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## 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 the intent of  
2 shoreline setbacks is to establish a coastal-hazard buffer zone  
3 to protect beachfront development from high-wave events and  
4 coastal erosion. Adequate setbacks allow the natural erosion  
5 and accretion cycles to occur and help maintain lateral beach  
6 access. Shoreline setbacks also provide open space for the  
7 enjoyment of the natural shoreline environment.

8           The legislature also finds that global warming, resulting  
9 in the dramatic rise of sea levels, is causing the erosion of  
10 beaches. As a result, beachfront areas are receding at a rapid  
11 pace because current shoreline setbacks do not allow the natural  
12 erosion and accretion cycles to occur.

13           The purpose of this Act is to allow for shoreline setbacks  
14 to include a distance that would avoid beachfront erosion.

15           SECTION 2. Section 205A-1, Hawaii Revised Statutes, is  
16 amended by amending the definition of "shoreline" to read as  
17 follows:



1        ""Shoreline" means the upper reaches of the wash of the  
2 waves, other than storm and seismic waves, at high tide during  
3 the season of the year in which the highest wash of the waves  
4 occurs, usually evidenced by the edge of vegetation growth, [~~or~~]  
5 the upper limit of debris left by the wash of the waves[-], or  
6 the distance that would avoid beachfront erosion, whichever is  
7 greater."

8        SECTION 3. Section 205A-43, Hawaii Revised Statutes, is  
9 amended by amending subsection (a) to read as follows:


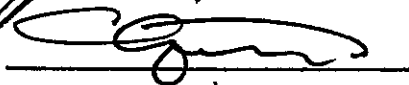
10        "(a) Setbacks along shorelines are established of not less  
11 than twenty feet and not more than forty feet inland from the  
12 shoreline[-], or the distance that would avoid beachfront  
13 erosion, whichever is greater. The department shall adopt rules  
14 pursuant to chapter 91, and shall enforce the shoreline setbacks  
15 and rules pertaining thereto."

16        SECTION 4. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18        SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

  
  
Nannuimou



**Report Title:**

Shoreline Setbacks; Erosion

**Description:**

Allows for shoreline setbacks to include a distance that would avoid beachfront erosion.

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

