

JAN 17 2014

A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. The legislature finds that more than eight
2 million people visited Hawaii in 2013, and the Hawaii tourism
3 authority has projected that there will be nearly nine million
4 visitors in 2014. The United Nations World Tourism Organization
5 further projects a fifty per cent increase in global tourism by
6 2020. Moreover, a more active visitor population combined with
7 the use of social media by visitors and the tourism industry
8 will likely result in greater numbers of people exploring a
9 wider variety of the State's public lands for recreational
10 purposes.

11 The legislature further finds that as Hawaii's population
12 and visitor base has grown, there have been more conflicts over
13 public recreational resources. The informal agreements that
14 were used in the past to resolve these conflicts are no longer
15 working. In many places across our islands, these conflicts
16 have existed for years without resolution. The shared
17 jurisdiction over these public lands often stymies solutions.
18 Conflicts in a small coastal area may span a county park, state



1 unencumbered beach land, aquatic resources, a historic site, and
2 a county road accessed off a state highway. No single agency,
3 or division of an agency, is able to resolve such conflicts on
4 its own.

5 The legislature believes that establishing a working group
6 comprising state, county, and community representatives on each
7 major island would facilitate identifying recreational land
8 management solutions that are better suited for the unique
9 challenges faced in the various sites that are currently the
10 subject of user conflicts.

11 The purpose of this Act is to establish a two-year pilot
12 project to convene one working group on each major island to
13 identify and implement management strategies for the resolution
14 of user conflicts on public recreational lands.

15 SECTION 2. (a) The department of land and natural
16 resources shall establish a two-year pilot project in which one
17 working group is convened within each county to identify and
18 implement management strategies for the resolution of user
19 conflicts on public recreational lands.

20 (b) Each working group shall comprise:

21 (1) One representative from each appropriate state and
22 county agency that has partial jurisdiction over the



1 subject site and users involved in the conflict, as
2 determined by the chairperson of the board of land and
3 natural resources;

4 (2) Two representatives of the community at large, as
5 invited by members of the respective county's state
6 legislative delegation; and

7 (3) One representative from the Hawaii tourism authority.

8 (c) During the first year of the pilot project, each
9 working group shall:

10 (1) Select one public recreational area that has been the
11 subject of user conflicts;

12 (2) Identify cost-effective management strategies to
13 resolve user conflicts within the public recreational
14 area selected pursuant to paragraph (1);

15 (3) Identify funding sources and operational costs for
16 each management strategy identified in paragraph (2);
17 and

18 (4) Facilitate the execution, if practicable, of a written
19 agreement between agencies and other interested
20 parties that includes all necessary terms and
21 conditions for the shared use and maintenance of the
22 public recreational area.



1 (d) If a written agreement between interested parties is
2 not executed in the first year of the pilot project, during the
3 second year of the pilot project, each working group, if
4 practicable, shall facilitate the execution of a written
5 agreement pursuant to subsection (c); provided that if a written
6 agreement cannot be executed, then the working group shall
7 include in its final report the reasons for not completing its
8 assigned tasks.

9 (e) The department of land and natural resources and the
10 attorney general shall assist each working group in facilitating
11 the execution of the written agreements required under
12 subsection (c)(4), including the drafting and review of the
13 written agreement documents.

14 (f) The working groups convened pursuant to this section
15 shall cease to exist on June 30, 2016.

16 SECTION 3. Each working group convened pursuant to this
17 Act shall submit a:

- 18 (1) Preliminary report of its findings and
19 recommendations, including any proposed legislation,
20 to the legislature no later than twenty days prior to
21 the convening of the regular session of 2015; and



(2) . Final report to the legislature no later than twenty days prior to the convening of the regular session of 2016.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$400,000 or so much thereof as may be necessary for fiscal year 2014-2015 for the purposes of this Act; provided that:

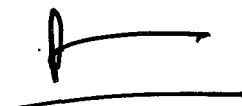
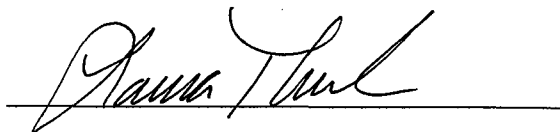
(1) \$100,000 shall be expended to assist each working group convened; and

(2) The department of land and natural resources may contract for services to assist the working groups with administrative duties, conducting studies or surveys, or other work necessary to identify and implement management strategies for the resolution of user conflicts on public recreational lands.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 5. This Act shall take effect on July 1, 2014.

INTRODUCED BY:



~~SEN. D.C. RICHARDSON~~
MR. D. M.



S.B. NO. 2391

Report Title:

Recreational Land; User Conflicts; Working Groups; Appropriation

Description:

Establishes a 2-year pilot project to resolve user conflicts on public recreational lands by convening one working group within each county to identify and implement management strategies through the execution of a written agreement between interested parties. Appropriates \$400,000. Effective 07/01/2014.

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