

A Bill for an Act Relating to the Transfer of Non-Agricultural Park Lands.

Be It Enacted by the Legislature of the State of Hawaii:

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

The legislature further finds that many state pasture lessees have requested the department of land and natural resources to transfer their leases to the department of agriculture for management because the department of agriculture has greater flexibility under chapter 166E, Hawaii Revised Statutes, to amend, extend, and issue new leases by negotiation. The department of land and natural resources has not acted on the requests of its pasture lessees because of the high natural resource value of certain pasture lands, their proximity to forest reserves, or their importance in providing access to other public lands for hunting or public recreation purposes.

The legislature believes that positive advancement in sustainable agriculture, carbon sequestration challenges, wildlife management, wildfire protection, and forest health concerns can be cooperatively managed through mutually beneficial practices with ranching, wildlife protection, and native forest restoration.

The purpose of this Act is to establish a working group of legislators and administration officials to:

- (1) Ascertain the process and status of the transfer of non-agricultural park lands from the department of land and natural resources to the department of agriculture pursuant to Act 90 and chapter 166E, Hawaii Revised Statutes, regarding non-agricultural park lands; and
- (2) Determine the challenges and potential remedies necessary to facilitate the process of fulfilling the purposes of Act 90.

SECTION 2. (a) There is established a working group to:

- (1) Ascertain the process and status of the transfer of non-agricultural park lands from the department of land and natural resources to the department of agriculture pursuant to Act 90, Session Laws of Hawaii 2003, and chapter 166E, Hawaii Revised Statutes, regarding non-agricultural park lands; and
 - (2) Determine the challenges and potential remedies necessary to facilitate the process of fulfilling the purposes of Act 90, Session Laws of Hawaii 2003.
- (b) The working group shall consist of the following individuals:
- (1) The chair and vice chair of the Senate standing committee with primary jurisdiction over water and land;
 - (2) The chair and vice chair of the House of Representatives standing committee with primary jurisdiction over water and land;
 - (3) The chairperson of the board of land and natural resources, or the chairperson's designee;
 - (4) The administrator of the division of forestry and wildlife of the department of land and natural resources, or the administrator's designee;
 - (5) The administrator of the land division of the department of land and natural resources, or the administrator's designee;

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- (6) The chairperson of the board of agriculture, or the chairperson's designee; and
- (7) The administrator of the agricultural resource management division of the department of agriculture, or the administrator's designee.
- (c) The working group shall conduct its work through meetings, informational briefings, and consultation with state pasture lessees, agriculture lessees, and others.
- (d) The working group shall prepare and submit a report of its findings, including any proposed legislation, to the legislature by December 31, 2021.
- (e) The department of land and natural resources and department of agriculture shall provide any necessary administrative support, including preparation of the report required by subsection (d), to the working group.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 30, 2021.)