
A BILL FOR AN ACT

RELATING TO KAENA POINT.

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

1 SECTION 1. Kaena point state park reserve (Kaena point) on
2 Oahu has long been a place where local residents can exercise
3 and enjoy their cultural practice of fishing. However,
4 tourists, who are unfamiliar with the area and not aware of the
5 dangers of the illegal activity occurring at Kaena point, have
6 been robbed, beaten, sexually assaulted, and pulled out of their
7 vehicles at all hours of the day and night.

8 Due to this illegal activity at Kaena point, the department
9 of land and natural resources has prohibited overnight camping
10 to promote safety for park users and to protect the natural
11 resources within the park. This prohibition, however, has
12 impeded upon the local cultural practice of fishing.

13 The department's policy with respect to fishing at Kaena
14 point is to allow fishing at all times, even overnight.
15 However, local residents who fish at Kaena point at night have
16 recently objected to being cited and fined by the department's
17 division of conservation and resources enforcement officers, who



1 strictly enforce no-camping rules, for possessing camping-
2 related paraphernalia and camping activities, such as possession
3 of coolers used to keep caught-fish fresh, and falling asleep in
4 sleeping bags or tents set up by the fishermen to shield them
5 from the elements while fishing overnight.

6 The legislature recognizes the need to preserve the
7 cultural practice of fishing while preserving and protecting the
8 land, iwi, and dunes at Kaena point. To assist the department
9 with preserving and protecting the natural resources and safety
10 of individuals using Kaena point, while promoting the cultural
11 practice of fishing, a pilot program should be created to allow
12 Hawaii residents to fish overnight in designated areas of Kaena
13 point. To ensure that the permitting of overnight fishing at
14 Kaena point meets all of these objectives, this Act provides a
15 repeal date of July 1, 2011, and requires the department to
16 submit to the 2011 legislature a report on whether the pilot
17 program has increased or decreased the occurrence of illegal
18 activity at Kaena point.

19 The purpose of this Act is to create a pilot program to
20 issue annual passes to Hawaii residents allowing overnight
21 fishing at Kaena point.



1 SECTION 2. (a) The department of land and natural
2 resources shall establish a pilot program to issue annual passes
3 to residents of Hawaii that allow overnight fishing at Kaena
4 point, including possession of sleeping bags, tents, tarpaulin,
5 and other camping paraphernalia.

6 (b) Residents who purchase an annual pass shall comply
7 with and be subject to all conditions the department may impose
8 upon the pass holder for the issuance of the pass, as determined
9 by the department, including the requirement to:

10 (1) Possess and carry the annual pass at all times while
11 at Kaena point; and

12 (2) Promptly report any illegal activity at Kaena point;
13 provided that the annual pass shall prohibit camping or fishing
14 within the Kaena point natural area reserve.

15 (c) As used in this Act:

16 "Annual pass" means a one-year permit issued to a resident
17 of Hawaii over the age of eighteen years, for which a fee of not
18 more than \$120 per year shall be paid to the State, to be
19 deposited into the state parks special fund established under
20 section 184-3.4, Hawaii Revised Statutes.



1 "Kaena point" means the Kaena point state park reserve in
2 Waialua on Oahu, in the area between Kaena point natural area
3 reserve and Dillingham field.

4 "Overnight fishing" means the active use of a pole, line,
5 hook, net, trap, spear, or other gear which is designed to
6 catch, take, or harvest aquatic life, by the pass holder who is
7 in the water or on or about the shore where aquatic life can be
8 caught, taken, or harvested, any time between one hour after
9 sunset to sunrise.

10 SECTION 3. The department of land and natural resources
11 shall submit a report to the legislature on whether the pilot
12 program has affected the occurrence of illegal activity at Kaena
13 point no later than twenty days prior to the convening of the
14 regular session of 2011.

15 SECTION 4. Nothing in this Act shall be construed to allow
16 camping that is otherwise prohibited or restricted under rules
17 adopted by the department of land and natural resources.

18 SECTION 5. This Act shall take effect on July 1, 2020, and
19 shall be repealed on July 1, 2011.



Report Title:

Kaena Point; Camping; Annual Pass

Description:

Establishes a pilot program to issue annual passes to Hawaii residents to fish overnight at Kaena Point State Park Reserve. Effective 7/01/2020. (HB645 HD2)

