
A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 **PART I**

2 SECTION 1. The legislature finds that the concept of a
3 wilderness area in the culturally and historically rich south
4 Kona area on the island of Hawaii has been discussed for more
5 than thirty years. This area has significant archeological
6 sites that warrant protection and preservation. Act 59, Session
7 Laws of Hawaii 2003, established the south Kona wilderness area
8 and provided for the development of a comprehensive management
9 plan for the area; however, Act 59 was subsequently repealed on
10 December 31, 2007, pursuant to Act 215, Session Laws of Hawaii
11 2006.

12 The purpose of this part is to establish a south Kona
13 wilderness area on the island of Hawaii, provide a mechanism for
14 the creation of a plan for management of the wilderness area,
15 and provide a framework for management of the wilderness area.

16 SECTION 2. Chapter 6E, Hawaii Revised Statutes, is amended
17 by adding a new part to be appropriately designated and to read
18 as follows:



1 "PART . SOUTH KONA WILDERNESS AREA

2 §6E-A South Kona wilderness area; establishment. There is
3 established the south Kona wilderness area on the island of
4 Hawaii in the area described in section 6E-B to be administered
5 by the department of land and natural resources for the
6 preservation of the visual, cultural, biological, and historical
7 aspects of the lands covered in this part and to:

- 8 (1) Preserve the extensive archaeological sites in the
9 area, including ancient homesites, a holua slide, a
10 heiau, and burial caves;
- 11 (2) Preserve and protect native Hawaiian plants and
12 animals currently in the area;
- 13 (3) Provide for a wilderness area with minimal man-made
14 structures;
- 15 (4) Permit limited non-vehicular access for recreational
16 purposes, such as fishing, swimming, and exploration;
17 and
- 18 (5) Prevent additional development in the area.

19 §6E-B Lands included. (a) Except as provided in
20 subsection (b), the following lands shall be included in the
21 south Kona wilderness area:

- 1 (1) Honomalino: All lands from the shoreline to six
2 thousand feet inland;
- 3 (2) Okoe: All lands from the shoreline to six thousand
4 feet inland. The Honomalino and Okoe sections include
5 approximately one thousand four hundred fifty-eight
6 acres;
- 7 (3) Kapu'a: All lands from the shoreline and going mauka,
8 designated as lots D-2-1 to D-2-4 in the county of
9 Hawaii, planning department, final subdivision
10 approval number 7625, a portion of which is currently
11 included within the conservation district, which lands
12 include approximately seven thousand seven hundred
13 eighty acres;
- 14 (4) Kaulanamauna: All lands from the shoreline to the
15 Manuka natural area reserve boundary; and
- 16 (5) Manuka: All lands from the shoreline to the Manuka
17 natural area reserve boundary.
- 18 (b) Any parcel of land included in subsection (a) upon
19 which there is a dwelling house as of July 1, 2011, together
20 with any outbuildings forming a part of the residential complex,
21 shall be excluded from the south Kona wilderness area.



1 **§6E-C Construction prohibited.** No new homes or other
2 structures shall be constructed within one thousand feet of the
3 shoreline within the south Kona wilderness area, except as
4 follows:

5 (1) Structures built by the department for the purpose of
6 managing the area;

7 (2) Repairs to existing structures pursuant to rules
8 adopted by the department under chapter 91; and

9 (3) Construction of one dwelling with a footprint no
10 larger than one thousand square feet by a private
11 landowner if the existing rules permit the
12 construction;

13 provided that no land shall be subdivided within the area;
14 provided further that no owner shall be permitted to consolidate
15 and resubdivide lots within the area if this subdivision would
16 increase the number of buildable lots.

17 **§6E-D Land acquisition.** The department may acquire any
18 private lands included in the lands described in section 6E-B(a)
19 by donation or by a value-for-value exchange of other state
20 lands; provided that, notwithstanding section 171-50, the costs
21 associated with any appraisal, including that of the public
22 land, shall be borne by the owner of the private land in the



1 exchange transaction or by private funds, grants, or
 2 contributions.

3 **§6E-E Designation of lands within the conservation**
 4 **district.** All lands described in section 6E-B(a) shall be
 5 classified as lands within the conservation district as
 6 described in section 205-2 without the necessity of any
 7 proceedings before the land use commission.

8 **§6E-F Management plan.** The department, in cooperation
 9 with appropriate county, state, and federal agencies; the aha
 10 kiolo advisory committee, established pursuant to Act 212,
 11 Session Laws of Hawaii 2007; and Paa Pono Milolii, a Hawaii
 12 nonprofit corporation; shall develop a comprehensive management
 13 plan for the:

- 14 (1) Preservation and protection of the historic sites;
 15 (2) Protection of native species; and
 16 (3) Recreational uses,
 17 of the south Kona wilderness area."

