

Honolulu, Hawaii

Apr. 15, 2006

RE: S.B. No. 2462  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 2462, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE MAKENA-KEONEOIO GOVERNMENT ROAD,"

begs leave to report as follows:

The purpose of this bill is to protect the Ahihi-Kinau Natural Area Reserve (Reserve) by requiring the County of Maui to prohibit public access to the Makena-Keoneoio government road where it traverses the Reserve.

The Department of Land and Natural Resources (DLNR) and a member of the Maui County Council testified in opposition to this bill.

The Reserve was established in 1973 as a means of protecting the environment and ecosystems resulting from the last known eruption of Haleakala on Maui. However, in recent years, the Reserve has become a popular destination for public recreational use, especially due to publicity of the Reserve and its many resources in travel brochures and journals. Your Committee finds that large influxes of individuals into the Reserve may have a negative impact on this fragile ecosystem.




While your Committee notes that restricting access to the Reserve by limiting access to the Makena-Keoneoio government road will help alleviate some of the problem, jurisdictional issues arise as to control over the government road. Your Committee finds that requiring DLNR to adopt rules restricting access to the Reserve by restricting access to the Makena-Keoneoio government road may be a better means of controlling public access.

Accordingly, your Committee has amended this measure by:

- (1) Removing all references to the County of Maui;
- (2) Deleting the provision requiring the County of Maui to prohibit public access to the Makena-Keoneoio government road where it traverses the Reserve and instead requiring DLNR to develop rules to prohibit public access to the Makena-Keoneoio government road where it traverses the Reserve; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2462, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2462, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,

  
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JOSEPH M. SOUKI, Chair



