
A BILL FOR AN ACT

RELATING TO COASTAL ZONE MANAGEMENT.

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

1 SECTION 1. Section 46-6.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Each county shall adopt ordinances which shall
4 require a [~~subdivider~~] landowner or developer, as a condition
5 precedent to final approval of a subdivision, in cases where
6 public access is not already provided, to [~~dedicate~~]:

7 (1) Dedicate land for public access by right-of-way or
8 easement for pedestrian travel from a public highway
9 or public streets to the land below the [~~high-water~~
10 ~~mark~~] shoreline, as defined in section 205A-1 on any
11 coastal shoreline [~~, and to dedicate~~];

12 (2) Dedicate land for public access by right of way from a
13 public highway to areas in the mountains where there
14 are existing facilities for hiking, hunting, fruit-
15 picking, ti-leaf sliding, and other recreational
16 purposes, and where there are existing mountain
17 trails [~~-~~]; and



1 (3) Ensure that there is reasonable street parking near
 2 public access areas in the special management areas
 3 under chapter 205A."

4 SECTION 2. Section 205A-1, Hawaii Revised Statutes, is
 5 amended by amending the definition of "agency" to read:

6 "Agency" means any agency, board, commission, department,
 7 or officer of a county government or the state government,
 8 including the authority as defined in [~~part~~] parts II[+] and
 9 III;"

10 SECTION 3. Section 205A-2, Hawaii Revised Statutes, is
 11 amended by amending subsections (b) and (c) to read as follows:

12 "(b) Objectives.

13 (1) Recreational resources;

14 (A) Provide coastal recreational opportunities
 15 accessible to the public.

16 (2) Historic resources;

17 (A) Protect, preserve, and, where desirable, restore
 18 those natural and manmade historic and
 19 prehistoric resources in the coastal zone
 20 management area that are significant in Hawaiian
 21 and American history and culture.

22 (3) Scenic and open space resources;



1 (A) Protect, preserve, and, where desirable, restore
2 or improve the quality of coastal scenic and open
3 space resources.

4 (4) Coastal ecosystems;

5 (A) Protect valuable coastal ecosystems, including
6 beaches, reefs, and dunes from disruption and
7 minimize significant adverse environmental or
8 ecological impacts on all coastal ecosystems.

9 (5) Economic uses;

10 (A) Provide public or private facilities and
11 improvements important to the State's economy in
12 suitable locations.

13 (6) Coastal hazards;

14 (A) Reduce hazard to life and property from coastal
15 hazards, including but not limited to tsunami,
16 [~~storm~~] hurricanes, wind, waves, [~~stream~~]
17 flooding, erosion, sea-level rise, subsidence,
18 and pollution.

19 (7) Managing development;

20 (A) Improve the development review process,
21 communication, and public participation in the



1 management of and planning for the development of
2 coastal resources and hazards[-] mitigation.

3 (8) Public participation;

4 (A) Stimulate public awareness, education, and
5 participation in coastal management.

6 (9) Beach protection;

7 (A) Protect beaches and coastal dunes for public use
8 and recreation[-] against coastal hazards.

9 (10) Marine resources;

10 (A) Promote the protection, use, and development of
11 marine and coastal resources to assure their
12 sustainability.

13 (c) Policies.

14 (1) Recreational resources;

15 (A) Improve coordination and funding of coastal
16 recreational planning and management; and

17 (B) Provide adequate, accessible, and diverse
18 recreational opportunities in the coastal zone
19 management area for the general public by:

20 (i) Protecting coastal resources uniquely suited
21 for recreational activities that cannot be
22 provided in other areas;



- 1 (ii) Requiring repair, restoration, or
2 replacement of coastal resources having
3 significant recreational value, including [7]
4 but not limited to [7] coral reefs, surfing
5 sites, fishponds, coastal dunes, and [~~sand~~]
6 beaches, when such resources will be
7 unavoidably damaged by development; or
8 requiring reasonable monetary compensation
9 to the State for recreation when repair,
10 restoration, or replacement is not feasible
11 or desirable;
- 12 (iii) Providing and managing adequate public
13 access, consistent with conservation of
14 natural resources, to and along all
15 shorelines with recreational value;
- 16 (iv) Providing an adequate supply of shoreline
17 parks and other recreational facilities
18 suitable for public recreation;
- 19 (v) Ensuring public recreational uses of county,
20 state, and federally owned or controlled
21 shoreline lands and waters having
22 recreational value consistent with public



