

JAN 23 2015

A BILL FOR AN ACT

RELATING TO LIPOA POINT.

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

1 SECTION 1. The legislature finds that the new acquisition
2 of Lipoa point presents significant challenges for the
3 department of land and natural resources regarding the
4 management of a vast, porous, and complex land. Lipoa point
5 consists of two hundred and forty-four acres of natural pristine
6 land, forest, coastline, and open space once used to grow
7 pineapple. The land includes an access trail to the Honolua-
8 Mokuleia bay marine life conservation district that is heavily
9 used by snorkelers, a heavily used unimproved access road that
10 leads to scenic views of the coast line, and trail access used
11 by many surfers. The legislature finds that Lipoa point's
12 primary public value in its current condition is as an open
13 space with key access points to the shoreline with associated
14 cultural values, wildlife preservation, and access to the ocean
15 for recreational opportunities.

16 The legislature further finds that there is an immediate
17 need for a master plan to provide the basis of management



1 direction that balances the obligation to protect the quality of
2 the waters, determine the community stakeholder's interests, and
3 clearly define the ancillary long-term policies, goals, and
4 costs associated with public use. Many issues arise with the
5 acquisition of this new parcel, such as public safety, security,
6 sanitation, resource protection, and appropriate land
7 management. A master plan is critical in managing an area so
8 vast and with many competing public interests, and it requires
9 the coordination of several respective departmental divisions.
10 Currently, there is no departmental division authorized with the
11 collective authority, skills, or responsibilities to ensure the
12 best use of Lipoa point.

13 Furthermore, the legislature finds there is an immediate
14 need for support in maintaining the current state of Lipoa point
15 and improving access and safety until a management plan is done.

16 The purpose of this Act is to establish the Lipoa point
17 management council to explore options for protecting and
18 preserving the area's condition, provide support for the
19 community, cultural and recreational access, and protect the
20 pristine marine environment.



SECTION 2. Chapter 171, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§171- Lipoa point management council. (a) There is established a Lipoa point management council that shall be placed within the department of land and natural resources for administrative purposes.

(b) The council shall consist of five members who shall be appointed in the manner and shall serve for the term established in section 26-34; provided that the members shall consist of the following or their designee:

(1) The mayor of the county of Maui;

(2) The chairperson of the board of land and natural resources;

(3) A representative from Hawaiian Island Land Trust;

(4) A representative from Save Honolua Coalition; and

(5) A representative from the aha moku council for Maui or from the native Hawaiian community.

(c) The members shall select a chairperson and establish rules for the council's internal administration. The rules



1 shall be exempt from the public notice and hearing provisions of
2 chapter 91.

3 (d) The members of the management council shall not
4 receive compensation for their services but shall be reimbursed
5 for expenses, including travel expenses, incurred in their
6 duties relating to the council.

7 (e) Any entity developing, accepting, or implementing any
8 plan for the development of the Lipoa point area within the
9 Lipoa point district shall collaborate with and consider the
10 recommendations of the Lipoa point management council. Any
11 transfer of property in the Lipoa point area within the Lipoa
12 point district to any state or county agency shall be upon the
13 condition that the agency shall be required to collaborate with
14 and consider the recommendations of the Lipoa point management
15 council in the development, acceptance, and implementation of
16 any plan for the transferred property.

17 (f) The management council shall submit a report of its
18 activities to the legislature no later than twenty days prior to
19 the convening of each regular session.



1 (g) As used in this section, "Lipoa point district" means
2 the parcel of land acquired by the State at Lipoa point,
3 identified as TMK 2-4-1-001-010-0000."

4 SECTION 3. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$600,000 or so much
6 thereof as may be necessary for fiscal year 2015-2016 and the
7 same sum or so much thereof as may be necessary for fiscal year
8 2016-2017 for the Lipoa point management council to establish a
9 master plan and environmental impact statement.

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

12 SECTION 4. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$100,000 or so much
14 thereof as may be necessary for fiscal year 2015-2016 for the
15 purpose of contracting for land surveyor services for Lipoa
16 point.

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

19 SECTION 5. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$300,000 or so much
21 thereof as may be necessary for fiscal 2015-2016 and the same



1 sum or so much thereof as may be necessary for fiscal year 2016-
2 2017 for the purpose of contracting for maintenance services for
3 Lipoa point.

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

6 SECTION 6. New statutory material is underscored.

7 SECTION 7. This Act shall take effect on July 1, 2015.

8
INTRODUCED BY:

Randy H. Beh
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S.B. NO. 738

Report Title:

Lipoa Point Management Council; DNLR; Appropriation

Description:

Establishes a Lipoa point management council in DLNR for the development of Lipoa point. Appropriates moneys for land surveyor services, maintenance services, and development of a master plan for Lipoa point.

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

