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# 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 board of land and natural resources to  
16 revise the board's land classifications to include  
17 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 division of forestry and wildlife  
3 one full-time equivalent (1.0 FTE) agricultural multi-use lands  
4 specialist 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.



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, 2050.

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# H.B. NO. 1660 H.D. 1

**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 BLNR to revise its land classifications to include agricultural multi-use lands. Establishes and appropriates funds for an agricultural multi-use lands specialist position. Effective 7/1/2050. (HD1)

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

