
A BILL FOR AN ACT

RELATING TO FISHPONDS.

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

1 SECTION 1. Section 171-28, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§171-28 Government-owned Hawaiian fishponds; sale**
4 **prohibition.** (a) The board may investigate and develop
5 scientific commercial management practices for government-owned
6 Hawaiian fishponds and reconstruct, rehabilitate, improve, and
7 stock the fishponds; and expend moneys from the special land and
8 development fund. All revenues derived from any government-
9 owned Hawaiian fishpond shall be deposited in the fund.

10 (b) The board may lease government-owned Hawaiian
11 fishponds with legislative authorization as provided under
12 section 171-53(c); provided that in lieu of legislative
13 authorization, the board may lease [~~such~~] fishponds if:

14 (1) A public hearing is conducted on the proposed lease on
15 the island where the fishpond is located;



1 (2) The board finds that the proposed lease does not cause
2 a substantial adverse environmental or ecological
3 impact on the fishpond or surrounding area; and

4 (3) The proposed lease is not in violation of applicable
5 federal, state, or county laws.

6 (c) For lease of a government-owned Hawaiian fishpond, the
7 board shall find:

8 (1) That the applicant has provided a management plan
9 demonstrating the use and knowledge of traditional
10 native Hawaiian practices and protocols as the primary
11 component of the applicant's tenancy, including kilo,
12 kia'i loko, and uhaulumu pōhaku (for rock walled
13 fishponds); and

14 (2) The proposed lease does not cause a substantial
15 adverse environmental or ecological impact on the
16 fishpond or surrounding areas.

17 [~~e~~] (d) Any law to the contrary notwithstanding, the
18 board may not sell the fee interest in public lands on which
19 government-owned Hawaiian fishponds are located."

20 SECTION 2. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



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



Report Title:

Loko I'a; Hawaiian Fishponds; Board of Land and Natural Resources

Description:

Specifies certain findings the Board of Land and Natural Resources must make for a lease of a government-owned Hawaiian fishpond. (SD1)

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