
A BILL FOR AN ACT

RELATING TO FOREST STEWARDSHIP.

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

1 SECTION 1. Section 195F-1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+]§195F-1[+]~~ **Findings and purpose.** The legislature
4 finds that:

5 (1) Much of the forest land in Hawaii is privately
6 owned~~[+]~~ and managed;

7 (2) The capacity to protect important watersheds and
8 native Hawaiian plants and animals and to produce
9 renewable forest resources is significantly dependent
10 on these privately ~~owned~~ managed forest and formerly
11 forested lands;

12 (3) The factors essential to the quality of life in
13 Hawaii, including ~~our~~ water and air quality, mild
14 climate, and habitat available for plants and animals
15 unique to these islands, can be maintained and
16 improved through good stewardship of ~~private~~
17 privately managed forest ~~[lands]~~;



1 (4) To accomplish these purposes, the present system of
2 state and federal financial and technical assistance
3 programs needs to be expanded to promote the long-term
4 management of additional privately [~~owned~~] managed
5 forest and formerly forested lands throughout the
6 State; and

7 (5) A forest stewardship program should be established to
8 supplement the natural area reserves system's programs
9 under chapter 195 by encouraging [~~private~~] landowners
10 of privately [~~owned~~] managed forest and formerly
11 forested lands that cannot qualify as potential
12 natural area reserves to make long-term commitments to
13 protect, maintain, and restore important watersheds,
14 [~~timber~~] forest resources, forest products, fish and
15 wildlife habitats, isolated populations of rare and
16 endangered plants, native vegetation, and other lands
17 that provide significant public benefits.

18 The purpose of this chapter is to establish a program to
19 financially assist landowners in managing, protecting, and
20 restoring important natural resources in Hawaii's forested and
21 formerly forested lands."



1 SECTION 2. Section 195F-2, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Program implementation agreement" means a written forest
5 stewardship management contract between the board and program
6 applicant."

7 SECTION 3. Section 195F-3, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) There is established a forest stewardship program to
10 be administered by the board to assist [~~private landowners in~~
11 ~~managing, protecting, and restoring~~] landowners of privately
12 managed forest to manage, protect, and restore important
13 watersheds, native vegetation, [~~timber~~] forest resources, forest
14 products, fish and wildlife habitats, isolated populations of
15 rare and endangered plants, and other lands that are not
16 recognized as potential natural area reserves."

17 SECTION 4. Section 195F-5, Hawaii Revised Statutes, is
18 amended by amending subsections (a) and (b) to read as follows:

19 "(a) To participate in the forest stewardship program, the
20 applicant landowner shall prepare and submit [~~to the board~~] a
21 forest stewardship management plan that shall:



- 1 (1) Identify and describe activities to be undertaken by
2 the landowner to protect soil, water, aesthetic
3 quality, recreation, [~~timber,~~] forest resources,
4 forest products, water, fish, wildlife, and native
5 plant resources on the land in a manner that is
6 compatible with the objectives of the program, is
7 consistent with this chapter, and qualifies under the
8 board's list of approved activities;
- 9 (2) Be signed by all parties having an interest in or
10 holding any encumbrance upon the property, and shall
11 state that the parties agree to comply with the plan
12 upon its approval; and
- 13 (3) Be approved by the board and available for public
14 review.
- 15 (b) The board and other cooperating natural resource
16 management agencies shall develop a list of approved management
17 activities and practices that shall be eligible for cost-share
18 assistance under the program in the following areas:
- 19 (1) Enhanced management and maintenance of vegetation on
20 vital watershed lands;



- 1 (2) Sustainable growth and management of forests for
2 timber and ~~[ether]~~ forest products ~~[on lands from~~
3 ~~which all or most of the native vegetation had been~~
4 ~~removed prior to January 1, 1991]~~;
- 5 (3) Management for non-native forest products; provided
6 that the land was not previously cleared of native
7 vegetation for the purpose of non-native forest
8 production;
- 9 ~~[-(3)]~~ (4) Protection, restoration, and enhancement of
10 native plants and animals;
- 11 ~~[-(4)]~~ (5) Management, maintenance, and restoration of
12 forests for shelterbelts, windbreaks, aesthetic
13 quality, and other conservation purposes ~~[on lands~~
14 ~~from which all or most of the native vegetation had~~
15 ~~been removed prior to January 1, 1991]~~;
- 16 ~~[-(5)]~~ (6) Agroforestry management ~~[on lands from which all~~
17 ~~or most of the native vegetation had been removed~~
18 ~~prior to January 1, 1991]~~;
- 19 ~~[-(6)]~~ (7) Management and maintenance of native fish and
20 wildlife habitats;



1 ~~[(7)]~~ (8) Management of outdoor recreational opportunities;
 2 and
 3 ~~[(8)]~~ (9) Other activities approved by the board, which are
 4 consistent with this chapter."

