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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 lands 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 the activities to be undertaken  
2           by 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]~~ forest resources and ~~[ether]~~ forest products  
3            ~~[on lands from which all or most of the native~~  
4            ~~vegetation had been removed prior to January 1, 1991]~~ ;
- 5           (3) Management for non-native forest products; provided  
6            that 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:

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:

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

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



1           the forest stewardship management plan by the board.

2           Upon approval of the program implementation agreement

3           by the board, the applicant shall:

4           (A) Undertake and maintain the approved activities  
5                 under the management plan for not fewer than ten  
6                 years, unless the board approves modifications in  
7                 the plan;

8           (B) Complete all approved activities under the  
9                 management plan within the timetable agreed upon  
10                by the board and the landowner consistent with  
11                the intent of this chapter;

12           (C) Submit an annual progress report to be reviewed  
13                by the board for each year in which the landowner  
14                receives support under the program. This report  
15                shall detail accomplishments, areas requiring  
16                technical advice, and any proposed modifications  
17                of the management plan; and

18           (D) Other conditions deemed necessary by the board to  
19                implement the purposes of this chapter.

20           (d) The board shall review the annual progress report and  
21 shall determine whether the landowner has met the objectives of



1 the management plan. To facilitate the review, the department  
2 shall have the right to make inspections of the forest land  
3 after prior [~~landowner notification.~~] notice to the landlord.

4 The board may approve alteration of the management plan to adapt  
5 to current conditions. Amendments to the management plan shall  
6 be available for public review.

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

- 9 (1) Identify management objectives that have been  
10 completed on [~~private lands~~] privately managed forest  
11 lands resulting from payments made pursuant to section  
12 195F-4(a)(1) and provide an analysis of problems and  
13 issues encountered in meeting or failing to meet  
14 objectives as set forth in the management plans;
- 15 (2) Identify all reforestation, forest management,  
16 education, and training objectives that have been  
17 completed as a result of any expenditures made  
18 pursuant to section 195F-4(a)(2);
- 19 (3) Describe the financial condition of the fund,  
20 including receipts and expenditures from the previous  
21 fiscal year; and



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

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

5           SECTION 7. This Act shall take effect upon its approval.



**Report Title:**

Forest Stewardship Program

**Description:**

Clarifies conditions that must be met by applicants to receive funds under the Forest Stewardship Program. (SD1)

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

