
A BILL FOR AN ACT

RELATING TO LAND.

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

1 SECTION 1. The legislature finds that Act 90, Session Laws
2 of Hawaii 2003 (Act 90), was enacted to transfer certain non-
3 agricultural park lands from the department of land and natural
4 resources to the department of agriculture. While three hundred
5 parcels consisting of approximately nineteen thousand acres have
6 been transferred over the past seventeen years, many parcels
7 have not been transferred.

8 The legislature further finds that Act 139, Session Laws of
9 Hawaii 2021, established the Act 90 working group to determine
10 the process, status, challenges, and potential remedies
11 regarding the transfer of non-agricultural park lands to fulfill
12 the purposes of Act 90.

13 The Act 90 working group determined that certain
14 agricultural lands under the department of land and natural
15 resources have multiple management objectives that clearly fall
16 within the department of land and natural resources' purview and
17 mission. The working group therefore determined that these



1 multi-use lands should remain under the management of the
2 department of land and natural resources. The working group
3 also found that collaborative working relationships between the
4 department of land and natural resources, department of
5 agriculture, and lessees of multi-use agricultural lands can
6 have many public value benefits, including food production,
7 conservation, and natural resources management.

8 The purpose of this Act is to adopt recommendations from
9 the Act 90 working group regarding agricultural multi-use lands,
10 including:

- 11 (1) Specifying that agricultural multi-use lands under the
12 management of the department of land and natural
13 resources are not subject to transfer to and
14 management by the department of agriculture;
- 15 (2) Requiring the department of land and natural resources
16 to revise the department's land classifications to
17 include agricultural multi-use lands; and
- 18 (3) Establishing and funding an agricultural multi-use
19 lands specialist position to promote collaborative
20 working relationships and leverage funding sources to



1 support natural land stewardship, reforestation, and
2 other public purposes on agricultural multi-use lands.

3 SECTION 2. Section 166E-3, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Upon mutual agreement and approval of the board and
6 the board of land and natural resources:

7 (1) The department may accept the transfer of and manage
8 certain qualifying non-agricultural park lands; and

9 (2) Certain assets, including position counts, related to
10 the management of existing encumbered and unencumbered
11 non-agricultural park lands and related facilities
12 shall be transferred to the department[~~-~~];

13 provided that lands classified by the department of land and
14 natural resources as agricultural multi-use pursuant to section
15 171-10 shall remain under the management of the department of
16 land and natural resources and shall not be subject to transfer
17 to and management by the department."

18 SECTION 3. Section 171-10, Hawaii Revised Statutes, is
19 amended to read as follows:



1 **"§171-10 Classes of lands.** The board of land and natural
2 resources shall classify all public lands and in doing so be
3 guided by the following classifications:

4 1. Intensive agricultural use

5 (A) First class--Lands highly productive of intensive
6 crops such as sugarcane, pineapples, truck crops, and orchard
7 crops.

8 (B) Second class--Lands having medium productivity for
9 intensive crops.

10 (C) Third class--Lands having fair to marginal
11 productivity for intensive crops.

12 2. Special livestock use

13 (A) First class--Lands highly suitable for special
14 livestock uses such as swine, dairy, and poultry production. In
15 making the determination, consideration shall be given to
16 drainage, climate, topography, proximity to market, and
17 transportation and compatibility to adjoining land use, among
18 other considerations. "Dairy" as used for disposition purposes
19 means a "dry lot" dairy without allowance for grazing.

20 (B) Second class--Lands suitable for special livestock
21 uses, but inferior to those of first class.



1 3. Pasture use

2 (A) First class--Lands having a potentially high economic
3 animal unit carrying capacity and capable of correspondingly
4 high liveweight gains per acre per year, such as, less than five
5 acres per animal unit per year and more than one hundred pounds
6 live beef gains per animal unit per acre per year.

7 (B) Second class--Lands having a potentially medium
8 economic animal unit carrying capacity and capable of moderate
9 liveweight gains per acre per year, such as, five to twenty
10 acres per animal unit per year and twenty to one hundred pounds
11 live beef gains per animal unit per acre per year.

12 (C) Third class--Lands having a relatively low animal unit
13 carrying capacity and producing correspondingly low liveweight
14 gains per acre per year, such as, more than twenty acres per
15 animal unit per year and less than twenty pounds average live
16 beef gains per animal unit per acre per year.

