

STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 1552
H.D. 2
S.D. 1

1055

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 1552, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

begs leave to report as follows:

The purpose of this measure is to provide the structure necessary for the management of state living parks.

Specifically, this measure:

- (1) Authorizes the Department of Land and Natural Resources to issue long-term residential leases to qualified persons; and
- (2) Establishes a living park planning council to develop a master plan for each state living park that will provide the framework, proposed rules, measurements for success, and planning process to ensure that the living park achieves its purpose and goals.

Testimony in support of this measure was submitted by two organizations and thirteen public citizens. One state agency and one public citizen provided comments. Testimony in opposition was submitted by eight public citizens. Written testimony presented to your Committee may be reviewed on the Legislature's website.



Your Committee notes that this measure is in response to the Kahana Valley State Park attempted evictions in October 2008. The Kahana Valley State Park residents have demonstrated the success of interpretive programs in living parks for the enjoyment of visitors and school groups. The Kahana Valley residents provide an invaluable resource to the community by maintaining the Kahana ahupuaa, the basic ancient Hawaiian land division which includes all of the resources: mountain, upland, shoreline, and ocean. However, the Kahana Valley State Park experience has also demonstrated the need for a clear master plan based on the input of the park residents for long-term management solutions. Your Committee finds that the Kahana Valley State Park model can be used to provide interpretive services and maintenance for state parks. This measure provides the structure needed for successful living parks in the State, using the experiences of Kahana Valley State Park as an example.

This measure is modeled after the findings and recommendations of "Kahana: What Was, What Is, What Can Be," Report No. 5, Legislative Reference Bureau 2001, which emphasizes the strong role of the living park residents in determining what criteria should govern eligibility for a lease, designation of lands to be leased, monitoring and enforcement of leases, assignment and renewal of leases, and the development of a master plan. Your Committee believes that the living park structure benefits the State and visitors because the lessees whose ancestors have lived on the land and who have served as the stewards of the land, are the best interpreters of the living park's culture.

Your Committee has amended this measure by making technical, nonsubstantive changes for consistency and clarity.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1552, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1552, H.D. 2, 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, Land,
Agriculture, and Hawaiian
Affairs,



CLAYTON HEE, Chair