- 1 safety standards and conservation of natural
2 resources;
- 3 (vi) Adopting water quality standards and
4 regulating point and nonpoint sources of
5 pollution to protect, and where feasible,
6 restore the recreational value of coastal
7 waters;
- 8 (vii) Developing new shoreline recreational
9 opportunities, where appropriate, such as
10 artificial lagoons, artificial beaches, and
11 artificial reefs for surfing and fishing;
12 and
- 13 (viii) Encouraging reasonable dedication of
14 shoreline areas with recreational value for
15 public use as part of discretionary
16 approvals or permits by the land use
17 commission, board of land and natural
18 resources, and county authorities; and
19 crediting such dedication against the
20 requirements of section 46-6.
- 21 (2) Historic resources;



- 1 (A) Identify and analyze significant archaeological
2 resources;
- 3 (B) Maximize information retention through
4 preservation of remains and artifacts or salvage
5 operations; and
- 6 (C) Support state goals for protection, restoration,
7 interpretation, and display of historic
8 resources.
- 9 (3) Scenic and open space resources;
- 10 (A) Identify valued scenic resources in the coastal
11 zone management area;
- 12 (B) Ensure that new developments are compatible with
13 their visual environment by designing and
14 locating such developments to minimize the
15 alteration of natural landforms and existing
16 public views to and along the shoreline;
- 17 (C) Preserve, maintain, and, where desirable, improve
18 and restore shoreline open space and scenic
19 resources [↗], and public access to those
20 resources; and
- 21 (D) Encourage those developments that are not coastal
22 dependent to locate in inland areas.



- 1 (4) Coastal ecosystems;
- 2 (A) Exercise an overall conservation ethic, and
- 3 practice stewardship in the protection, use, and
- 4 development of marine and coastal resources;
- 5 (B) Improve the technical basis for natural resource
- 6 management;
- 7 (C) Preserve [~~valuable~~] coastal ecosystems, including
- 8 beaches, reefs, [of significant biological or
- 9 economic importance,] and dunes;
- 10 (D) Minimize disruption or degradation of coastal
- 11 water ecosystems by effective regulation of
- 12 stream diversions, channelization, and similar
- 13 land and water uses, recognizing competing water
- 14 needs; [~~and~~]
- 15 (E) Promote water quantity and quality planning and
- 16 management practices that reflect the tolerance
- 17 of fresh water and marine ecosystems and maintain
- 18 and enhance water quality through the development
- 19 and implementation of point and nonpoint source
- 20 water pollution control measures [~~-~~]; and
- 21 (F) Prevent the grading or destruction of any primary
- 22 coastal dune.



- 1 (5) Economic uses;
- 2 (A) Concentrate coastal dependent development in
- 3 appropriate areas;
- 4 (B) Ensure that coastal dependent development such as
- 5 harbors and ports, and coastal related
- 6 development such as visitor industry facilities
- 7 and energy generating facilities, are located,
- 8 designed, and constructed to minimize adverse
- 9 social, visual, and environmental impacts in the
- 10 coastal zone management area; and
- 11 (C) Direct the location and expansion of coastal
- 12 dependent developments to areas presently
- 13 designated and used for such developments and
- 14 permit reasonable long-term growth at such
- 15 areas [7] with consideration of sea-level rise,
- 16 and permit coastal dependent development outside
- 17 of presently designated areas when:
- 18 (i) Use of presently designated locations is not
- 19 feasible;
- 20 (ii) Adverse environmental effects and exposure
- 21 to negative impacts related to sea-level
- 22 rise are minimized; and



- 1 (iii) The development is important to the State's
2 economy~~[-]~~, infrastructure, and utilities.
- 3 (6) Coastal hazards;
- 4 (A) Develop and communicate adequate information
5 about ~~[storm-wave,]~~ tsunami, ~~[flood,]~~ hurricanes,
6 wind, waves, flooding, erosion, sea-level rise,
7 subsidence, and point and nonpoint source
8 pollution hazards;
- 9 (B) ~~[Control]~~ Engage in early planning and control
10 development in areas subject to ~~[storm-wave,]~~
11 tsunami, ~~[flood,]~~ hurricanes, wind, waves,
12 flooding, erosion, [hurricane, wind,] sea-level
13 rise, subsidence, and point and nonpoint source
14 pollution hazards;
- 15 (C) Ensure that developments comply with requirements
16 of the ~~[Federal]~~ National Flood Insurance
17 Program; and
- 18 (D) Prevent coastal flooding from inland projects.
- 19 (7) Managing development;
- 20 (A) Use, implement, and enforce existing law
21 effectively to the maximum extent possible in



