

A Bill for an Act Relating to Public Lands.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that more than eight million people visited Hawaii in 2013, and the Hawaii tourism authority has projected that there will be nearly nine million visitors in 2014. The United Nations World Tourism Organization further projects a fifty per cent increase in global tourism by 2020. Moreover, a more active visitor population combined with the use of social media by visitors and the tourism industry will likely result in greater numbers of people exploring a wider variety of the State's public lands for recreational purposes.

The legislature further finds that as Hawaii's population and visitor base have grown, there have been more conflicts over public recreational resources. The informal agreements that were used in the past to resolve these conflicts are no longer working. In many places across the islands, these conflicts have existed for years without resolution. Shared jurisdiction over these public lands often stymies solutions. Conflicts in a small coastal area may span a county park, state unencumbered beach land, aquatic resources, a historic site, and a county road accessed off a state highway. No single agency, or division of an agency, is able to resolve such conflicts on its own.

The legislature believes that establishing a working group comprising state, county, and community representatives on the island of Oahu would facilitate identifying recreational land management solutions that are better suited for the unique challenges faced in the various sites that are currently the subject of user conflicts.

The purpose of this Act is to establish a two-year pilot project to convene one working group on the island of Oahu to identify and implement management strategies for the resolution of user conflicts on public recreational lands.

SECTION 2. (a) The department of land and natural resources shall:

- (1) Convene a working group on the island of Oahu to identify and implement management strategies for the resolution of user conflicts on public recreational lands; and
 - (2) Select one public recreational area to be the focus of the working group. The recreational area chosen shall have a history of user conflicts.
- (b) The working group shall comprise:
- (1) One representative from each appropriate state and county agency that has partial jurisdiction over the subject site and users involved in the conflict, as determined by the chairperson of the board of land and natural resources;
 - (2) Two representatives of the community at large, as invited by the governor; and
 - (3) One representative from the Hawaii tourism authority.
- (c) During the first year of the pilot project, the working group shall:

- (1) Identify cost-effective management strategies to resolve user conflicts within the public recreational area selected by the department of land and natural resources;
- (2) Identify funding sources and operational costs for each management strategy identified in paragraph (2); and
- (3) Facilitate the execution, if practicable, of a written agreement among agencies and other interested parties that includes all necessary terms and conditions for the shared use and maintenance of the public recreational area.
- (d) If a written agreement among interested parties is not executed in the first year of the pilot project, during the second year of the pilot project, the working group, if practicable, shall facilitate the execution of a written agreement pursuant to subsection (c); provided that if a written agreement cannot be executed, then the working group shall include in its final report the reasons for not completing its assigned tasks.
- (e) The department of land and natural resources and the attorney general shall assist the working group in facilitating the execution of the written agreements required under subsections (c)(3) and (d), including the drafting and review of the written agreement documents.
- (f) The working group convened pursuant to this section shall cease to exist on June 30, 2016.

SECTION 3. The working group convened pursuant to this Act shall submit a:

- (1) Preliminary report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2015; and
- (2) Final report to the legislature no later than twenty days prior to the convening of the regular session of 2016.

SECTION 4. This Act shall take effect on July 1, 2014.

(Approved June 24, 2014.)