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RL:0357

HB 147, HD 1 RELATING TO FOREST RESERVATIONS

Statement for
Senate Committee on
Economic Development
Public Hearing, 20 March 1979

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HB 147, HD 1 would amend, HRS 183-41, the section concerning the powers of the Department of Land and Natural Resources related to forest and water reserves, so as to prohibit the Department from permitting certain uses in these reserves. This statement on the bill does not reflect an institutional position of the University.

The uses that would have been prohibited in the forest and water reserves under the original version of HB 147 included:

- a) airport, and heliports
- b) shopping centers
- c) hotels
- d) multiple family dwellings and single family dwellings in subdivisions of five or more acres, and
- e) other uses involving commercial or major public land uses that may require urban services or generate urban development.

The provisions of the bill suggest that its proposers consider that the Department has tended in the part, or might tend in the future, to grant permits for certain uses that are incompatible with the primary purposes of the forest and water reserves and of the Conservation Land Use District of which they are part.

At least two of the proposed prohibitions proposed in the original bill seemed extreme:

- (1) Although airports development in forest and water reserves seemed quite inconsistent with the primary purposes of those zones, the construction of a few small heliports at selected sites did not seem inconsistent with the primary purpose, would aid in the management of the forest reserves, and would be consistent with the recreational uses of the reserves.
- (2) Although widespread development of residences in the reserves would be inconsistent with their primary purposes, some subdivision for residential use and some residential construction is permitted under the Department Regulation 4 governing uses in the Conservation District. The bill has been revised in HD 1 to delete the prohibition against single-family residences and to exclude heliports from the prohibition against airports.

The rest of the proposed prohibitions, those retained in HD 1, appear quite appropriate. Furthermore HD 1 remedies a technical defect in the original bill.