
A BILL FOR AN ACT

RELATING TO KAWAI NUI MARSH.

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

1 SECTION 1. Kawai Nui marsh, encompassing approximately
2 eight hundred thirty acres of land in Kailua, Oahu, is the
3 State's largest remaining wetland and an ecological and cultural
4 treasure. It has been identified by the United States Fish and
5 Wildlife Service as a primary habitat for endemic and endangered
6 native Hawaiian birds such as the 'alae ke'oke'o, 'alae 'ula, ae'o,
7 and koloa maoli. In 2005, the Ramsar Convention on Wetlands
8 designated Kawai Nui marsh a wetland of international importance
9 in part due to the wetlands relationship to surrounding cultural
10 sites.

11 Act 314, Session Laws of Hawaii 1990 (Act 314), directed
12 the transfer to the State of that certain parcel owned by the
13 city and county of Honolulu and bearing tax map key number
14 4-2-16:1, which encompasses the bulk of Kawai Nui marsh. The
15 parties were unsuccessful in completing the transfer.

16 Since the passage of Act 314, the health of the marsh has
17 declined significantly despite the advocacy and restoration



1 efforts of community groups such as 'Ahahui Mälama I Ka Lökahi,
2 Hawaii's Thousand Friends, the Kailua Hawaiian Civic Club,
3 Kailua Historical Society, Kawai Nui Heritage Foundation, and
4 the Windward Ahupua'a Alliance.

5 Act 235, Session Laws of Hawaii 2007, again addressed the
6 transfer of this parcel to the State, and the city and county of
7 Honolulu is currently in negotiations with the State to complete
8 the transfer of title.

9 The purpose of this Act is to ensure continued community
10 participation in the preservation, protection, and future vision
11 for Kawai Nui marsh.

12 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§171- Kawai Nui marsh advisory council. (a) There is
16 established a Kawai Nui marsh advisory council, to be placed
17 within the department of land and natural resources for
18 administrative purposes only. The advisory council shall
19 consist of eleven voting members appointed by the governor in
20 accordance with section 26-34, and five ex-officio members as
21 follows:



- 1 (1) One representative from 'Ahahui Mälama I Ka Lökahi or
2 their designee;
- 3 (2) One representative from the Kailua Chamber of
4 Commerce;
- 5 (3) Four representatives from environmental or educational
6 nonprofit organizations;
- 7 (4) Two cultural representatives appointed by the Kailua
8 Hawaiian Civic Club and 'Ahahui Mälama I Ka Lökahi;
- 9 (5) Two community representatives;
- 10 (6) One landowner representative; and
- 11 (7) Four ex-officio members, including the administrator
12 of the division of State parks and members
13 representing the United States Army Corps of
14 Engineers, United States Fish and Wildlife Service,
15 the department of land and natural resources forestry
16 and wildlife division, and the city and county of
17 Honolulu;
- 18 (8) One ex-officio member who is student representative
19 from a Kailua area school as selected by a high school
20 council.
- 21 (b) Each member representing an organization shall be
22 appointed by the director or other chief executive of the



1 member's organization within _____ days following July 1, 2008.

2 The members of the advisory council shall not receive
3 compensation for their service but shall be reimbursed for
4 expenses, including travel expenses, incurred in their duties
5 relating to the advisory council.

6 (c) A chairperson shall be elected annually by the council
7 from among the council's voting members; provided that:

8 (1) Only a nongovernmental member shall be elected as
9 chairperson; and

10 (2) No member may serve as chairperson for more than two
11 consecutive years.

12 (d) Six voting members shall constitute a quorum to do
13 business and any action taken by the advisory council shall be
14 validated by a simple majority of the quorum.

15 (e) The Kawai Nui marsh advisory council shall:

16 (1) Review and assist in updating and revising the 1994
17 Kawai Nui marsh master plan, which should include the
18 Hamakua wetlands, adjacent waterways that enter into
19 Kawai Nui marsh from Maunawili and Kapa'a valleys and
20 flow into Kailua Bay;

21 (2) Facilitate implementation of the master plan;



- 1 (3) Enhance community education and cultural awareness of
2 Kawai Nui marsh; and
- 3 (4) Participate in the protection and preservation of
4 Kawai Nui marsh's natural and cultural resources."

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2008-2009 to
8 support the work of the Kawai Nui marsh advisory council,
9 including but not limited to the revising of the 1994 Kawai Nui
10 Marsh Master Plan.

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 on July 1, 2008.



Report Title:

Kawai Nui Marsh Advisory Council; Establishment; Appropriation

Description:

Establishes the Kawai Nui marsh advisory council; appropriates moneys to DLNR for the work of the council. (SD1)

