

STAND. COM. REP. NO.

2572

Honolulu, Hawaii

FEB 17

, 2006

RE: S.B. No. 3264
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred S.B. No. 3264 entitled:

"A BILL FOR AN ACT RELATING TO THE AHIHI-KINAU NATURAL AREA RESERVE MANAGEMENT PLAN,"

begs leave to report as follows:

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

Your Committee received testimony in support of this measure from ten individuals. Comments were received from the Department of Land and Natural Resources and Office of Hawaiian Affairs.

The Ahihi-Kinau natural area reserve was the first designated natural area reserve in the State, designated in June 1973. The reserve contains many ancient Hawaiian archaeological and cultural sites and also contains the best remaining intact anchialine ponds in the State.

Your Committee finds that over the years very little effort has been undertaken to maintain the reserve and protect the natural resources of the reserve. Today, due to recent publicity in travel books and journals describing the natural aesthetic beauty of the reserve and its many resources, hundreds of visitors are attracted to the reserve daily. These daily visitors are trampling through the reserve, defacing ancient Hawaiian archaeological and cultural sites, and negatively impacting the

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anchialine ponds and the many natural resources contained in the reserve.

This measure is intended to implement the protection and preservation of the Ahili-Kinau natural area reserve, in respect for the natural beauty and cultural significance of the reserve. Your Committee is concerned that native Hawaiian gathering rights and traditional cultural practices are not affected in the process.

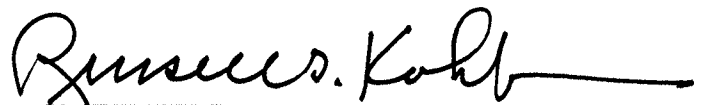
Your Committee also recognizes that for many years, there have been families who have cared for and nurtured the aina. For example, the Lu'uwai family, who has a traditional fishing permit to the area and ancestral links to the area for over a century, has worked diligently and endlessly to protect and preserve the aquatic resources in the area. Your Committee appreciates the efforts that the Lu'uwai family provides to the stewardship of the marine resources in the Ahihi-Kinau natural area reserve. Their stewardship should be allowed to continue.

Your Committee has amended this measure by:

- (1) Providing an exemption for the exercise of native Hawaiian gathering rights and traditional cultural practices, in the implementation requirements; and
- (2) Making technical, nonsubstantive amendments for style and clarity, and to correct a statutory cross reference.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3264, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3264, S.D. 1, and be referred to the Committee on Ways and Means.

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

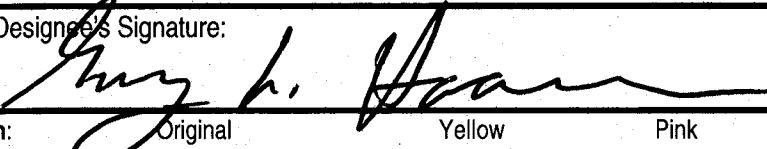


RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Water, Land and Agriculture
(Bills and Resolutions)

Measure:* SB3264	Committee Referral: WLA, WAM	Date: 2/15/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
KOKUBUN, Russell S. (C)	✓			
HOOSER, Gary L. (VC)	✓			
ENGLISH, J. Kalani	✓			
FUKUNAGA, Carol				✓
HEMMINGS, Fred	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.