

STAND. COM. REP. NO. 2606

Honolulu, Hawaii

FEB 2 11 2026

RE: S.B. No. 2979
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Water, Land, Culture and the Arts, to which was referred S.B. No. 2979 entitled:

"A BILL FOR AN ACT RELATING TO COMMUNITY CO-MANAGEMENT AGREEMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Land and Natural Resources and community-based organizations to enter into community co-management agreements concerning state lands;
- (2) Authorize the Department of Land and Natural Resources to dispose state land through community co-management agreements; and
- (3) Establish qualifications for community-based organizations that may enter into community co-management agreements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of Hawaiian Affairs; University of Hawai'i System; Office of the Mayor the County of Kaua'i; Office of Economic Development of the County of Kaua'i; Green Party of Hawai'i; Kua'āina Ulu 'Auamo; Mālama



Pūpūkea-Waimea; Hui Maka‘āinana o Makana; Ko‘olau Foundation; Moana Ohana; The Nature Conservancy, Hawai‘i and Palmyra; Ko‘olaupoko Hawaiian Civic Club; Sierra Club of Hawai‘i; Hui Aloha Kiholo; Hawai‘i Alliance of Nonprofit Organizations; Hawai‘i Ocean Legislative Task Force; Trust for Public Land; He‘eia National Estuarine Research Reserve; Hawai‘i Alliance for Community-Based Economic Development; Hawai‘i Food+ Policy; Hawai‘i Community Foundation; Hawai‘i Conservation Alliance Foundation; Hawai‘i Alliance for Progressive Action; and forty individuals.

Your Committee received comments on this measure from the Maunalua Fishpond Heritage Center.

Your Committee finds that long-standing structural limitations prevent the Department of Land and Natural Resources from forming meaningful, long-term partnerships with community organizations that are essential to the stewardship, education, and care of public lands. While the Department of Land and Natural Resources and its divisions possess various existing legal tools to partner with community-based organizations, these tools do not adequately support community-based co-management models and do not align with public trust principles or on-the-ground realities. This measure will allow the Board of Land and Natural Resources to enter into community co-management agreements through direct negotiation, without recourse to public auction, with qualified community-based organizations, creating a more appropriate and transparent pathway for long-term partnerships that support stewardship and public access.

Your Committee notes that this measure, in its current form, would authorize the Department of Land and Natural Resources to enter into community co-management agreements with terms of sixty-five years, or dispose of public lands pursuant to a community co-management agreement. Your Committee further notes the concern raised by the Department of Land and Natural Resources that authorizing the Department to enter into community co-management programs with one or more community-based organizations over the same portion of public lands would facilitate partnerships. Therefore, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by:



- (1) Authorizing the Department of Land and Natural Resources to enter into a community co-management agreement with one or more community-based organizations;
- (2) Inserting language to authorize the Department of Land and Natural Resources to enter into a community co-management agreement with a community-based organization by direct negotiation without recourse to public auction;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2979, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2979, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Culture and the Arts,



CHRIS LEE, Chair



