02, 6-6-06-11, 6-6-10-10, 6-6-12-01,
2 6-6-14-04, 6-6-18-39, 6-6-20-11, 6-6-25-01, 6-6-25-02, 6-6-25-
3 06, 6-6-27-08, 6-6-27-09, 6-6-27-10, 6-7-01-05, 6-7-01-08, 6-7-
4 01-17, 6-7-01-26, 6-7-01-30, 6-7-01-34, 6-7-01-36, 6-7-01-37, 6-
5 7-01-58, 6-7-01-59, 6-7-01-63, 6-7-02-14, 6-7-02-37, 6-7-02-46,
6 6-7-02-47, 6-7-03-02, 6-7-03-05, 6-7-03-06, 6-7-03-07, 6-7-03-
7 09, 6-7-03-10, 6-7-03-11, 6-7-03-17, 6-7-04-01, 6-7-04-04, 6-7-
8 07-40, 6-7-13-07, 6-7-14-17, 6-8-02-05, 6-8-03-09, 6-8-06-17, 6-
9 8-07-05, 7-1-02-04, 7-1-02-06, 7-1-02-11, 7-1-02-23, 7-1-02-34,
10 7-1-03-19, 7-1-03-47, 7-1-03-57, 7-1-03-66, 7-1-04-16, 7-1-04-
11 24, 7-1-05-45, 7-1-05-51, 7-1-05-59, 7-1-06-06, 7-1-07-15, 7-2-
12 01-03, 7-3-15-56, and 7-3-16-44 are in the agricultural
13 district. The investigation shall also consider an exchange of
14 state land, including an appraisal of the State lands to be
15 exchanged, if appropriate State land is found.

16 The sum appropriated shall be expended by the agribusiness
17 development corporation for the purposes of this part.

18 **PART II**

19 SECTION 4. The legislature finds that like other prison
20 systems across the country, Hawaii's prison system is
21 overcrowded and outdated, as nearly 1,400 Hawaii prisoners were



1 in mainland facilities as of 2014. The current facilities in
 2 Hawaii are deteriorated, over-capacity, and poorly designed.
 3 Over the years, the department of public safety has been
 4 exploring options to alleviate overcrowding in the State's
 5 prisons. Options include replacing the State's largest jail
 6 facility, the Oahu community correctional center in Honolulu, or
 7 expanding the State's largest prison, the Halawa medium security
 8 facility.

9 The legislature further finds that there is an opportunity,
 10 through a land exchange, for the State to relocate the Oahu
 11 community correctional center to Halawa in addition to expanding
 12 the Halawa medium security facility.

13 The purpose of this part is to appropriate funds to
 14 investigate the possibility of a land exchange of certain state
 15 lands between the department of public safety and department of
 16 agriculture and how that exchange could be further utilized in
 17 acquiring certain parcels of land by Dole Food Company, Inc.,
 18 and Castle and Cooke, Inc.

19 SECTION 5. There is appropriated out of the general
 20 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2015-2016 to
2 investigate:

3 (1) The possibility of a land exchange whereby the
4 department of public safety transfers a parcel of land
5 located in Honolulu, identified as tax map key 1-2-
6 013:002, to the department of agriculture in exchange
7 for the transfer by the department of agriculture of a
8 parcel of land located in Aiea, identified as tax map
9 key 9-9-010:046, to the department of public safety;
10 and

11 (2) How the exchange described in paragraph (1) could be
12 further utilized to acquire certain parcels of land by
13 Dole Food Company, Inc., and Castle and Cooke, Inc.,
14 for agricultural production purposes.

15 The sum appropriated shall be expended by the department of
16 public safety for the purposes of this part.

17 **PART III**

18 SECTION 6. The department of land and natural resources,
19 department of public safety, department of agriculture, and
20 agribusiness development corporation shall submit a consolidated



1 report to the legislature no later than twenty days prior to the
2 convening of the regular session of 2016 on:

- 3 (1) The feasibility of a land exchange of parcels of high
4 interest to the State; and
5 (2) Any appropriations, proposed legislation, or
6 administrative action necessary to accomplish the
7 goals of this Act.

8 **PART IV**

9 SECTION 7. This Act shall take effect on July 1, 2015.



Report Title:

Exchange for Lands; Dole Food Company; Department of Land and Natural Resources; Agribusiness Development Corporation; Department of Public Safety; Department of Agriculture; Appropriation

Description:

Appropriates funds to investigate the possibility of acquiring lands owned by Dole Food Company, Inc, that: are in the conservation district and suitable for watershed management, and to identify which of the Dole lands are in the conservation district; and that are suitable for long-term diversified agricultural production, and to identify which of the Dole lands are in the agricultural district. Appropriates funds to investigate the possibility of exchanging certain state lands between the department of public safety and department of agriculture. Requires a report on the feasibility of a land exchange of parcels of high interest to the State and any further action necessary to accomplish the goals of this measure. (SD1)

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

