
A BILL FOR AN ACT

RELATING TO HONOLUA BAY.

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

1 SECTION 1. The legislature finds that the purchase of
2 Lipoa point, which is the home of the iconic Honolua bay, was a
3 milestone in the State's preservation of important natural
4 areas. Not only are Lipoa point and Honolua bay home to
5 numerous native species of marine biota, they also have special
6 cultural significance and are one of the State's last
7 undeveloped surfing locations.

8 The legislature further finds that despite this monumental
9 acquisition, the department of land and natural resources has
10 squandered this historic investment by failing to allocate
11 sufficient funds for much-needed remediation of erosion and
12 other types of necessary care for the area to mitigate damage
13 caused by illegal dumping, over-tourism, crime, soil erosion,
14 and the proliferation of invasive noxious plants. Furthermore,
15 these harms also threaten the health of the coral reef in the
16 marine life conservation district located in the adjoining area
17 of Honolua bay.



1 The legislature further finds that numerous visitor
2 recreation entities and visitors frequent Honolua bay and that
3 visitor fees could provide a meaningful source of revenue to
4 heal and protect Honolua bay and preserve it for the future use
5 of all. New visitor management initiatives used in other areas,
6 including the Iao valley state monument park and Waianapanapa
7 state park, could be extended to Honolua bay to manage and fund
8 support for the area. However, fees and associated voluntary
9 donation programs are popular with visitors if, and only if, the
10 funds remain solely dedicated to preserving and protecting the
11 area for which the fees and donations are being collected.

12 The legislature further finds that public funds were
13 appropriated for the development of a strategic plan that did
14 not include the meaningful participation of many community
15 members and other groups. Therefore, a need exists to extend an
16 opportunity for meaningful participation by funding and creating
17 a long-term strategic plan for the management and restoration of
18 Lipoa point and Honolua bay. The legislature finds that a
19 permanent citizens advisory council made up of these various
20 community members and groups is needed to oversee a special fund



1 and the fees to be collected to ensure that all voices are heard
2 in preserving and protecting Honolua bay.

3 Accordingly, the purpose of this Act is to:

4 (1) Establish a Honolua bay advisory board to administer
5 the Honolua bay special fund and oversee the
6 conservation of Honolua bay;

7 (2) Establish the Honolua bay special fund for
8 conservation purposes and for the upkeep and
9 maintenance of Lipoa point;

10 (3) Require the department of land and natural resources
11 to include and incorporate Honolua bay into the
12 division of state parks' online reservation system;
13 and

14 (4) Make an appropriation.

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

18 "PART . HONOLUA BAY CONSERVATION

19 §171-A Advisory board. (a) There is established within
20 the department a Honolua bay advisory board. The advisory board



1 shall administer the Honolua bay special fund established by
2 section 171-B and oversee the conservation of Honolua bay.

3 (b) The advisory board shall be composed of seven voting
4 members, including:

5 (1) One member appointed by the governor;

6 (2) One member appointed by the mayor of the county of
7 Maui;

8 (3) One member appointed by the president of the senate;

9 (4) One member appointed by the speaker of the house of
10 representatives;

11 (5) One member appointed by the Maui county council;

12 (6) One member, appointed by the governor, who is a
13 generational and lineal descendant of a person who
14 resided in the Honolua ahupuaa prior to ; and

15 (7) One member, appointed by the governor, who is a
16 generational and lineal descendant of a person who
17 resided in the Honokohau ahupuaa prior to .

18 (c) The members of the advisory board for the Honolua bay
19 fund shall serve without compensation.

20 (d) Each appointed member of the advisory board shall
21 serve a term of four years. No member shall be appointed to



1 more than two consecutive terms. Any vacancy in an unexpired
2 term shall be filled by appointment for the remainder of the
3 unexpired term.

4 **§171-B Honolua bay special fund.** (a) There is
5 established in the state treasury the Honolua bay special fund
6 into which shall be deposited the following moneys:

- 7 (1) Appropriations by the legislature to the special fund;
- 8 (2) Appropriations by the Maui county council to the
9 special fund;
- 10 (3) Grants from the federal government; and
- 11 (4) Gifts, donations, and grants from public agencies and
12 private persons.