- 1 managing present and future coastal zone
2 development;
- 3 (B) Facilitate timely processing of applications for
4 development permits and resolve overlapping or
5 conflicting permit requirements; and
- 6 (C) Communicate the potential [~~short~~] short- and
7 long-term impacts of proposed significant coastal
8 developments early in [~~their life cycle~~] the
9 development stage and in terms understandable to
10 the public to facilitate public participation in
11 the planning and review process.
- 12 (8) Public participation;
- 13 (A) Promote public involvement in coastal zone
14 management processes;
- 15 (B) Disseminate information on coastal management
16 issues by means of educational materials,
17 published reports, staff contact, and public
18 workshops for persons and organizations concerned
19 with coastal issues, developments, and government
20 activities; and



- 1 (C) Organize workshops, policy dialogues, and site-
2 specific mediations to respond to coastal issues
3 and conflicts.
- 4 (9) Beach protection;
- 5 (A) Locate new structures inland from the shoreline
6 setback to conserve open space, minimize
7 interference with natural shoreline processes,
8 minimize negative impacts to coastal
9 environments, and minimize loss of improvements
10 due to coastal hazards including erosion;
- 11 (B) Prohibit construction of private erosion-
12 protection structures seaward of the shoreline,
13 except when they result in improved public
14 access, safety, aesthetic, environmental, and
15 engineering solutions to coastal hazards
16 including erosion at the sites, enhance beach
17 conservation, and do not significantly interfere
18 with existing recreational and waterline
19 activities; and
- 20 (C) Minimize the construction of public [~~erosion-~~
21 ~~protection~~] coastal hazard-protection structures
22 seaward of the shoreline[-] except when they



1 result in improved public access, safety,
2 aesthetic, environmental, and engineering
3 solutions to coastal hazards.

4 (10) Marine resources;

5 (A) Ensure that the use and development of marine and
6 coastal resources are ecologically and
7 environmentally sound and economically
8 beneficial;

9 (B) Coordinate the management of marine and coastal
10 resources and activities to improve effectiveness
11 and efficiency;

12 (C) Assert and articulate the interests of the State
13 as a partner with federal agencies in the sound
14 management of ocean resources within the United
15 States exclusive economic zone;

16 (D) Promote research, study, and understanding of
17 ocean processes, marine life, and other ocean
18 resources [~~in order~~] to acquire and inventory
19 information necessary to understand how ocean
20 development activities relate to and impact upon
21 ocean and coastal resources; and



1 (E) Encourage research and development of new,
2 innovative technologies for exploring, using, or
3 protecting marine and coastal resources."

4 SECTION 4. Section 205A-22, Hawaii Revised Statutes, is
5 amended by amending the definitions of "department",
6 "development", "special management area emergency permit", and
7 "structure" to read as follows:

8 "Department" means the planning department in the counties
9 of Kauai, Maui, and Hawaii, and the department of [~~land~~
10 ~~utilization~~] planning and permitting in the city and county of
11 Honolulu, or other appropriate agency as designated by the
12 county councils.

13 "Development" means any of the uses, activities, or
14 operations on land or in or under water within a special
15 management area that are included below:

- 16 (1) Placement or erection of any solid material or any
17 gaseous, liquid, solid, or thermal waste;
- 18 (2) Grading, removing, dredging, mining, or extraction of
19 any materials;
- 20 (3) Change in the density or intensity of use of land,
21 including but not limited to the division or
22 subdivision of land;



- 1 (4) Change in the intensity of use of water, ecology
2 related thereto, or of access thereto; and
3 (5) Construction, reconstruction, demolition, or
4 alteration of the size, shape, footprint, or area of
5 any structure.

