

JAN 29 2015

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 fallow
8 agricultural land. Dole Food Company, Inc., has listed over
9 fifteen thousand acres of these lands, including lands
10 designated as conservation and watershed lands, for sale on Oahu
11 between the area of central Oahu and the north shore. The
12 legislature further finds that current zoning does not prevent
13 residential development on these parcels as they can be
14 subdivided. As it is the State's responsibility under article
15 XI, section 3, of the Hawaii State Constitution to conserve and
16 protect agricultural lands, promote diversified agriculture,
17 increase agricultural self-sufficiency, and assure the



1 availability of agriculturally suitable lands, the legislature
2 should consider acquiring more agricultural land. The large
3 tracts of land listed for sale by Dole Food Company, Inc.,
4 provides the opportunity to fulfill the intent under the Hawaii
5 State Constitution.

6 Among the possible methods of acquiring these lands is a
7 land exchange. Land exchanges completed in other states have
8 provided public benefit in conservation, economic growth,
9 ecological, and recreational purposes. Such exchanges have been
10 successful for national parks and conservation areas. For
11 example, in December 2008, the Montana Board of Land
12 Commissioners approved a land exchange to swap five hundred
13 seventy acres of privately owned land with four hundred thirty-
14 five acres of state land in order to increase public access,
15 recreational opportunities, and land conservation on state trust
16 lands near Whitefish, Montana.

17 The legislature further finds that over the past few years,
18 the State has made it a priority to shift toward sustainability
19 in agriculture and decreasing our food imports. Act 55, Session
20 Laws of Hawaii 2013, amends the Hawaii State Planning Act to
21 create a new state policy to promote economically competitive



1 activities that increase Hawaii's agricultural self-sufficiency,
2 including the increased purchase and use of Hawaii-grown food
3 and food products by residents, businesses, and governmental
4 bodies.

5 The purpose of this part is to appropriate funds to
6 investigate the possibility of exchanging state land for certain
7 parcels of land currently owned by Dole Food Company, Inc., that
8 are located between central Oahu and the north shore area, and
9 to pay for costs of executing the exchange if appropriate state
10 land is found, taking into consideration the market value of the
11 state lands to be exchanged.

12 SECTION 2. There is appropriated out of the land
13 conservation fund established pursuant to section 173A-5, Hawaii
14 Revised Statutes, the sum of \$500,000 or so much thereof as may
15 be necessary for fiscal year 2015-2016 and the same sum or so
16 much thereof as may be necessary for fiscal year 2016-2017 to
17 investigate the possibility of acquiring land owned by Dole Food
18 Company, Inc., identified as tax map keys 6-1-02-01, 6-1-02-23,
19 6-1-02-24, 6-2-02-02, 6-2-02-04, 6-2-05-35, 6-2-06-01, 6-2-06-
20 02, 6-2-06-04, 6-2-06-06, 6-2-07-02, 6-2-07-04, 6-2-07-08, 6-2-
21 07-11, 6-2-10-06, 6-3-01-02, 6-3-01-03, 6-4-01-01, 6-4-01-04,



1 6-4-01-05, 6-4-01-12, 6-4-02-01, 6-4-03-03, 6-4-03-03A, 6-4-04-
2 01, 6-4-04-01A, 6-4-04-06, 6-4-04-08, 6-5-01-14, 6-5-01-30, 6-5-
3 01-31, 6-5-01-32, 6-5-01-44, 6-5-01-45, 6-5-01-46, 6-5-02-01, 6-
4 5-02-06, 6-5-02-07, 6-5-02-08, 6-5-02-11, 6-5-02-23, 6-5-05-02,
5 6-6-06-11, 6-6-10-10, 6-6-12-01, 6-6-14-04, 6-6-18-39, 6-6-20-
6 11, 6-6-25-01, 6-6-25-02, 6-6-25-06, 6-6-27-08, 6-6-27-09, 6-6-
7 27-10, 6-7-01-05, 6-7-01-08, 6-7-01-17, 6-7-01-26, 6-7-01-30, 6-
8 7-01-34, 6-7-01-36, 6-7-01-37, 6-7-01-58, 6-7-01-59, 6-7-01-63,
9 6-7-02-14, 6-7-02-37, 6-7-02-46, 6-7-02-47, 6-7-03-02, 6-7-03-
10 05, 6-7-03-06, 6-7-03-07, 6-7-03-09, 6-7-03-10, 6-7-03-11, 6-7-
11 03-17, 6-7-04-01, 6-7-04-04, 6-7-07-40, 6-7-13-07, 6-7-14-17,
12 6-8-02-05, 6-8-03-09, 6-8-06-17, 6-8-07-05, 7-1-02-04, 7-1-02-
13 06, 7-1-02-11, 7-1-02-23, 7-1-02-34, 7-1-03-19, 7-1-03-47, 7-1-
14 03-57, 7-1-03-66, 7-1-04-16, 7-1-04-24, 7-1-05-45, 7-1-05-51, 7-
15 1-05-59, 7-1-06-06, 7-1-07-15, 7-2-01-03, 7-3-15-56, and 7-3-16-
16 44 in the central Oahu area through an exchange of state land
17 and to pay for costs of executing an exchange if appropriate
18 state land is found; provided that the market value of the state
19 lands to be exchanged shall be considered.

