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# A BILL FOR AN ACT

RELATING TO KAHANA VALLEY STATE PARK.

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

1           SECTION 1. Act 5, Session Laws of Hawaii 1987, authorized  
2 the department of land and natural resources to issue long-term  
3 residential leases to persons who had lived continuously in  
4 Kahana valley or had permits allowing them to reside on certain  
5 parcels of land within Kahana valley. As a condition of holding  
6 a lease, these qualified persons agreed to participate in  
7 interpretive programs in Kahana valley state park.

8           The lessees have not only acted as caretakers of the  
9 valley, but also shared their knowledge of the valley and  
10 interpreted the significance of the valley's resources for the  
11 public's benefit and enjoyment. The authority to issue leases  
12 pursuant to Act 5 expired on January 1, 1992.

13           The purpose of this Act is to reauthorize the department of  
14 land and natural resources to issue long-term residential leases  
15 to qualified persons now residing in Kahana valley, on the  
16 condition that lessees participate in Kahana valley state park's



1 interpretive or caretaking programs. The Act would also  
2 establish an advisory committee.

3 SECTION 2. Notwithstanding any other law to the contrary,  
4 including chapter 171, Hawaii Revised Statutes, the department  
5 of land and natural resources is authorized to negotiate and  
6 enter into long-term residential leases for lands acquired for  
7 Kahana valley state park, not to exceed sixty-five years in  
8 duration, with persons who reside and have continuously lived in  
9 the state park since before 1987 in a culturally and appropriate  
10 manner and have served as caretakers of the state park.

11 The lands eligible for long-term residential lease  
12 negotiations under the provisions of this Act are limited to  
13 those located in tax map key parcels 5-2-01:1, 5-2-02:1, 5-2-  
14 05:1, 5-2-01:60, and 5-2-01:81, situated in Kahana valley and as  
15 further determined by the board of land and natural resources  
16 and the Kahana community association.

17 SECTION 3. In consideration of the leases granted by the  
18 State under this Act, lessees agree to participate in, and  
19 become an essential part of, the interpretive or caretaking  
20 programs in Kahana valley state park as directed by the  
21 department of land and natural resources. The department of  
22 land and natural resources shall establish a monitoring system



1 and enforcement mechanism to insure compliance with these  
2 agreements.

3 SECTION 4. The leases under this Act shall be exempt from  
4 all statutes, ordinances, charter provisions, and rules of any  
5 governmental agency related to zoning and construction standards  
6 for subdivisions, the development and improvement of land, and  
7 the construction of units thereon; provided that the department  
8 of land and natural resources finds the exemptions are  
9 consistent with the purposes of this Act and the leases meet  
10 minimum requirements of health and safety.

11 SECTION 5. There is established a Kahana valley state park  
12 advisory committee, which shall advise the department of land  
13 and natural resources on matters related to the management of  
14 leases under this Act, including eligibility requirements for  
15 applicants for leases and the monitoring of lessee compliance  
16 with participation in the interpretive programs.

17 The advisory committee shall consist of seven members  
18 appointed without regard to section 26-34, Hawaii Revised  
19 Statutes, as follows:

20 (1) One member representing the department of land and  
21 natural resources, as designated by the chairperson of  
22 the board of land and natural resources;



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1 (2) Two members of the Kahana community association, as  
2 designated by the association;

3 (3) One member of the Native Hawaiian Legal Corporation,  
4 as designated by the corporation;

5 (4) Two members of the public, as designated by the  
6 governor; and

7 (5) One member of the board of trustees of the office of  
8 Hawaiian affairs, as designated by the board.

9 SECTION 6. The authority granted by this Act shall expire:

10 (1) When all leases have been negotiated and recorded in  
11 the bureau of conveyances for all parcels meeting the  
12 criteria in this Act; or

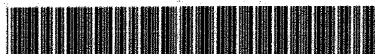
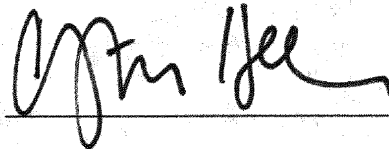
13 (2) On June 30 ;

14 Whichever occurs first.

15 SECTION 7. This Act shall take effect on July 1, 2007.

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INTRODUCED BY:



**Report Title:**

Kahana Valley State Park; Residential Leases

**Description:**

Provides for additional families to reside in Kahana valley state park by lease agreement, and establishes an advisory committee to, among other things, monitor compliance with the agreements.

