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# A BILL FOR AN ACT

RELATING TO FOREST STEWARDSHIP.

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

1 SECTION 1. Section 195F-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[~~§~~]**§195F-1**[~~§~~] **Findings and purpose.** The legislature  
4 finds that:

5 (1) Much of the forest land in Hawaii is privately  
6 owned[~~✓~~] and managed;

7 (2) The capacity to protect important watersheds and  
8 native Hawaiian plants and animals and to produce  
9 renewable forest resources is significantly dependent  
10 on these privately [~~owned~~] managed forest and formerly  
11 forested lands;

12 (3) The factors essential to the quality of life in  
13 Hawaii, including our water and air quality, mild  
14 climate, and habitat available for plants and animals  
15 unique to these islands, can be maintained and  
16 improved through good stewardship of [~~private~~]  
17 privately managed forest [~~lands~~];



1 (4) To accomplish these purposes, the present system of  
2 state and federal financial and technical assistance  
3 programs needs to be expanded to promote the long-term  
4 management of additional privately [~~owned~~] managed  
5 forest and formerly forested lands throughout the  
6 State; and

7 (5) A forest stewardship program should be established to  
8 supplement the natural area reserves system's programs  
9 under chapter 195 by encouraging [~~private~~] landowners  
10 of privately [~~owned~~] managed forest and formerly  
11 forested lands that cannot qualify as potential  
12 natural area reserves to make long-term commitments to  
13 protect, maintain, and restore important watersheds,  
14 [~~timber~~] forest resources, forest products, fish and  
15 wildlife habitats, isolated populations of rare and  
16 endangered plants, native vegetation, and other lands  
17 that provide significant public benefits.

18 The purpose of this chapter is to establish a program to  
19 financially assist landowners in managing, protecting, and  
20 restoring important natural resources in Hawaii's forested and  
21 formerly forested lands."



1 SECTION 2. Section 195F-2, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Program implementation agreement" means a written forest  
5 stewardship management contract between the board and program  
6 applicant."

7 SECTION 3. Section 195F-3, Hawaii Revised Statutes, is  
8 amended by amending subsection (a) to read as follows:

9 "(a) There is established a forest stewardship program to  
10 be administered by the board to assist [~~private landowners in~~  
11 ~~managing, protecting, and restoring~~] landowners of privately  
12 managed forest to manage, protect, and restore important  
13 watersheds, native vegetation, [~~timber~~] forest resources, forest  
14 products, fish and wildlife habitats, isolated populations of  
15 rare and endangered plants, and other lands that are not  
16 recognized as potential natural area reserves."

17 SECTION 4. Section 195F-5, Hawaii Revised Statutes, is  
18 amended by amending subsections (a) and (b) to read as follows:

19 "(a) To participate in the forest stewardship program, the  
20 applicant landowner shall prepare and submit [~~to the board~~] a  
21 forest stewardship management plan that shall:



- 1           (1) Identify and describe activities to be undertaken by  
2           the landowner to protect soil, water, aesthetic  
3           quality, recreation, [~~timber,~~] forest resources,  
4           forest products, water, fish, wildlife, and native  
5           plant resources on the land in a manner that is  
6           compatible with the objectives of the program, is  
7           consistent with this chapter, and qualifies under the  
8           board's list of approved activities;
- 9           (2) Be signed by all parties having an interest in or  
10           holding any encumbrance upon the property, and shall  
11           state that the parties agree to comply with the plan  
12           upon its approval; and
- 13           (3) Be approved by the board and available for public  
14           review.
- 15           (b) The board and other cooperating natural resource  
16           management agencies shall develop a list of approved management  
17           activities and practices that shall be eligible for cost-share  
18           assistance under the program in the following areas:
- 19           (1) Enhanced management and maintenance of vegetation on  
20           vital watershed lands;



- 1           (2) Sustainable growth and management of forests for  
2           timber and ~~[other]~~ forest products ~~[on lands from~~  
3           ~~which all or most of the native vegetation had been~~  
4           ~~removed prior to January 1, 1991]~~;
- 5           (3) Management for non-native forest products; provided  
6           the land was not previously cleared of native  
7           vegetation for the purpose of non-native forest  
8           production;
- 9           ~~[(3)]~~ (4) Protection, restoration, and enhancement of  
10           native plants and animals;
- 11           ~~[(4)]~~ (5) Management, maintenance, and restoration of  
12           forests for shelterbelts, windbreaks, aesthetic  
13           quality, and other conservation purposes ~~[on lands~~  
14           ~~from which all or most of the native vegetation had~~  
15           ~~been removed prior to January 1, 1991]~~;
- 16           ~~[(5)]~~ (6) Agroforestry management ~~[on lands from which all~~  
17           ~~or most of the native vegetation had been removed~~  
18           ~~prior to January 1, 1991]~~;
- 19           ~~[(6)]~~ (7) Management and maintenance of native fish and  
20           wildlife habitats;



1       [~~(7)~~] (8) Management of outdoor recreational opportunities;  
2                   and  
3       [~~(8)~~] (9) Other activities approved by the board, which are  
4                   consistent with this chapter."

