
A BILL FOR AN ACT

RELATING TO NATURAL RESOURCE MANAGEMENT.

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

1 SECTION 1. The legislature finds that the protection of
2 the State's natural resources is of paramount importance.
3 Pursuant to article XI, section 2, of the Hawaii State
4 Constitution, the legislature has the authority to "vest in one
5 or more executive boards or commissions powers for the
6 management of natural resources owned or controlled by the
7 State". Presently, the department of land and natural
8 resources, under the direction of the board of land and natural
9 resources, remains as the principal agency tasked with natural
10 resource management. However, other executive boards or
11 commissions may share overlapping responsibilities related to
12 natural resource management.

13 With the enactment of Act 255, Session Laws of Hawaii 2022
14 (Act 255), the legislature vested certain natural resource
15 management powers to the newly established Mauna Kea stewardship
16 and oversight authority for lands identified and defined as
17 "Mauna Kea lands" pursuant to Act 255. Following a five-year



1 transition period, the Mauna Kea stewardship and oversight
2 authority will acquire the powers and duties previously held by
3 the board of land and natural resources pursuant to chapter 171,
4 Hawaii Revised Statutes, and the land use commission pursuant to
5 chapter 205, Hawaii Revised Statutes, as pertaining to the Mauna
6 Kea lands. However, this transition period is unclear as to the
7 board of land and natural resources and department of land and
8 natural resources' responsibility for lands within the state
9 conservation district, including lands identified and defined as
10 "Mauna Kea lands". Therefore, further clarification between the
11 Mauna Kea stewardship and oversight authority's and the board of
12 land and natural resources' jurisdiction is needed to protect
13 the State's precious natural resources.

14 Accordingly, the purpose of this Act is to clarify the
15 board of land and natural resources and department of land and
16 natural resources' authority over the state conservation
17 district.

18 SECTION 2. Section 195H-7, Hawaii Revised Statutes, is
19 amended by amending subsection (b) to read as follows:

20 "(b) Notwithstanding any law to the contrary, all powers
21 and duties of the board of land and natural resources pursuant



1 to chapter 171, and the land use commission pursuant to chapter
2 205, concerning permits, dispositions, land use approvals, and
3 any other approvals pertaining to the Mauna Kea lands are
4 transferred to the authority upon the expiration of the
5 transition period; provided that the transfer of such powers and
6 duties from the board of land and natural resources and the land
7 use commission may occur earlier, upon approval of the
8 authority, the board of land and natural resources, and the land
9 use commission. Upon the expiration of the transition period,
10 the authority shall carry out the powers and duties otherwise
11 conferred upon the board of land and natural resources pursuant
12 to chapter 171, and the land use commission pursuant to chapter
13 205, with regard to permits, dispositions, land use approvals,
14 and any other approvals pertaining to the Mauna Kea lands[-];
15 provided that the board of land and natural resources shall
16 retain powers and jurisdiction over areas designated under the
17 state conservation district pursuant to chapter 183C."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Gerard R. Snowye*



S.B. NO. 81

Report Title:

Mauna Kea Stewardship and Oversight Authority; Board of Land and Natural Resources; Conservation District

Description:

Clarifies that the Board of Land and Natural Resources' authority shall supersede the Mauna Kea Stewardship and Oversight Authority for all lands designated under the state conservation district.

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