13 (b) All interest earned on the moneys in the special fund
14 shall be credited to the special fund.

15 (c) Moneys in the Honolua bay special fund shall be
16 expended for conservation purposes, upkeep and maintenance of
17 Lipoa point, and any other use consistent with the purposes of
18 this Act. Moneys shall also be expended for the creation of an
19 ingress and egress loop to provide for surf access to Honolua
20 bay.



1 **§171-C Reservations.** (a) The department shall create,
2 maintain, and operate an online reservation system to limit
3 public access to Honolua bay or include and incorporate Honolua
4 bay into any online reservation system used by the division of
5 state parks.

6 (b) The Honolua bay advisory board, in consultation with
7 the department, shall establish a permit structure for access to
8 Honolua bay, to be modeled after the permit structure used for
9 Waianapanapa state park. The Honolua bay advisory board, in
10 consultation with the department, shall create a system by which
11 donations may be made for bay conservation."

12 SECTION 3. Section 36-30, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) Each special fund, except the:

- 15 (1) Special out-of-school time instructional program fund
16 under section 302A-1310;
- 17 (2) School cafeteria special funds of the department of
18 education;
- 19 (3) Special funds of the University of Hawaii;
- 20 (4) Special funds established by section 206E-6;
- 21 (5) Aloha Tower fund created by section 206J-17;



- 1 (6) Funds of the employees' retirement system created by
2 section 88-109;
- 3 (7) Hawaii hurricane relief fund established under chapter
4 431P;
- 5 (8) Convention center enterprise special fund established
6 under section 201B-8;
- 7 (9) Hawaii health systems corporation special funds and
8 the subaccounts of its regional system boards;
- 9 (10) Universal service fund established under section
10 269-42;
- 11 (11) Emergency and budget reserve fund under section
12 328L-3;
- 13 (12) Public schools special fees and charges fund under
14 section 302A-1130;
- 15 (13) Sport fish special fund under section 187A-9.5;
- 16 (14) Neurotrauma special fund under section 321H-4;
- 17 (15) Center for nursing special fund under section
18 304A-2163;
- 19 (16) Passenger facility charge special fund established by
20 section 261-5.5;



- 1 (17) Court interpreting services revolving fund under
2 section 607-1.5;
- 3 (18) Trauma system special fund under section 321-22.5;
- 4 (19) Hawaii cancer research special fund;
- 5 (20) Community health centers special fund;
- 6 (21) Emergency medical services special fund;
- 7 (22) Rental motor vehicle customer facility charge special
8 fund established under section 261-5.6;
- 9 (23) Shared services technology special fund under section
10 27-43;
- 11 (24) Nursing facility sustainability program special fund
12 established pursuant to section 346F-4;
- 13 (25) Automated victim information and notification system
14 special fund established under section 353-136;
- 15 (26) Hospital sustainability program special fund under
16 section 346G-4;
- 17 (27) Civil monetary penalty special fund under section
18 321-30.2; ~~and~~
- 19 [+](28)[+] Stadium development special fund under section
20 109-3.5[~~7~~]; and
- 21 (29) Honolua bay special fund under section 171-B,



1 shall be responsible for its pro rata share of the
2 administrative expenses incurred by the department responsible
3 for the operations supported by the special fund concerned."

4 SECTION 4. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2023-2024 and
7 the same sum or so much thereof as may be necessary for fiscal
8 year 2024-2025 to be deposited into the Honolua bay special
9 fund.

10 SECTION 5. There is appropriated out of the Honolua bay
11 special fund the sum of \$ or so much thereof as may be
12 necessary for fiscal year 2023-2024 and the same sum or so much
13 thereof as may be necessary for fiscal year 2024-2025 for the
14 purposes of this Act.

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

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

19 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Honolua Bay Special Fund; Honolua Bay Advisory Board; DLNR;
Appropriation

Description:

Establishes the Honolua bay special fund for conservation purposes and the upkeep and maintenance of Lipoa Point. Establishes the Honolua Bay Advisory Board to administer the Honolua bay special fund and oversee the conservation of Honolua bay. Requires the Department of Land and Natural Resources to include and incorporate Honolua bay into the Division of State Parks' online reservation system. Appropriates funds. Effective 7/1/2050. (SD2)

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