

JAN 19 2007

A BILL FOR AN ACT

RELATING TO LAND AND NATURAL RESOURCES.

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

1 SECTION 1. Over the years, the Territory of Hawaii and the
2 State have been granting permits for recreational-residences in
3 the Kokee and Waimea canyon state park. There are now
4 approximately one hundred forty recreational-residence use
5 leases in Kokee and Waimea canyon state parks. The board of
6 land and natural resources has directed the department of land
7 and natural resources to conduct a public auction of all of its
8 recreation-residence use leases in Kokee and Waimea canyon state
9 parks following their expiration in December 2006. Many of the
10 existing lessees have made substantial improvements on their
11 leased lots, some having done so over a period of generations,
12 and they do not want to abandon these improvements. The issue
13 of a public auction became contentious enough that a recent
14 decision was made to delay the auction indefinitely, pending the
15 conclusion of lawsuits and public input. This decision has
16 resulted in the State issuing month-to-month tenancy of the
17 recreational residences to the lessees. However, the



1 uncertainty of the leaseholders' length of tenancy has led to
2 the deferral of maintenance on the recreational cabins, many of
3 which are historic and an irreplaceable part of the cultural
4 landscape of the Kokee and Waimea canyon state parks.

5 The legislature finds that a community based process must
6 be established to create a long term plan and policy on its
7 recreational-residential leases.

8 The legislature further finds that, for the good of the
9 cabins and the Kokee and the Waimea canyon state parks, the
10 leaseholders of recreational-residential use leases must be
11 provided with the long-term assurance that they need to invest
12 in maintenance and repair of the properties.

13 SECTION 2. The department of natural resources shall
14 extend its Kokee leases for five years at a per cent
15 increase and develop a community based process for creating a
16 long term plan and policy on its recreational-residential lease
17 issue.

18 SECTION 3. This Act shall take effect upon its approval.

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Report Title:

Department of Land and Natural Resources; Kokee Leases

Description:

Establishes a requirement that the department of land and natural resources extend its Kokee recreation-residence use leases for five years and develop a community based process to create a long term plan and policy on its residential lease issue.

