
A BILL FOR AN ACT

RELATING TO SHORELINE SETBACKS.

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

1 SECTION 1. The legislature finds that Kailua beach on the
2 island of Oahu is a unique asset of the State that is the
3 product of a decades-long natural process of accretion. For the
4 past several decades, the beachfront of Kailua beach has
5 increased to the benefit of beach users from around the State
6 and the nation. Kailua beach is special within the State, as
7 one of only a few beaches that is fully urban, accreting, and
8 entirely unarmored. However, this asset remains subject to
9 erosion related to sand deficiencies at Kailua beach park, as
10 well as future impacts related to sea-level rise. Because the
11 southern end of Kailua beach is now subject to long-term
12 erosion, which is migrating northward with time, it is
13 imperative to conserve and protect the legacy of Kailua beach by
14 minimizing current and future impacts of shoreline erosion.

15 Proper management, achieved through appropriate shoreline
16 setbacks and rezoning of the shoreline area as a resource sub-
17 zone of the conservation district, will:

18 (1) Help to protect development from coastal hazards;



- 1 (2) Conserve and protect the beach;
- 2 (3) Preserve recreational uses of coastal resources; and
- 3 (4) Minimize future impacts to the coastal ecosystem.

4 With long-term sea-level rise, these issues will become more
5 critical without necessary coastal management planning.

6 Accreted beach land, in the form of coastal dunes and dry
7 beach area, is still an integral portion of the beach system.
8 Accreted land holds the fragile carbonate sands, which the
9 active beach relies upon during periods of episodic erosion.
10 These same lands will once again transition back into active
11 beach area as the chronic erosion present at the south end of
12 Kailua beach migrates north and as sea-level rises. As the
13 shoreline migrates through accretion and erosion, so too does
14 the conservation district boundary, where all submerged lands
15 are zoned as resource sub-zone. The accreted lands, originally
16 within the conservation district, will not only return to the
17 conservation district with subsequent erosion, but also have a
18 significant impact on the function and health of the beach
19 resource to be conserved and protected within the existing
20 conservation district boundaries. From a management
21 perspective, it is more effective for one agency to steward the
22 entire resource. As such, the State has a clear interest, as it



1 already manages the existing conservation district and it owns
2 all the lands makai of private property boundaries, including a
3 portion of the accreted lands. As there are currently no
4 shoreline structures on Kailua beach, with the exception of the
5 boat ramp and ancillary structure at the south end of the beach,
6 there is a significant opportunity for the State to proactively
7 and comprehensively manage the coastal sediment and
8 environmental systems from the nearshore waters to the mauka
9 extent of the shoreline setback area in the best interest of the
10 public, the resource, and the State. This management scheme
11 will not affect ownership of private property nor dictate the
12 issuance of building permits from the city and county of
13 Honolulu's department of planning and permitting, in conformance
14 with special management area ordinances.

15 The purpose of this Act is to preserve the existing Kailua
16 beach for the use and enjoyment of future generations.

17 SECTION 2. Chapter 205A, Hawaii Revised Statutes, is
18 amended by adding a new section to part III to be appropriately
19 designated and to read as follows:

20 "§205A- Kailua beach, Oahu, special shoreline setback
21 determination. (a) The board of land and natural resources
22 shall adopt rules pursuant to chapter 91 prescribing procedures



1 for determining the shoreline setback and the mauka extent of
2 the conservation district for Kailua beach, giving primary
3 consideration to the natural processes of accretion and erosion
4 that may be special to Kailua beach.

5 (b) The shoreline setback area determined by the board in
6 subsection (a) shall be within the conservation district and
7 subject to chapters 205, 205A, and 183C and section 183-45.

8 (c) For purposes of this section, "Kailua beach" means
9 that part of the east shoreline of the island of Oahu between
10 Kawainui canal to the north and Alala point to the south, in the
11 Koolaupoko district."

12 SECTION 3. There is hereby established an interim coastal
13 construction line along the length of Kailua beach, as defined
14 in section 205A- , Hawaii Revised Statutes, extending along
15 the makai faces of coastal residences as they exist at the time
16 of the effective date of this Act. The coastal construction
17 line for any vacant parcel shall extend across the parcel from
18 the mauka most point of the coastal construction line of its
19 abutting parcels. The coastal construction line shall establish
20 an interim limit for construction at Kailua Beach for beach
21 preservation purposes. There shall be no new development makai
22 of the coastal construction line until the earlier to occur of:



Report Title:

Shoreline Setback; Kailua Beach

Description:

Directs BLNR to adopt rules for determining the shoreline setback and mauka extent of the conservation district for Kailua beach; establishes an interim coastal construction setback line.

