

---

---

# 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.



**Report Title:**

DLNR; Recreational Land; User Conflicts; Working Group

**Description:**

Requires DLNR to establish a 2-year pilot project to resolve user conflicts on public recreational lands by convening a working group on the island of Oahu to identify and implement management strategies through the execution of a written agreement between interested parties. (CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