20 The sums appropriated shall be expended by the department
21 of budget and finance, in coordination with the department of



1 accounting and general services and department of land and
2 natural resources, for the purposes of this part.

3 **PART II**

4 SECTION 3. The legislature finds that like other prison
5 systems across the country, Hawaii's prison system is
6 overcrowded and outdated, as nearly 1,400 Hawaii prisoners were
7 in mainland facilities as of 2014. The current facilities in
8 Hawaii are deteriorated, over-capacity, and poorly designed.
9 Over the years, the department of public safety has been
10 exploring options to alleviate overcrowding in the State's
11 prisons. Options include replacing the State's largest jail
12 facility, the Oahu community correctional center in Honolulu, or
13 expanding the State's largest prison, the Halawa medium security
14 facility.

15 The legislature further finds that there is an opportunity,
16 through a land exchange, for the State to relocate the Oahu
17 community correctional center to Halawa in addition to expanding
18 the Halawa medium security facility.

19 The purpose of this part is to appropriate funds to
20 investigate the possibility of a land exchange of certain state
21 lands between the department of public safety and department of



1 agriculture and how that exchange could be further utilized in
2 acquiring certain parcels of land by Dole Food Company, Inc.,
3 and Castle and Cooke, Inc.

4 SECTION 4. There is appropriated out of the land
5 conservation fund established pursuant to section 173A-5, Hawaii
6 Revised Statutes, the sum of \$ or so much thereof as
7 may be necessary for fiscal year 2015-2016 and the same sum or
8 so much thereof as may be necessary for fiscal year 2016-2017 to
9 investigate:

10 (1) The possibility of a land exchange whereby the
11 department of public safety transfers a parcel of land
12 located in Honolulu, identified as tax map key 1-2-
13 013:002, to the department of agriculture in exchange
14 for the transfer by the department of agriculture of a
15 parcel of land located in Aiea, identified as tax map
16 key 9-9-010:046, to the department of public safety;
17 and

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

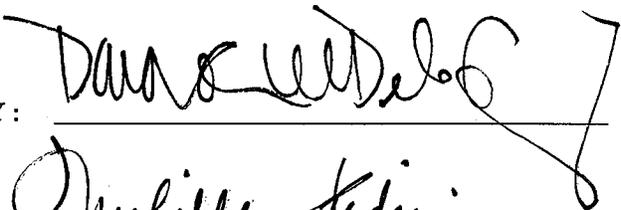
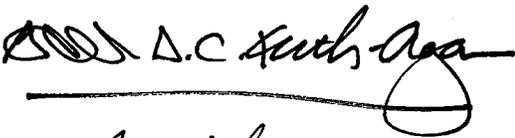
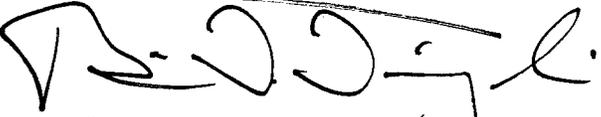
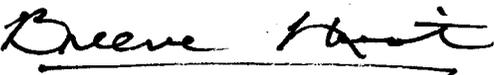


1 The sums appropriated shall be expended by the department
2 of public safety and department of agriculture, for the purposes
3 of this part.

4 PART III

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

6 INTRODUCED BY:

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S.B. NO. 1374

Report Title:

Exchange for Lands; Dole Food Company; Department of Public Safety; Department of Agriculture; Appropriation

Description:

Appropriates funds to investigate the possibility of exchanging state land for land owned by Dole Food Company, Inc., and for costs of executing the exchange. Appropriates funds to investigate the possibility of exchanging certain state lands between the department of public safety and department of agriculture.

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