6 "Development" does not include the following:

- 7 (1) Construction of a single-family residence that is not
8 part of a larger development;
9 (2) Repair or maintenance of roads and highways within
10 existing rights-of-way;
11 (3) Routine maintenance dredging of existing streams,
12 channels, and drainage ways;
13 (4) Repair and maintenance of underground utility lines,
14 including but not limited to water, sewer, power, and
15 telephone and minor appurtenant structures such as pad
16 mounted transformers and sewer pump stations;
17 (5) Zoning variances, except for height, density, parking,
18 and shoreline setback;
19 (6) Repair, maintenance, or interior alterations to
20 existing structures;



- 1 (7) Demolition or removal of structures, except those
2 structures located on any historic site as designated
3 in national or state registers;
- 4 (8) Use of any land for the purpose of cultivating,
5 planting, growing, and harvesting plants, crops,
6 trees, and other agricultural, horticultural, or
7 forestry products or animal husbandry, or aquaculture
8 or mariculture of plants or animals, or other
9 agricultural purposes;
- 10 (9) Transfer of title to land;
- 11 (10) Creation or termination of easements, covenants, or
12 other rights in structures or land;
- 13 (11) Subdivision of land into lots greater than twenty
14 acres in size;
- 15 (12) Subdivision of a parcel of land into four or fewer
16 parcels when no associated construction activities are
17 proposed; provided that any land which is so
18 subdivided shall not thereafter qualify for this
19 exception with respect to any subsequent subdivision
20 of any of the resulting parcels;



- 1 (13) Installation of underground utility lines and
2 appurtenant aboveground fixtures less than four feet
3 in height along existing corridors;
- 4 (14) Structural and nonstructural improvements to existing
5 single-family residences, where otherwise permissible;
- 6 (15) Nonstructural improvements to existing commercial
7 structures; and
- 8 (16) Construction, installation, maintenance, repair, and
9 replacement of civil defense warning or signal devices
10 and sirens;

11 provided that whenever the authority finds that any excluded
12 use, activity, or operation may have a cumulative impact, or a
13 significant environmental or ecological effect on a special
14 management area, that use, activity, or operation shall be
15 defined as "development" for the purpose of this part.

16 "Special management area emergency permit" means an action
17 by the authority authorizing development in cases of emergency
18 requiring immediate action to prevent substantial physical harm
19 to persons or property or to allow the reconstruction of
20 structures damaged by natural hazards to their original form;
21 provided that such structures were previously found to be legal



1 and in compliance with requirements of the [~~Federal~~] National
2 Flood Insurance Program.

3 "Structure" includes but is not limited to any building,
4 road, pipe, flume, conduit, siphon, aqueduct, telephone line,
5 [~~and~~] electrical power transmission and distribution line[~~-~~],
6 wall, revetment, and groin."

7 SECTION 5. Section 205A-26, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "§205A-26 **Special management area guidelines.** In
10 implementing this part, the authority shall adopt the following
11 guidelines for the review of developments proposed in the
12 special management area:

13 (1) All development in the special management area shall
14 be subject to reasonable terms and conditions relative
15 to the objectives, policies, and guidelines of this
16 chapter set by the authority [~~in order~~] to ensure:

17 (A) Adequate public access, by dedication or other
18 means, to and along the publicly owned or used
19 beaches, recreation areas, and natural reserves
20 is provided to the extent consistent with sound
21 conservation principles;



- 1 (B) Adequate and properly located public recreation
2 areas and wildlife preserves are reserved;
- 3 (C) Provisions are made for solid and liquid waste
4 treatment, disposition, and management which will
5 minimize adverse effects upon special management
6 area resources; and
- 7 (D) Alterations to existing land forms and
8 vegetation, except crops, and construction of
9 structures shall cause minimum adverse effect to
10 water resources and scenic and recreational
11 amenities and minimum danger of floods, wind
12 damage, wave damage, storm surge, landslides,
13 erosion, sea-level rise, siltation, or failure in
14 the event of earthquake[-];
- 15 (2) No development shall be approved unless the authority
16 has first found:
- 17 (A) That the development will not have any
18 [~~substantial~~] significant adverse environmental
19 or ecological effect, except as such adverse
20 effect is minimized to the extent practicable and
21 clearly outweighed by public health, safety, or
22 compelling public interests. Such adverse



1 effects shall include[~~7~~] but not be limited to[~~7~~]
2 the potential cumulative impact of individual
3 developments, each one of which taken in itself
4 might not have a [~~substantial~~] significant
5 adverse effect, and the elimination of planning
6 options;

7 (B) That the development is consistent with the
8 objectives, policies, and special management area
9 guidelines of this chapter and any guidelines
10 enacted by the legislature; [~~and~~]

