



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

GOV. MSG. NO. 1248

June 24, 2014

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

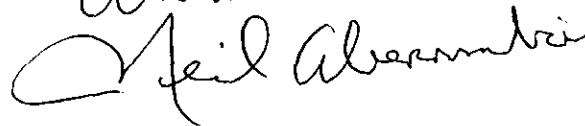
The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 24, 2014, the following bill was signed into law:

SB2391 SD2 HD1 CD1

RELATING TO PUBLIC LANDS
ACT 145 (14)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

JUN 24 2014

on _____

THE SENATE
TWENTY-SEVENTH LEGISLATURE, 2014
STATE OF HAWAII

ACT 145
S.B. NO.

2391
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. The legislature finds that more than eight
2 million people visited Hawaii in 2013, and the Hawaii tourism
3 authority has projected that there will be nearly nine million
4 visitors in 2014. The United Nations World Tourism Organization
5 further projects a fifty per cent increase in global tourism by
6 2020. Moreover, a more active visitor population combined with
7 the use of social media by visitors and the tourism industry
8 will likely result in greater numbers of people exploring a
9 wider variety of the State's public lands for recreational
10 purposes.

11 The legislature further finds that as Hawaii's population
12 and visitor base have grown, there have been more conflicts over
13 public recreational resources. The informal agreements that
14 were used in the past to resolve these conflicts are no longer
15 working. In many places across the islands, these conflicts
16 have existed for years without resolution. Shared jurisdiction
17 over these public lands often stymies solutions. Conflicts in a
18 small coastal area may span a county park, state unencumbered



1 beach land, aquatic resources, a historic site, and a county
2 road accessed off a state highway. No single agency, or
3 division of an agency, is able to resolve such conflicts on its
4 own.

5 The legislature believes that establishing a working group
6 comprising state, county, and community representatives on the
7 island of Oahu would facilitate identifying recreational land
8 management solutions that are better suited for the unique
9 challenges faced in the various sites that are currently the
10 subject of user conflicts.

11 The purpose of this Act is to establish a two-year pilot
12 project to convene one working group on the island of Oahu to
13 identify and implement management strategies for the resolution
14 of user conflicts on public recreational lands.

15 SECTION 2. (a) The department of land and natural
16 resources shall:

17 (1) Convene a working group on the island of Oahu to
18 identify and implement management strategies for the
19 resolution of user conflicts on public recreational
20 lands; and



- 1 (2) Select one public recreational area to be the focus of
2 the working group. The recreational area chosen shall
3 have a history of user conflicts.
- 4 (b) The working group shall comprise:
- 5 (1) One representative from each appropriate state and
6 county agency that has partial jurisdiction over the
7 subject site and users involved in the conflict, as
8 determined by the chairperson of the board of land and
9 natural resources;
- 10 (2) Two representatives of the community at large, as
11 invited by the governor; and
- 12 (3) One representative from the Hawaii tourism authority.
- 13 (c) During the first year of the pilot project, the
14 working group shall:
- 15 (1) Identify cost-effective management strategies to
16 resolve user conflicts within the public recreational
17 area selected by the department of land and natural
18 resources;
- 19 (2) Identify funding sources and operational costs for
20 each management strategy identified in paragraph (2);
21 and



1 (3) Facilitate the execution, if practicable, of a written
2 agreement among agencies and other interested parties
3 that includes all necessary terms and conditions for
4 the shared use and maintenance of the public
5 recreational area.

6 (d) If a written agreement among interested parties is not
7 executed in the first year of the pilot project, during the
8 second year of the pilot project, the working group, if
9 practicable, shall facilitate the execution of a written
10 agreement pursuant to subsection (c); provided that if a written
11 agreement cannot be executed, then the working group shall
12 include in its final report the reasons for not completing its
13 assigned tasks.

14 (e) The department of land and natural resources and the
15 attorney general shall assist the working group in facilitating
16 the execution of the written agreements required under
17 subsections (c)(3) and (d), including the drafting and review of
18 the written agreement documents.

19 (f) The working group convened pursuant to this section
20 shall cease to exist on June 30, 2016.

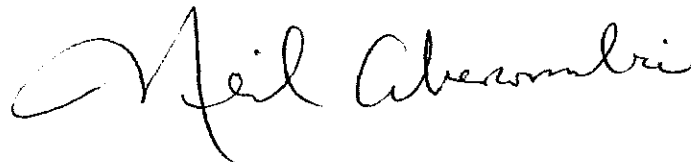
21 SECTION 3. The working group convened pursuant to this Act
22 shall submit a:



- 1 (1) Preliminary report of its findings and
2 recommendations, including any proposed legislation,
3 to the legislature no later than twenty days prior to
4 the convening of the regular session of 2015; and
5 (2) Final report to the legislature no later than twenty
6 days prior to the convening of the regular session of
7 2016.

8 SECTION 4. This Act shall take effect on July 1, 2014.

APPROVED this 24 day of JUN, 2014



GOVERNOR OF THE STATE OF HAWAII