

Honolulu, Hawaii

Aj-04 , 2008

RE: S.B. No. 3206
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 3206, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH,"

begs leave to report as follows:

The purpose of this bill is to ensure continued community participation in the preservation, protection, and future vision for Kawainui Marsh by:

- (1) Establishing the Kawainui Marsh Advisory Council (Advisory Council);
- (2) Requiring the Advisory Council to:
 - (A) Assist in the updating of the 1994 Kawai Nui Marsh Master Plan (Master Plan);
 - (B) Facilitate implementation of the Master Plan;
 - (C) Enhance community education and awareness of Kawainui Marsh; and
 - (D) Participate in the protection and preservation of Kawainui Marsh's natural and cultural resources;

and



- (3) Appropriating funds for the Advisory Council.

The Office of Hawaiian Affairs and Windward Ahupuaa Alliance supported this bill. The Hawaiian Audubon Society opposed this measure. The Department of Land and Natural Resources (DLNR), City and County of Honolulu Department of Facility Maintenance, 'Ahahui Malama i ka Lokahi, Ho'olaulima Ia Kawai Nui, and Kawai Nui Heritage Foundation provided comments.

Your Committee has amended this bill by, among other things:

- (1) Changing the membership of the Advisory Council to seven voting members who each represent one strategic area listed below and to be selected from a list submitted by designated organizations:
- (A) Education;
 - (B) Cultural resource;
 - (C) Environmental;
 - (D) Native animals;
 - (E) Native plants and ecosystems;
 - (F) Business/landowner; and
 - (G) Traditional Hawaiian permaculture;
- (2) Requiring the ex-officio student representative to be selected by the Windward District Kailua/Kalaheo Complex Office, rather than a high school council;
- (3) Providing that the organizations designated to submit a list of names for selection as Advisory Council members have 90 days after July 1, 2008, to submit the lists;
- (4) Requiring, rather than recommending consideration of, the Hamakua wetlands in the revision of the Master Plan;
- (5) Requiring the DLNR to consult regularly with the Ho'olaulima Ia Kawai Nui community networking organization to coordinate, review, and assess the progress of programs and efforts to maintain the




natural, cultural, and scenic resources of Kawainui Marsh;

- (6) Requiring that final submittals to the Board of Land and Natural Resources pertaining to Kawainui Marsh incorporate the Advisory Council's comments on DLNR's draft submittals;
- (7) Requiring DLNR and the Advisory Council to submit an annual report to the Legislature on the status of the review and implementation of the Master Plan, including an account of public moneys expended and necessary to complete and implement the Master Plan;
- (8) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3206, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3206, S.D. 2, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



