



State Agricultural District

A Planners Guide to a
Sustainable Agricultural
Ecosystem in an ever-changing
Political and Economic
Environment *

** The opinions expressed are not
necessarily those of the Office of Planning.*

The 1960's: The Land Use Commission Law

1961: The State Land Use Law (HRS Ch 205) was passed to “preserve, protect, and encourage development of the land in the state for those uses to which they are best suited for the public welfare.”

- The law also established the State Land Use Commission (LUC) to allocate Hawai‘i’s land into three districts:
1) Conservation, 2) Agricultural, 3) Urban.

1963: A fourth district, **Rural** was added, when the LUC was establishing the district boundaries statewide.

- The four counties regulate permitting and development in the Urban, Rural, and Agricultural Districts through county zoning, 52% of land statewide.
- The State Board of Land and Natural Resources oversees the Conservation District, 48% of land statewide.
- HRS Ch 205 sets the permissible uses for the Agricultural District, 47% of land statewide.



The 1970's: Growth and Disruptions

- International trade competition put pressure on Hawaii's plantation economy and union workers. ILWU fought for workers rights, a living wage, and protection of agricultural lands.
- **1975:** The Town Decision led to the conversion of LUC decision-making from a quasi-legislative to a quasi-judicial process.
- **1978:** The Legislature passed the State Planning Act to improve the planning process, improve coordination among government agencies, provide for allocation of limited resources such as land and water.
- **1978:** Voters amended the State Constitution to incorporate Article XI, Sec 3, to promote agriculture and protect agricultural lands, including the identification of important agricultural lands to the State.



1970's: The Growth of Protective Planning

- **1976:** The Legislature created the Historic Preservation Program to preserve and develop Hawaii's historic properties and cultural heritage in a spirit of stewardship for future generations.
- **1979:** The Legislature passed Chapter 343, Environmental Impact Statements, to ensure that environmental concerns are given consideration along with economic considerations.
- Growth fueled the rise of environmental advocates opposing urbanization of vacant agricultural lands, using EIS's and contested cases to block urban development in the Agricultural District.



The 1980's: More Growth, More Planning!

- Tourism continued to grow with resort districts on all islands.
- Plantations closed down with high unemployment and migration to urban areas. ILWU pivoted to organizing hotel workers and supporting resort development.
- **1987:** The Legislature passed Ch 225M, creating the Office of State Planning, to guide the development of Hawaii through a process of continuous comprehensive, long range, and strategic planning.



The 1990's and 2000's: Booms, Busts and Golf Courses and IAL

- The Japanese Property Bubble brought an influx of foreign investment in golf courses which were allowed in the State Agricultural District.
- When the bubble burst, many reclassified properties were encumbered with unaffordable conditions and left vacant land with urban valuations too expensive for farmers.
- **2005:** Ch. 205 was amended to remove golf courses as a permissible use in the State Agricultural District.
- **2005:** The Legislature created standards and criteria to implement Article XI, Sec 3, Important Agricultural Lands.



2010 – 2020: Water Rights and Food Fights!

- Climate Change brought reduced rainfall and loss of plantation agriculture changed the water recharge dynamics in Hawai'i's aquifers.
- Legal battles over water rights for competing economic uses, such as lo'i, small farms and agribusinesses were fought through disputed EIS's, contested case hearings, and appeals through Hawai'i's courts.
- Advocates for organic farming, and anti-GMO and anti-pesticide activists saw conventional farming as a health threat. Food safety also became a concern with added regulation. Farmers saw increased costs and time-consuming legal battles.



The Battle for the Agricultural District

- HRS § 205 - 4.5 has been amended repeatedly to add non-agricultural uses to the State Agricultural District.
- Permissible uses now include public buildings, day camps, parks, utility lines, wireless broadband towers, solar farms, historic sites, plantation villages, agricultural tourism, wind energy, bio-fuel processing, geothermal wells, hydroelectric dams.
- GIS analysis shows extensive development in the Agricultural District outside of urban growth areas.
- Land use policy alone is not enough to assure the agriculture's future in Hawai'i. An ecosystem of supports for farmers is needed.



Challenges for Hawai'i Agriculture

- “To make a small fortune in agriculture, start with a large fortune.”
- “Hawai'i agriculture is wonderful, except for the cost of land, labor, water, capital, livestock feed, food safety rules, and transportation to markets.”
- “Hawai'i farmers have to be business majors, crop specialists, pest-managers, alien species detectives, meteorologists, risk managers, financing experts, and unreasonably optimistic.”