11 (C) That the development is consistent with the
12 county general plan and zoning. Such a finding
13 of consistency does not preclude concurrent
14 processing where a general plan or zoning
15 amendment may also be required[~~-~~];

16 (D) That the development has been adequately planned
17 to minimize the risk from coastal hazards such as
18 tsunami, hurricanes, wind, waves, flooding,
19 erosion, and sea-level rise; and

20 (E) That the development does not impede reasonable
21 and adequate public access to or along the
22 shoreline or beach area;



1 and

2 (3) The authority shall seek to minimize, where
3 reasonable:

4 (A) Dredging, filling, or otherwise altering any bay,
5 estuary, salt marsh, river mouth, slough, or
6 lagoon;

7 (B) Any development which would directly reduce the
8 size of any beach or other area usable for public
9 recreation;

10 (C) Any development which would reduce or impose
11 restrictions upon public access to tidal and
12 submerged lands, beaches, portions of rivers and
13 streams within the special management areas, and
14 the mean high tide line where there is no beach;

15 (D) Any development which would substantially
16 interfere with or detract from the line of sight
17 toward the sea from the state highway nearest the
18 coast; and

19 (E) Any development which would adversely affect
20 water quality, existing areas of open water free
21 of visible structures, existing and potential
22 fisheries and fishing grounds, wildlife habitats,



1 or potential or existing agricultural uses of
2 land."

3 SECTION 6. Section 205A-41, Hawaii Revised Statutes, is
4 amended by adding two new definitions to be appropriately
5 inserted and to read as follows:

6 "Authority" means the county planning commission, except
7 in counties where the county planning commission is advisory
8 only, in which case "authority" means the county council or such
9 body as the council may by ordinance designate.

10 "Department" means the planning departments of the counties
11 of Kauai, Maui, and Hawaii, and the department of planning and
12 permitting of the city and county of Honolulu, as appropriate."

13 SECTION 7. Section 205A-43, Hawaii Revised Statutes, is
14 amended to read as follows:

15 **"§205A-43 Establishment of shoreline setbacks and duties**
16 **and powers of the department.** (a) Setbacks along shorelines
17 are established of not less than twenty feet and not more than
18 forty feet inland from the shoreline. The department shall
19 adopt rules pursuant to chapter 91, prescribing procedures for
20 determining the shoreline setback line, and shall enforce the
21 shoreline setbacks and rules pertaining thereto.



1 (b) The powers and duties of the department shall
2 include [7] but not be limited to [7

3 ~~(1) The department shall adopt rules under chapter 91~~
4 ~~prescribing procedures for determining the shoreline~~
5 ~~setback line; and~~

6 ~~(2) The department shall review]~~ reviewing the plans of
7 all applicants who propose any structure, activity, or
8 facility that would be prohibited without a variance
9 pursuant to this part. The department may require
10 that the plans be supplemented by accurately mapped
11 data and photographs showing natural conditions and
12 topography relating to all existing and proposed
13 structures and activities."

14 SECTION 8. Section 205A-43.5, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) Prior to action on a variance application, the
17 authority shall hold a public hearing under chapter 91. By
18 adoption of rules under chapter 91, the authority may delegate
19 responsibility to the department. Public and private notice,
20 including reasonable notice to abutting property owners and
21 persons who have requested this notice, shall be provided, but a



1 public hearing may be waived prior to action on a variance
2 application for:

3 (1) Stabilization of shoreline erosion by the moving of
4 sand entirely on public lands;

5 ~~[-(2) Protection of a legal structure costing more than
6 \$20,000; provided the structure is at risk of
7 immediate damage from shoreline erosion;~~

8 ~~(3) Other structures or activities; provided that no
9 person or agency has requested a public hearing within
10 twenty five calendar days after public notice of the
11 application; or~~

12 ~~[-(4)]~~ (2) Temporary emergency protection of a legal
13 inhabited dwelling or major infrastructure; provided
14 the structure is at risk of immediate damage from
15 shoreline erosion or other coastal hazard; or

16 ~~[-(4)]~~ (3) Maintenance, repair, reconstruction, and minor
17 additions or alterations of legal boating, maritime,
18 or watersports recreational facilities, which result
19 in little or no interference with natural shoreline
20 processes."

21 SECTION 9. Section 205A-45, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "§205A-45 Shoreline setback lines established by county.

