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# 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 our islands, these conflicts  
16 have existed for years without resolution. The shared  
17 jurisdiction over these public lands often stymies solutions.  
18 Conflicts in a small coastal area may span a county park, state



1 unencumbered beach land, aquatic resources, a historic site, and  
2 a county road accessed off a state highway. No single agency,  
3 or division of an agency, is able to resolve such conflicts on  
4 its 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 establish a two-year pilot project in which a  
17 working group is convened on the island of Oahu to identify and  
18 implement management strategies for the resolution of user  
19 conflicts on public recreational lands.

20 (b) The working group shall comprise:

21 (1) One representative from each appropriate state and  
22 city and county of Honolulu agency that has partial



1 jurisdiction over the subject site and users involved  
2 in the conflict, as determined by the chairperson of  
3 the board of land and natural resources;

4 (2) Two representatives of the community at large, as  
5 invited by the governor; and

6 (3) One representative from the Hawaii tourism authority.

7 (c) During the first year of the pilot project, the  
8 working group shall:

9 (1) Select one public recreational area that has been the  
10 subject of user conflicts;

11 (2) Identify cost-effective management strategies to  
12 resolve user conflicts within the public recreational  
13 area selected pursuant to paragraph (1);

14 (3) Identify funding sources and operational costs for  
15 each management strategy identified in paragraph (2);  
16 and

17 (4) Facilitate the execution, if practicable, of a written  
18 agreement between agencies and other interested  
19 parties that includes all necessary terms and  
20 conditions for the shared use and maintenance of the  
21 public recreational area.



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

9 (e) The department of land and natural resources and the  
10 attorney general shall assist the working group in facilitating  
11 the execution of the written agreements required under  
12 subsection (c)(4), including the drafting and review of the  
13 written agreement documents.

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

16 SECTION 3. The working group convened pursuant to this Act  
17 shall submit a:

18 (1) Preliminary report of its findings and  
19 recommendations, including any proposed legislation,  
20 to the legislature no later than twenty days prior to  
21 the convening of the regular session of 2015; and



1 (2) Final report to the legislature no later than twenty  
2 days prior to the convening of the regular session of  
3 2016.

4 SECTION 4. This Act shall take effect on July 1, 2050.



**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. Effective 07/01/2050.  
(SD2)

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