17 4. Commercial timber use

18 (A) First class--Lands of high suitability for growth of
19 merchantable timber having mean annual growth potential under
20 normal forest management practices with yields exceeding amounts
21 such as one thousand board feet per acre, and with location and



1 terrain presenting favorable logging, transportation, and
2 marketing conditions.

3 (B) Second class--Lands of high suitability for growth of
4 merchantable timber having mean annual growth potential under
5 normal forest management practices with yields exceeding amounts
6 such as one thousand board feet per acre, and with location and
7 terrain presenting less favorable logging, transportation, and
8 marketing conditions.

9 (C) Third class--Lands of medium suitability for growth of
10 merchantable timber having mean annual growth potential in
11 amounts such as five hundred to one thousand board feet per acre
12 under normal forest management practices, and with location and
13 terrain presenting favorable logging, transportation, and
14 marketing conditions.

15 (D) Fourth class--Lands of medium suitability for growth
16 of merchantable timber having mean annual growth potential in
17 amounts such as five hundred to one thousand board feet per acre
18 under normal forest management practices, and with location and
19 terrain presenting less favorable logging, transportation, and
20 marketing conditions.



1 (E) Fifth class--Lands of relatively low suitability for
2 growth of merchantable timber having mean annual growth
3 potential less than an amount such as five hundred board feet
4 per acre, and with location and terrain presenting favorable
5 logging, transportation, and marketing conditions.

6 (F) Sixth class--Lands of relatively low suitability for
7 growth of merchantable timber having mean annual growth
8 potential less than an amount such as five hundred board feet
9 per acre, and with location and terrain presenting less
10 favorable logging, transportation, and marketing conditions.

11 5. Quarry use

12 Lands having sufficient quantity and quality of rock,
13 gravel, and sand for purpose of commercial use.

14 6. Mining use

15 Lands bearing sufficient quantity and quality of mineral
16 products for purpose of commercial mining and use.

17 7. Recreational use

18 Lands suitable for use and development as parks,
19 playgrounds, historical sites, natural area, camp grounds,
20 wildlife refuge, scenic sites, and other such uses.

21 8. Watershed use



1 Lands suitable for the use and development as watersheds or
2 for the development of water, and requiring necessary
3 restrictions on other uses.

4 9. Residential use

5 Lands suitable and economically feasible for residential
6 development and use.

7 10. Commercial and industrial use

8 Lands suitable and economically feasible for commercial and
9 industrial development and use.

10 11. Hotel, apartment, and motel use

11 Lands suitable and economically feasible for hotel,
12 apartment, and motel development and use.

13 12. Resort use

14 Lands suitable and economically feasible for resort
15 development and use.

16 13. Agricultural multi-use

17 Lands having agricultural value as well as natural
18 resource, conservation, or public recreation value.

19 [~~13.~~] 14. Unclassified uses

20 Lands not otherwise classifiable under the foregoing
21 sections."



1 SECTION 4. (a) There is established within the department
2 of land and natural resources land division one full-time
3 equivalent (1.0 FTE) agricultural multi-use lands specialist
4 position.

5 (b) The agricultural multi-use lands specialist shall
6 facilitate collaborative relationships between the department of
7 land and natural resources, department of agriculture, and
8 agricultural multi-use land tenants and shall leverage federal
9 funds from the National Resources Conservation Service and other
10 funding sources to support natural land stewardship,
11 reforestation, and other public purposes on agricultural multi-
12 use lands.

13 SECTION 5. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2022-2023 for
16 one full-time equivalent (1.0 FTE) agricultural multi-use lands
17 specialist position established pursuant to section 4 of this
18 Act.

19 The sum appropriated shall be expended by the department of
20 land and natural resources for the purposes of this Act.




H.B. NO. 1660

1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2022.

4

INTRODUCED BY:

A handwritten signature in black ink, reading "Doug Barnes", is written over a horizontal line.

JAN 21 2022



H.B. NO. 1660

Report Title:

Public Lands; Agricultural Multi-use Lands; DLNR; HDOA;
Agricultural Multi-use Lands Specialist; Appropriation

Description:

Specifies that agricultural multi-use lands under the management of DLNR are not subject to transfer to and management by HDOA. Requires DLNR to revise its land classifications to include agricultural multi-use lands. Establishes and appropriates funds for an agricultural multi-use lands specialist position.

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

