
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. The legislature finds that article XI, section
2 3, of the Hawaii State Constitution requires the legislature to
3 "provide standards and criteria" to conserve and protect
4 agricultural lands and promote diversified agriculture. The
5 legislature further finds that the commercial production of
6 sugarcane on former sugarcane lands has altered the landscape in
7 a manner that can best be addressed through ongoing agricultural
8 stewardship. Former sugarcane lands represent an opportunity
9 for revegetation, invasive weed reduction, and enhanced wildfire
10 resilience, all of which would be advanced by the development of
11 diversified agriculture. Therefore, the legislature finds that
12 the promotion of diversified agriculture on former sugarcane
13 lands is in the best interest of the State.

14 The legislature also finds that the permitting process for
15 land uses in the conservation district may disproportionately
16 burden agricultural enterprises that regularly operate on thin
17 margins. The permitting process may cause long delays in



1 bringing land into production, further straining the operating
2 budgets of agricultural enterprises.

3 Accordingly, the purpose of this Act is to promote the
4 development of diversified agriculture on former sugarcane lands
5 by exempting any agricultural enterprise practicing diversified
6 agriculture on former sugarcane lands in a conservation district
7 from permitting and site approval requirements.

8 SECTION 2. Chapter 183C, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§183C- Former sugarcane lands; permits and site plan
12 approvals; exemption. Notwithstanding any law to the contrary,
13 any agricultural enterprise practicing diversified agriculture
14 on former sugarcane lands within the conservation district shall
15 be exempt from any requirement for a permit or site plan
16 approval under section 183C-6 for the operations within the
17 conservation district."

18 SECTION 3. Section 183C-2, Hawaii Revised Statutes, is
19 amended by adding two new definitions to be appropriately
20 inserted and to read as follows:



1 ""Diversified agriculture"" means the production of flowers
2 and nursery products, fruits, vegetables, milk, forage, grains,
3 forest products, coffee, taro, cattle, poultry, swine, or other
4 livestock. "Diversified agriculture" does not include the
5 production of sugarcane or pineapple or high intensity animal
6 husbandry operations with feed lots or dairy barns with stocking
7 rates that exceed three animal units per acre.

8 "Former sugarcane lands" means any land devoted to the
9 commercial production of sugarcane before January 1, 2000."

10 SECTION 4. Section 183C-6, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) [The] Except as provided in section 183C- , the
13 department shall regulate land use in the conservation district
14 by the issuance of permits."

15 SECTION 5. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

Conservation District; Agricultural Enterprises; Former Sugarcane Lands; Diversified Agriculture; Permit; Exemption

Description:

Exempts any agricultural enterprise practicing diversified agriculture on lands formerly used for commercial sugarcane production within the conservation district from any permitting and site plan approval requirements established for lands in a conservation district. Effective 7/1/3000. (HD1)

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

