

JAN 25 2006

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# A BILL FOR AN ACT

RELATING TO THE AHIHI-KINAU NATURAL AREA RESERVE MANAGEMENT  
PLAN.

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

1           SECTION 1. The Ahihi-Kinau natural area reserve was the  
2 first designated natural area reserve in the State, designated  
3 in June 1973. The reserve contains many ancient Hawaiian  
4 archaeological and cultural sites and also contains the best  
5 remaining intact anchialine ponds in the State. Anchialine  
6 ponds are small bodies of water, salt and brackish, that are not  
7 connected to the ocean on the surface of the land, but are  
8 influenced by the ocean tides, and contain many species of  
9 endangered endemic aquatic flora and fauna. There are numerous  
10 small coves and bays in the reserve that contain many aquatic  
11 species of fish, crustaceans, and other forms of aquatic flora  
12 and fauna. However, over the years very little effort has been  
13 undertaken to maintain the reserve and protect the natural  
14 resources of the reserve.

15           Today, due to recent publicity in travel books and journals  
16 describing the natural aesthetic beauty of the reserve and its  
17 many resources, hundreds of visitors are attracted to the



1 reserve daily. These daily visitors are trampling through the  
2 reserve, defacing ancient Hawaiian archaeological and cultural  
3 sites, and negatively impacting the anchialine ponds and the  
4 many natural resources contained in the reserve.

5 After much hard work and deliberation, the Ahihi-  
6 Kinau/Keoneoio advisory group has prepared the Ahihi-Kinau  
7 natural area reserve management plan, dated September 2005,  
8 which has been endorsed by the natural area reserves system  
9 commission.

10 The purpose of this Act is to direct the board of land and  
11 natural resources to implement the Ahihi-Kinau natural area  
12 reserve management plan.

13 SECTION 2. Chapter 195, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 "§195-\_\_\_\_\_ Ahihi-Kinau natural area reserve management  
17 plan. (a) Pursuant to section 195-5, the department is  
18 directed to implement the Ahihi-Kinau natural area reserve  
19 management plan prepared by the Ahihi-Kinau/Keoneoio advisory  
20 group and endorsed by the commission, governing the use,  
21 control, and protection of the Ahihi-Kinau natural area reserve  
22 and its natural resources.

1        (b) The limited public access and management plan shall  
2 include but not be limited to the following:

3        (1) Restrictions on the total number of visitors to the  
4 reserve that are permitted in the reserve at any one  
5 time, based upon a determination of the total carrying  
6 capacity of the reserve;

7        (2) Prohibitions on the public entry into certain areas in  
8 the reserve, including but not limited to the  
9 anchialine ponds and known archaeological and cultural  
10 sites;

11       (3) Restrictions on the public access into certain areas  
12 in the reserve, including but not limited to the areas  
13 commonly referred to as the "aquarium" and the "fish  
14 bowl", which restrictions shall limit access to guided  
15 education tours only;

16       (4) Restrictions on any commercial activities in the  
17 reserve;

18       (5) Prohibitions on the taking of, and restrictions on the  
19 disturbing of, any natural resources in the reserve;

20       (6) Restrictions on the use and parking of all vehicles,  
21 as defined in section 291E-1, in the reserve;



- 1        (7) Establishment of a fee schedule for entry into the
- 2        reserve, which fees shall be deposited into the
- 3        natural area reserve fund;
- 4        (8) Creation of a visitor information and briefing center;
- 5        (9) Temporal restrictions on the public entry into the
- 6        reserve;
- 7        (10) Provisions for the enforcement of the limited public
- 8        access and management plan;
- 9        (11) Provisions for the entry and traversing of the reserve
- 10       for fishers in areas outside the reserve;
- 11       (12) Provisions for encouraging scientific study for the
- 12       preservation, protection, and proper management of the
- 13       preserve and its resources; and
- 14       (13) Other provisions that the department determines are
- 15       appropriate."

16       SECTION 3. There is appropriated out of the general  
 17 revenues of the State of Hawaii the sum of \$                    , or so  
 18 much as may be necessary for fiscal year 2006-2007, for the  
 19 development and implementation of the Ahihi-Kinau natural area  
 20 reserve limited public access and management plan.



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1 SECTION 4. The sum appropriated shall be expended by the  
2 department of land and natural resources for the purposes of  
3 this Act.

4 SECTION 5. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval;  
6 provided that sections 3 and 4 shall take effect on July 1,  
7 2006.

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INTRODUCED BY:

Randy H Baker  
J. Kalan English  
A. S. T.  
Carol Fulkerson  
Ray L. Houser  
Clarence K. Rishikun  
Russell. Kohb

**SB. NO. 3264**

**Report Title:**

Natural Area Reserve System; Ahihi-Kinau; Appropriation

**Description:**

Directs BLNR to review and adopt the Ahihi-Kinau Natural area Reserve Management Plan; makes an appropriation for the implementation of the plan.

