

STAND. COM. REP. NO.

2425

Honolulu, Hawaii

FEB 15 2008

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

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred S.B. No. 3206 entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish the Kawai Nui Marsh Advisory Council to ensure continued community participation in the preservation, protection, and future vision for Kawai Nui Marsh.

Testimony in support of this measure was submitted by the City and County of Honolulu, Department of Facility Maintenance; Office of Hawaiian Affairs; Department of Land and Natural Resources; 'Ahahui Malama I Ka Lokahi; and Windward Ahupua'a Alliance. Testimony in opposition to this measure was submitted by Hawaii's Thousand Friends, Hawaii Audubon Society, and Kawai Nui Heritage Foundation.

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

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Act 314, Session Laws of Hawaii 1990 (Act 314), directed the transfer to the State of that certain parcel owned by the City and County of Honolulu and bearing tax map key number 4-2-16:1, which encompasses the bulk of Kawai Nui Marsh. The parties were unsuccessful in completing the transfer. Since the passage of Act 314, the health of the marsh has declined significantly despite the advocacy and restoration efforts of community groups such as 'Ahahui Malama I Ka Lokahi, Hawaii's Thousand Friends, the Kailua Hawaiian Civic Club, Kailua Historical Society, Kawai Nui Heritage Foundation, and the Windward Ahupua'a Alliance.

Your Committee recommends the creation of the Kawai Nui Marsh Advisory Council to ensure continued community participation in the preservation, protection, and future vision for Kawai Nui Marsh. The Council is to be made up of representatives of community and conservation groups and government entities.

Accordingly, your Committee has amended this measure by:

- (1) Changing its memberships by:
 - (A) Replacing the representative of Kawai Nui Marsh Heritage Foundation with a representative of 'Ahahui Malama I Ka Lokahi;
 - (B) Adding 'Ahahui Malama I Ka Lokahi as an appointing agency, together with the Kailua Hawaiian Civic Club, of cultural representatives;
 - (C) Adding a representative of the United States Fish and Wildlife Service as an ex-officio member;
 - (D) Adding the Administrator of the Department of Land and Natural Resources Division of State Parks as an ex-officio member; and
 - (E) Adding a student representative from a Kailua area school as an ex officio member; and
- (2) Adding the duty of the Council to revise the 1994 Kawai Nui Marsh Master Plan.



As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3206, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3206, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,



CLAYTON HEE, Chair