18 **PART II**

19 SECTION 3. The legislature finds that West Oahu is rich
 20 and abundant in historical sites from different periods and
 21 significant in Hawaii's culture and history.



1 A pre-dawn air raid on the Marine Corps Air Field in Ewa
2 and Fort Barrette in Kapolei on the morning of December 7, 1941
3 was one of the very first acts that precipitated the entrance of
4 the United States into World War II. One still-existing
5 military bunker and its connecting roads - Guadalcanal,
6 Roosevelt, Ranger, and Coral Sea - remain as a testament to
7 Hawaii's strong military heritage.

8 The Honouliuli internment camp was situated north of the
9 H-1 freeway in Kunia. One of five such camps in Hawaii, its one
10 hundred sixty acres, isolated in a deep gulch, were set up to
11 hold up to three thousand internees. Mainland archeologist Jeff
12 Burton, an expert on Japanese American internment, concluded
13 that the Honouliuli internment camp may be eligible for listing
14 on the national register of historic places.

15 Native Hawaiian religious and cultural specialists have
16 long held that the Ewa plain and coastline contain burial and
17 religious sites sacred to native Hawaiians. Remnants of old
18 native Hawaiian activity, settlements, and living can be found
19 throughout the region. Native Hawaiians say that the area is
20 the resting ground of seven ali'i including the last king of Maui
21 and Oahu before Kamehameha the Great. Part of Fort Barrette
22 road is on an extinct dormant volcano shield known as Puu o



1 Kapolei and is built on the ancient trail named in honor of
2 Kualaka'i, the chief who brought ulu to the region. Kualaka'i
3 was a leader whose many accomplishments benefitted the Hawaiian
4 people who lived in the Ewa region.

5 Hawaii's grand role in the worldwide sugar industry
6 literally has roots in Ewa's fertile farmlands. The Ewa sugar
7 plantation, Ewa villages, and old Waipahu sugar mill are
8 remnants of a golden age gone by. The Waipahu plantation
9 village is a re-creation of the lifestyle and homes of the
10 former plantation days. The colonial style plantation
11 manager's mansion in Ewa was placed on the national register of
12 historic places. The cultural richness and Asian-Pacific
13 blending in our islands are the direct result of all of the
14 laborers brought from overseas to work in the fields and live in
15 plantation housing. The last remaining segment of the Oahu
16 Railway and Land Company, the old train and railroad that
17 carried people and prized agricultural products to the harbor in
18 Honolulu, is preserved in Ewa and is now on the national
19 register of historic places.

20 These and other areas from the Ewa coastline sweeping up to
21 the Waianae range and Kunia are historical markers in Hawaii's
22 history and should be preserved where possible. As necessary



1 development for our growing population continues in the region,
2 the important history of West Oahu must not be forgotten.

3 The purpose of this part is to establish a historical
4 district designation to recognize the historical and cultural
5 significance of certain areas of the state and to establish the
6 West Oahu historical district as one such district.

7 SECTION 4. Chapter 6E, Hawaii Revised Statutes, is amended
8 by adding a new part to be appropriately designated and to read
9 as follows:

10 "PART . HISTORICAL DISTRICTS

11 §6E-G Historical district designation. (a) The
12 legislature may designate a contiguous geographical area in the
13 State as a historical district. The designation shall be for
14 honorary purposes to recognize the historical and cultural
15 significance of that area to Hawaii.

16 (b) The department of land and natural resources may
17 collaborate with interested parties to preserve historic
18 property and other historically significant sites within a
19 historical district and promote the historical district for
20 educational, tourism, and economic purposes.

21 (c) This section shall not affect any laws relating to
22 land use, zoning, development, permitting, or building codes.



1 §6E-H West Oahu historical district. The Ewa plain in
2 West Oahu, generally referring to the area from Kapolei to
3 Waipahu and including Ko Olina, Kalaeloa, and the Ewa marina,
4 shall be designated as the West Oahu historical district."

5 PART III

6 SECTION 5. In codifying the new sections added by sections
7 2 and 4 of this Act, the revisor of statutes shall substitute
8 appropriate section numbers for the letters used in designating
9 the new sections in this Act.

10 SECTION 6. This Act shall take effect on July 1, 2030.

11



Report Title:

South Kona Wilderness Area; West Oahu Historical District

Description:

Part I establishes the South Kona Wilderness Area to be administered by the department of land and natural resources; part II authorizes the legislature to designate a contiguous geographical area in the State as a historical district, and establishes the West Oahu historical district. Effective July 1, 2030. (SD1)

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