5 SECTION 5. Section 195F-6, Hawaii Revised Statutes, is
 6 amended as follows:

7 1. By amending subsection (a) to read:

8 "(a) Payments from the forest stewardship fund shall not
 9 exceed [~~fifty~~]:

10 (1) Seventy-five per cent of the total cost of the
 11 landowner in developing [~~and implementing~~] an approved
 12 management plan~~[-]~~; and

13 (2) Fifty per cent of the total cost of the landowner in
 14 implementing an approved management plan.

15 Total payments to any one landowner shall be determined by the
 16 board, and the reasonable value of material, goods, and services
 17 contributed toward the management plan by the landowner shall be
 18 included in determining the amount of the landowner's cost. The
 19 landowner shall be required to spend private funds before
 20 reimbursements are made. In-kind services such as heavy
 21 equipment and existing sources of labor may be utilized as a

1 portion of the landowner's contribution in implementing the
2 management plan that is consistent with this chapter."

3 2. By amending subsections (c), (d), and (e) to read:

4 "(c) To receive funds under the forest stewardship
5 program, an applicant shall:

- 6 (1) Be a landowner of [~~private~~] privately managed forest
7 that is not managed under existing federal, state, or
8 private sector financial and technical assistance
9 programs and that is not recognized as a potential
10 natural area reserve. [~~Private forest lands managed~~]
11 Privately managed forest under existing federal,
12 state, or private sector financial and technical
13 assistance programs may be eligible for assistance
14 under this program if the landowner agrees to comply
15 with the requirements of the program or if forest
16 management activities are expanded or enhanced to meet
17 the requirements of this chapter;
- 18 (2) Prepare and submit a forest stewardship management
19 plan as set forth in section 195F-5; and
- 20 (3) Enter into [~~an~~] a program implementation agreement
21 with the board [~~to do the following:~~], upon approval



1 of the forest stewardship management plan by the
2 board. Upon approval of the program implementation
3 agreement by the board, the applicant shall:

4 (A) Undertake and maintain the approved activities
5 under the management plan for not fewer than ten
6 years, unless the board approves modifications in
7 the plan;

8 (B) Complete all approved activities under the
9 management plan within the timetable agreed upon
10 by the board and the landowner consistent with
11 the intent of this chapter;

12 (C) Submit an annual progress report to be reviewed
13 by the board for each year in which the landowner
14 receives support under the program. This report
15 shall detail accomplishments, areas requiring
16 technical advice, and any proposed modifications
17 of the management plan; and

18 (D) Other conditions deemed necessary by the board to
19 implement the purposes of this chapter.

20 (d) The board shall review the annual progress report and
21 shall determine whether the landowner has met the objectives of



1 the management plan. To facilitate the review, the department
2 shall have the right to make inspections of the forest land
3 after prior landowner notification. The board may approve
4 alteration of the management plan to adapt to current
5 conditions. Amendments to the management plan shall be
6 available for public review.

7 (e) The board shall submit annually a detailed report to
8 the governor and legislature that shall:

- 9 (1) Identify management objectives that have been
10 completed on [~~private lands~~] privately managed forest
11 lands resulting from payments made pursuant to section
12 195F-4(a)(1) and provide an analysis of problems and
13 issues encountered in meeting or failing to meet
14 objectives as set forth in the management plans;
- 15 (2) Identify all reforestation, forest management,
16 education, and training objectives that have been
17 completed as a result of any expenditures made
18 pursuant to section 195F-4(a)(2);
- 19 (3) Describe the financial condition of the fund,
20 including receipts and expenditures from the previous
21 fiscal year; and



1 (4) Set forth plans and management objectives for the next
2 fiscal year."

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on December 31,
6 2050.



Report Title:

Forest Stewardship Program; Forest Stewardship Fund

Description:

Clarifies the purpose of and inclusion of privately managed forests in the forest stewardship program and the conditions that must be met by applicants to receive funds under the program. Increases maximum payments from the forest stewardship fund available to landowners for assistance in developing and implementing an approved management plan. Takes effect 12/31/2050. (SD1)

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