
A BILL FOR AN ACT

RELATING TO THE MAKENA-KEONEOIO GOVERNMENT ROAD.

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

1 SECTION 1. The legislature finds that the 'Ahihi-Kina'u
2 area on Maui's southwest flank, which contains the most recent
3 lava flow from Haleakala, was the first designated natural area
4 reserve in the State, back in June 1973. The natural area
5 reserve contains numerous ancient Hawaiian archaeological and
6 cultural sites; fragile anchialine ponds, containing endangered
7 endemic aquatic species; and isolated coves, small bays, and
8 coral reefs, containing numerous species of marine fauna,
9 including fish, crustaceans, corals, and aquatic vegetation.

10 The Makena-Keone'o'io government road that traverses the
11 natural area reserve permits uncontrolled public access to the
12 natural area reserve. Further, publicity regarding the natural
13 area reserve and its many resources in travel books and journals
14 is attracting hundreds of visitors from all over the world every
15 day. This influx of visitors is causing enormous harm to the
16 natural area reserve and its resources.

17 The purposes of this Act are to:



1 (1) Establish that the portion of the Makena-Keone'o'io
2 government road that traverses the natural area
3 reserve is under the jurisdiction of the department of
4 land and natural resources and that the remainder of
5 the road outside the natural area reserve remains
6 under the jurisdiction of the department of
7 transportation; and

8 (2) Require the department of land and natural resources
9 to adopt rules pursuant to chapter 91 and section 195-
10 5, Hawaii Revised Statutes, regarding entry into the
11 'Ahihi-Kina'u natural area reserve through the
12 Makena-Keone'o'io government road.

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; Makena-Keoneoio
17 government road. (a) The department of land and natural
18 resources shall have exclusive jurisdiction of only that portion
19 of the Makena-Keoneoio government road that traverses the Ahihi-
20 Kinau natural area reserve. The remaining portion of the
21 Makena-Keoneoio government road that lies outside the natural



1 area reserve shall remain under the jurisdiction of the
2 department of transportation.

3 (b) The department of land and natural resources shall
4 adopt rules pursuant to chapter 91 and section 195-5, regarding
5 entry into the Ahihi-Kinau natural area reserve through the
6 Makena-Keoneoio government road."

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2008-2009 for
10 repair and maintenance of the Makena-Keone'o'io government road.

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

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect upon its approval;
15 provided that section 3 shall take effect on July 1, 2008.



Report Title:

'Ahihi-Kina'u Natural Area Reserve; Makena-Keone'o'io Road

Description:

Establishes that only that portion of the Makena-Keone'o'io government road traversing the 'Ahihi-Kina'u natural area reserve is under the jurisdiction of the DLNR and the rest remains under the DOT. Requires the DLNR to adopt rules regarding entry into the natural area reserve under its jurisdiction. (SB2739 SD2)