5           SECTION 5. Section 195F-6, Hawaii Revised Statutes, is  
6 amended as follows:

7           1. By amending subsection (a) to read as follows:

8           "(a) Payments from the forest stewardship fund shall not  
9 exceed [~~fifty~~]:

10           (1) Seventy-five per cent of the total cost of the  
11           landowner in developing [~~and implementing~~] an approved  
12           management plan~~[-]~~; and

13           (2) Fifty per cent of the total cost of the landowner in  
14           implementing an approved management plan.

15 Total payments to any one landowner shall be determined by the  
16 board, and the reasonable value of material, goods, and services  
17 contributed toward the management plan by the landowner shall be  
18 included in determining the amount of the landowner's cost. The  
19 landowner shall be required to spend private funds before  
20 reimbursements are made. In-kind services such as heavy  
21 equipment and existing sources of labor may be utilized as a



1 portion of the landowner's contribution in implementing the  
2 management plan that is consistent with this chapter."

3 2. By amending subsections (c), (d), and (e) to read as  
4 follows:

5 "(c) To receive funds under the forest stewardship  
6 program, an applicant shall:

- 7 (1) Be a landowner of [~~private~~] privately managed forest  
8 that is not managed under existing federal, state, or  
9 private sector financial and technical assistance  
10 programs and that is not recognized as a potential  
11 natural area reserve. [~~Private forest lands~~]  
12 Privately managed forest under existing federal,  
13 state, or private sector financial and technical  
14 assistance programs may be eligible for assistance  
15 under this program if the landowner agrees to comply  
16 with the requirements of the program or if forest  
17 management activities are expanded or enhanced to meet  
18 the requirements of this chapter;
- 19 (2) Prepare and submit a forest stewardship management  
20 plan as set forth in section 195F-5; and



- 1           (3) Enter into [~~an~~] a program implementation agreement  
2           with the board [~~to do the following:~~], upon approval  
3           of the forest stewardship management plan by the  
4           board. Upon approval of the program implementation  
5           agreement by the board, the applicant shall:
- 6           (A) Undertake and maintain the approved activities  
7           under the management plan for not fewer than ten  
8           years, unless the board approves modifications in  
9           the plan;
- 10          (B) Complete all approved activities under the  
11          management plan within the timetable agreed upon  
12          by the board and the landowner consistent with  
13          the intent of this chapter;
- 14          (C) Submit an annual progress report to be reviewed  
15          by the board for each year in which the landowner  
16          receives support under the program. This report  
17          shall detail accomplishments, areas requiring  
18          technical advice, and any proposed modifications  
19          of the management plan; and
- 20          (D) Other conditions deemed necessary by the board to  
21          implement the purposes of this chapter.



1 (d) The board shall review the annual progress report and  
2 shall determine whether the landowner has met the objectives of  
3 the management plan. To facilitate the review, the department  
4 shall have the right to make inspections of the forest land  
5 after prior landowner notification. The board may approve  
6 alteration of the management plan to adapt to current  
7 conditions. Amendments to the management plan shall be  
8 available for public review.

9 (e) The board shall submit annually a detailed report to  
10 the governor and legislature that shall:

11 (1) Identify management objectives that have been  
12 completed on [~~private lands~~] privately managed forest  
13 lands resulting from payments made pursuant to  
14 section 195F-4(a)(1) and provide an analysis of  
15 problems and issues encountered in meeting or failing  
16 to meet objectives as set forth in the management  
17 plans;

18 (2) Identify all reforestation, forest management,  
19 education, and training objectives that have been  
20 completed as a result of any expenditures made  
21 pursuant to section 195F-4(a)(2);



1 (3) Describe the financial condition of the fund,  
2 including receipts and expenditures from the previous  
3 fiscal year; and

4 (4) Set forth plans and management objectives for the next  
5 fiscal year."

6 SECTION 6. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on January 1, 2050.



**Report Title:**

Forest Stewardship Program

**Description:**

Clarifies conditions that must be met by applicants to receive funds under the forest stewardship program. Effective 1/1/2050.  
(HD1)

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