2 (a) The [~~several~~] counties through rules adopted pursuant to
3 chapter 91 or ordinance may require that shoreline setback lines
4 be established at distances greater than established in this
5 part. The shoreline setback shall use a method including but
6 not limited to the average annual shoreline erosion rate, where
7 appropriate, in addition to the minimum distance established in
8 section 205A-43.

9 (b) The [~~several~~] counties through rules adopted pursuant
10 to chapter 91 or ordinance may expand the shoreline area to
11 include the area between mean sea level and the shoreline.

12 (c) The counties, through rules adopted pursuant to
13 chapter 91 or ordinance, or under existing authority, shall:

14 (1) Use the shoreline setback as a tool to minimize the
15 damage from coastal hazards, including but not limited
16 to tsunami, hurricanes, wind, waves, flooding,
17 erosion, sea-level rise, subsidence, and pollution.
18 Measures such as early planning, variances for
19 innovative design, and minimum buildable areas shall
20 be considered; and

21 (2) Ensure that:



- 1 (A) Any parcels created after the subdivision of an
2 original parcel are sufficiently large to
3 accommodate a shoreline setback based on average
4 annual erosion rate or other means to mitigate
5 environmental damage and hazard exposure; and
6 (B) Public safety, public access, and public
7 shoreline areas are protected."

8 SECTION 10. Section 205A-46, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) A variance may be granted for a structure or activity
11 otherwise prohibited in this part if the authority finds in
12 writing, based on the record presented, that the proposed
13 structure or activity is necessary for or ancillary to:

- 14 (1) Cultivation of crops;
15 (2) Aquaculture;
16 (3) Landscaping; provided that the authority finds that
17 the proposed structure or activity will not adversely
18 affect beach processes or adequate public access and
19 will not artificially fix the shoreline;
20 (4) Drainage;
21 (5) Boating, maritime, or watersports recreational
22 facilities;



- 1 (6) Facilities or improvements by public agencies or
2 public utilities regulated under chapter 269;
- 3 (7) Private facilities or improvements that are clearly in
4 the public interest;
- 5 (8) Private facilities or improvements which will neither
6 adversely affect beach processes nor artificially fix
7 the shoreline; provided that the authority also finds
8 that hardship will result to the applicant if the
9 facilities or improvements are not allowed within the
10 shoreline area;
- 11 (9) Private facilities or improvements that may
12 [~~artificially fix~~] harden the shoreline; provided that
13 the authority [~~also finds~~]:
- 14 (A) Finds that shoreline erosion is likely to cause
15 significant hardship to the applicant if the
16 facilities or improvements are not allowed within
17 the shoreline area [~~, and the authority imposes~~];
- 18 (B) Considers whether the activity will alter beach-
19 quality sediment availability;
- 20 (C) Finds that the facilities or improvements do not
21 limit or severely reduce adequate public access
22 or public shoreline use; and



1 (D) Imposes conditions to prohibit any structure
2 seaward of the existing shoreline unless it is
3 clearly in the public interest; or

4 (10) Moving of sand from one location seaward of the
5 shoreline to another location seaward of the
6 shoreline[+] within the same littoral system; provided
7 that the authority also finds that moving of sand
8 ~~[will not adversely affect beach processes,]~~ will not
9 diminish the size of a public beach and will be
10 necessary to stabilize an eroding shoreline[-] or for
11 stream mouth maintenance."

12 SECTION 11. Section 205A-71, Hawaii Revised Statutes, is
13 amended by amending subsection (c) to read as follows:

14 "(c) The authority shall adopt rules under chapter 91
15 setting forth procedures for implementing this section.

16 As used in this section, "authority" means the county
17 planning commission, except in counties where the county
18 planning commission is advisory only, in which case "authority"
19 means the county council or such body as the council may by
20 ordinance designate."



1 SECTION 12. This Act does not affect rights and duties
2 that matured, penalties that were incurred, and proceedings that
3 were begun, before its effective date.

4 SECTION 13. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 14. This Act shall take effect upon its approval.



Report Title:

Coastal Zone Management

Description:

Requires certain agencies to account for sea-level rise and minimize risk from coastal hazards such as erosion, storm inundation, hurricanes, and tsunamis. Also preserves public shoreline access and authorizes the counties to account for annual shoreline erosion rates. (HB570 HD1)

