
A BILL FOR AN ACT

RELATING TO COASTLINE PRESERVATION.

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

1 SECTION 1. The legislature finds that the beaches and
2 shorelines of Hawaii are among the State's most valuable natural
3 assets. It is in keeping with the State's motto, "Ua mau ke ea
4 o ka aina i ka pono", which means that the life of the land is
5 perpetuated in righteousness, and it is in the best interest of
6 the State to protect and preserve natural resources for Hawaii's
7 people and for future generations of residents and visitors.

8 The legislature also finds that due to accelerating
9 coastline erosion, diminishing access to the ocean, and legal
10 bifurcation of shoreline administrative responsibilities, it is
11 imperative to begin a new innovative, collaborative effort to
12 preserve and protect coastal areas across the State. The
13 establishment of a two thousand foot conservation easement along
14 the coast as a no-build buffer zone on all state-owned land on
15 the island of Hawaii would help to preserve and link numerous
16 cultural sites and protect access to beaches for fishing,
17 camping, surfing, and ocean sports for all peoples of the State
18 of Hawaii.



1 A two thousand foot conservation easement coastline buffer
2 zone will protect the coral reefs from degradation caused by
3 sedimentation from grubbing and grading that has already killed
4 parts of the reef north of Kawaihae and at the Hokulia
5 subdivision in south Kona. The buffer zone protecting the reef
6 will provide abundant habitat for fish and all ocean species,
7 and protect fishing and ocean gathering for generations to come.
8 Establishing a buffer zone along the full length of the one
9 hundred seventy-five mile long Ala Kahakai National Historic
10 Trail would provide space for a parallel trail for hiking and
11 biking, and link all four of the national parks that could be
12 the basis for an eco-tourism industry on the island of Hawaii.

13 The purpose of this Act is to encourage the preservation of
14 the State's coastal areas for the use and enjoyment of residents
15 and visitors by placing a two thousand foot no-build
16 conservation easement buffer zones along Ala Kahakai National
17 Historic Trail and all state-owned coastal lands on the island
18 of Hawaii, which is approximately 98.4 miles of coastline.

19 SECTION 2. (a) Notwithstanding any other law to the
20 contrary, the department of land and natural resources shall
21 record and manage a conservation easement, which shall contain
22 the following language:



1 "The State of Hawaii shall establish a two thousand foot
2 conservation easement coastal buffer zone on all state-owned
3 lands on the island of Hawaii that shall comprise a no-build
4 zone (except for necessary park buildings), to be managed in
5 perpetuity for the use and enjoyment of all of the people of
6 Hawaii. This land can never be sold, mortgaged, transferred,
7 traded, or rezoned in whole or in part in any way. The purpose
8 of this easement is to preserve cultural sites, promote
9 sustainable fishing practices, preserve coastline access, and
10 promote healthy recreation for the people of Hawaii."

11 (b) The termination of coastal construction shall not
12 apply to any harbor expansion or structures for which all
13 necessary building permits have been approved prior to the
14 effective date of this Act.

15 (c) For the purposes of this Act, "Ala Kahakai National
16 Historic Trail" means that part of the shoreline of the island
17 of Hawaii that begins at Upolu Point in the North Kohala
18 District and ends at Hawaii Volcanoes National Park, as
19 designated by the National Park Service in its comprehensive
20 management plan.



1 SECTION 3. This Act shall take effect upon approval.

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INTRODUCED BY: Denny Coffman

JAN 26 2011



Report Title:

Conservation Easement; No-Build Zone; Coastal Protection

Description:

Requires DLNR to establish a conservation easement and no-build zone along Ala Kahakai National Historic Trail and state-owned coastal lands on the island of Hawaii.

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