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# A BILL FOR AN ACT

RELATING TO HONOLUA BAY.

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

1           SECTION 1. The legislature finds that since the days of  
2 the ancient Hawaiian people, Honolua Bay has been an important  
3 and cherished place on Maui. From the Honolua Stream to Lipoa  
4 Point and Honolua Bay, the area has remained an important place  
5 for recreation such as surfing and diving and has been the venue  
6 for international professional surfing contests. Honolua Bay is  
7 also one of Hawaii's most pristine coral reef habitats. In  
8 fact, the State recognized the importance of the marine  
9 resources at Honolua Bay by making the area a marine life  
10 conservation district in the early 1990s.

11           The legislature also finds that Lipoa Point, which adjoins  
12 Honolua Bay, is also recognized as an important area for  
13 surfing, fishing, and diving for both local residents and  
14 visitors. However, the landowner of Lipoa Point has recently  
15 announced plans to develop the area, triggering a statewide  
16 movement to protect and preserve the area for public use. The  
17 legislature finds that state, county, federal, and private funds



1 can be used to finance such a purpose in any negotiations with  
2 the landowner.

3 The purpose of this Act is to create a Honolua Bay  
4 community trust advisory committee to develop a sustainable  
5 management and conservation plan to manage Lipoa Point as open  
6 space for public use.

7 SECTION 2. Honolua Bay community trust advisory committee;  
8 composition; no compensation; duty; reports; termination. (a)  
9 There shall be created the Honolua Bay community trust advisory  
10 committee, to be placed administratively within the department  
11 of land and natural resources. The advisory committee shall  
12 build on the efforts of a community-based stakeholder group  
13 convened by the county of Maui mayor's office. The advisory  
14 committee and the stakeholder group shall work together in  
15 creating a long- and short-term sustainable management and  
16 conservation plan to manage Lipoa Point as public open space.

17 (b) The members shall elect a chairperson from among the  
18 members. The state senator representing senate district 5, the  
19 state representative representing house of representative  
20 district 10, and the county council member representing the west  
21 Maui district, and a representative of the mayor of the county

1 of Maui shall serve as ex officio members. The committee shall  
2 be composed of the following:

- 3 (1) One member representing the department of land and  
4 natural resources;
- 5 (2) One member representing the area's major private  
6 landowner, Maui Land and Pineapple Company, Inc.;
- 7 (3) Two members representing Save Honolua Bay;
- 8 (4) Two members representing Honolua Bay Coalition;
- 9 (5) One member representing Ocean Tourism Coalition;
- 10 (6) One member representing the Ahu Moku council;
- 11 (7) One member who is a resident of west Maui within the  
12 postal zip code of 96761 appointed by the governor;
- 13 (8) One member who is a resident of west Maui within the  
14 postal zip code of 96761 appointed by the president of  
15 the senate;
- 16 (9) One member who is a resident of west Maui within the  
17 postal zip code of 96761 appointed by the speaker of  
18 the house of representatives;
- 19 (10) One member representing a resource conservation  
20 organization with members in west Maui;
- 21 (11) One member representing native Hawaiian stakeholders  
22 in the ahupuaa encompassing Honolua Bay; and



1           (12) One member affiliated with the Community Conservation  
2           Network;

3 provided that the members who are residents of west Maui under  
4 paragraphs (7), (8), and (9) shall not be a member of or be  
5 affiliated with any groups or organizations already represented  
6 in the committee under paragraphs (1) through (6) and (10)  
7 through (12).

8           (b) Members shall not be compensated but shall be  
9 reimbursed for any necessary expenses incurred, including travel  
10 expenses, in the course of their official duties.

11           (c) The committee shall develop a Honolulu Bay management  
12 and conservation plan to maintain Lipoa Point as a public open  
13 space. The plan shall identify state, county, federal, and  
14 private sources of funding for the management and conservation  
15 of Lipoa Point, including any tax mechanisms. The committee may  
16 consult with members of Hawaii's congressional delegation and  
17 shall keep the delegation informed of its progress. The  
18 committee may invite any individual or organization for  
19 technical or other assistance.

20           (d) The committee shall submit an interim written report  
21 and a written final report containing the Honolulu Bay management  
22 plan, findings, recommendations, and any necessary legislative



1 proposals, to the legislature no later than twenty days prior to  
2 the convening of the regular sessions of 2009 and 2010,  
3 respectively. Upon the request of the committee, the  
4 legislative reference bureau shall assist with drafting of  
5 proposed legislation.

6 (e) The Honolua Bay community trust advisory committee  
7 shall terminate on June 30, 2010.

8 SECTION 3. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so  
10 much thereof as may be necessary for fiscal year 2008-2009 for  
11 development of the Honolua Bay management and conservation plan  
12 under section 2 of this Act, including the hiring of a  
13 consultant/facilitator without regard to chapter 103D, Hawaii  
14 Revised Statutes, to assist the committee to accomplish its  
15 tasks.

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

18 SECTION 4. This Act shall take effect upon its approval,  
19 except that section 3 shall take effect on July 1, 2008.



**Report Title:**

Honolua Bay Advisory Committee; Lipoa Point Acquisition

**Description:**

Creates a Honolua Bay advisory committee to develop a management and conservation plan for Lipoa Point on the island of Maui as public open space. Requires interim and final reports to the legislature. Appropriates funds. (SB2817 SD2)

