

**ACT 191**

H.B. NO. 834

A Bill for an Act Relating to a Black Cinder Cone Quarry Site Survey.

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

SECTION 1. The legislature finds that increased accessibility to an ample supply of black cinder is a long-term economic benefit for Hawaii. While black cinder is limited in supply, expensive in price, and difficult to access, its use improves agriculture production and stimulates plant growth, for which it is used in plant nurseries and the floral industry. Black cinder is also used in horticulture and landscaping for its beneficial drainage properties. As black cinder gains popularity, new uses will be sought, which will in turn increase and diversify demand.

The legislature recognizes that the use of state resources for research and selection of new black cinder cone quarry sites can assist industries that use large

quantities of black cinder or that assist in its distribution, including plant nurseries, coffee farms, flower farms, ornamental industry, horticultural industry, landscaping industry, residential and commercial construction, and merchants and wholesalers.

The legislature also recognizes that a cinder cone quarry can only be established through mining an existing cosmic deposit created by a volcanic eruption.

The purpose of this Act is to require the department of land and natural resources, in collaboration with the county of Hawaii, to conduct site surveys on the island of Hawaii to identify the most suitable locations for new black cinder cone quarries.

SECTION 2. (a) The department of land and natural resources, in collaboration with the county of Hawaii, shall conduct site surveys on the island of Hawaii to identify the most suitable locations for new black cinder cone quarries.

(b) Any lands on the island of Hawaii owned by the State or county of Hawaii may be considered in determining where to conduct site surveys. Lands owned by private parties may be considered and site surveys may be conducted pursuant to agreements with landowners.

(c) The department of land and natural resources, in collaboration with the county of Hawaii, shall submit a report of its findings and recommendations to the legislature no later than twenty days prior to the convening of the regular session of 2022. The report shall include:

- (1) A list of lands determined to be the most suitable locations for new black cinder cone quarries, including information regarding ownership of each parcel of land;
- (2) A discussion of any accessibility issues regarding the lands;
- (3) Ways the State may help facilitate access to interested industries;
- (4) Any proposed legislation; and
- (5) Any other matters that the department and county believe are relevant for consideration.

SECTION 3. There is appropriated out of the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), the sum of \$150,000, or so much thereof as may be necessary for fiscal year 2021-2022 for the purposes of this Act.

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

SECTION 4. This Act shall take effect on July 1, 2021.

(Approved July 6, 2021.)