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# A BILL FOR AN ACT

RELATING TO LIPOA POINT.

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

1           SECTION 1. The legislature finds that the new acquisition  
2 of Lipoa point on the island of Maui presents significant  
3 challenges for the department of land and natural resources  
4 regarding the management of a vast, porous, and complex land.  
5 Lipoa point consists of two hundred and forty-four acres of  
6 natural pristine land, forest, coastline, and open space once  
7 used to grow pineapple. The land includes an access trail to  
8 the Honolua-Mokuleia bay marine life conservation district that  
9 is heavily used by snorkelers, a heavily used unimproved access  
10 road that leads to scenic views of the coast line, and trail  
11 access used by many surfers. The legislature finds that Lipoa  
12 point's primary public value in its current condition is as an  
13 open space with key access points to the shoreline with  
14 associated cultural values, wildlife preservation, and access to  
15 the ocean for recreational opportunities.

16           The legislature further finds that there is an immediate  
17 need for a master plan to provide the basis of management



1 direction that balances the obligation to protect the quality of  
2 the waters, determine the community stakeholders' interests, and  
3 clearly define the ancillary long-term policies, goals, and  
4 costs associated with public use. Many issues arise with the  
5 acquisition of this new parcel, such as public safety, security,  
6 sanitation, resource protection, and appropriate land  
7 management. A master plan is critical in managing an area so  
8 vast and with many competing public interests, and it requires  
9 the coordination of several respective departmental divisions.  
10 Currently, there is no departmental division authorized with the  
11 collective authority, skills, or responsibilities to ensure the  
12 best use of Lipoa point.

13 Furthermore, the legislature finds there is an immediate  
14 need for support in maintaining the current state of Lipoa point  
15 and improving access and safety until a management plan is done.

16 The purpose of this Act is to:

- 17 (1) Establish the Lipoa point management council to  
18 explore options for protecting and preserving the  
19 area's condition;
- 20 (2) Provide support for community, cultural, and  
21 recreational access to the Lipoa point area; and



1 (3) Protect the pristine marine environment in the Lipoa  
2 point area.

3 SECTION 2. Chapter 171, Hawaii Revised Statutes, is  
4 amended by adding a new section to part I to be appropriately  
5 designated and to read as follows:

6 "§171- Lipoa point management council. (a) There is  
7 established a Lipoa point management council that shall be  
8 placed within the department of land and natural resources for  
9 administrative purposes.

10 (b) The council shall consist of five members as follows:

11 (1) The mayor of the county of Maui, or the mayor's  
12 designee;

13 (2) The chairperson of the board of land and natural  
14 resources, or the chairperson's designee;

15 (3) Two community members appointed pursuant to section  
16 26-34; and

17 (4) A representative from the aha moku council for Maui or  
18 from the native Hawaiian community.

19 (c) The members shall select a chairperson and establish  
20 policies for the council's internal administration.



1       (d) The members of the council shall not receive  
2       compensation for their services, but shall be reimbursed for  
3       expenses, including travel expenses, incurred in their duties  
4       relating to the council.

5       (e) Any entity developing, accepting, or implementing any  
6       plan for the development of the Lipoa point area within the  
7       Lipoa point district shall collaborate with and consider the  
8       recommendations of the council. Any transfer of property in the  
9       Lipoa point area within the Lipoa point district to any state or  
10      county agency shall be upon the condition that the agency shall  
11      be required to collaborate with and consider the recommendations  
12      of the council in the development, acceptance, and  
13      implementation of any plan for the transferred property.

14      (f) The council shall submit a report of its activities to  
15      the legislature no later than twenty days prior to the convening  
16      of each regular session.

17      (g) As used in this section:

18      "Council" means the Lipoa point management council.

19      "Lipoa point district" means the parcel of land acquired by  
20      the State at Lipoa point, identified as TMK 2-4-1-001-010-0000."



1 SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so much  
3 thereof as may be necessary for fiscal year 2015-2016 and the  
4 same sum or so much thereof as may be necessary for fiscal year  
5 2016-2017 for the Lipoa point management council to establish a  
6 master plan and environmental impact statement.

7 The sums appropriated shall be expended by the department  
8 of land and natural resources for the purposes of this Act.

9 SECTION 4. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$ or so much  
11 thereof as may be necessary for fiscal year 2015-2016 for the  
12 purpose of contracting for land surveyor services for Lipoa  
13 point.

14 The sum appropriated shall be expended by the department of  
15 land and natural resources for the purposes of this Act.

16 SECTION 5. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ or so much  
18 thereof as may be necessary for fiscal 2015-2016 and the same  
19 sum or so much thereof as may be necessary for fiscal year 2016-  
20 2017 for the purpose of contracting for maintenance services for  
21 Lipoa point.



1           The sums appropriated shall be expended by the department  
2 of land and natural resources for the purposes of this Act.

3           SECTION 6.   New statutory material is underscored.

4           SECTION 7.   This Act shall take effect on July 1, 2050.



**Report Title:**

Lipoa Point Management Council; DNLR; Appropriation

**Description:**

Establishes a Lipoa point management council in DLNR for the development of Lipoa point. Appropriates moneys for land surveyor services, maintenance services, and development of a master plan for Lipoa point. (HB722 HD2)

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