
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

PART I

SECTION 1. The legislature finds that many important aspects of our State, including its economy and the way of life of its communities, rely on the preservation of its beaches. However, beach loss has accelerated at an unprecedented rate in recent decades, resulting in Hawaii losing more than seventeen miles of beaches. Repeated king tides have deteriorated beaches and sea walls and shoreline hardening has hastened the rate of beach loss.

As rising sea levels and intensifying erosion continue to threaten beaches, Hawaii's economy faces tens of billions of dollars in potential losses. The loss of Waikiki beach alone would cause an estimated \$2,000,000,000 in annual losses to Hawaii's economy. Losing similar beaches that are critical to our communities would also be devastating, resulting in significant decreases in property values, revenues to local businesses, and the overall quality of life in the State.



1 As beaches erode and retreat, the State may need to acquire
2 adjacent private lands to ensure that space exists for beaches
3 and dune systems to survive. The acquisition of adjacent land
4 will also enable continued public access to these priceless
5 community assets. Additionally, acquiring adjacent property
6 will create a buffer zone between the shoreline and developed
7 areas to protect the State from potential natural disasters.

8 The purpose of this Act is to ensure the preservation of
9 Hawaii's beaches for future generations by:

- 10 (1) Establishing a Hawaii beach preservation special fund
11 within the treasury of the State to be used to
12 purchase lands threatened by sea level rise or beach
13 erosion or carry out other forms of managed retreat
14 for the protection of adjacent public beaches; and
- 15 (2) Creating a working group within the Hawaii climate
16 change mitigation and adaptation commission to
17 determine appropriate funding mechanisms for the
18 Hawaii beach preservation special fund; and
- 19 (3) Establishing the north shore Oahu pilot project to
20 explore managed retreat options to address current
21 emergency beach conditions and investigate managed



1 retreat options that may be replicated elsewhere in
2 the State.

3 PART II

4 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
5 amended by adding a new section to part VIII to be appropriately
6 designated and to read as follows:

7 "§171- Hawaii beach preservation special fund. (a)

8 There is established a Hawaii beach preservation special fund
9 within the treasury of the State into which shall be deposited:

10 (1) All appropriations made by the legislature to the
11 fund; and

12 (2) Gifts, donations, and grants from public agencies and
13 private persons.

14 All interest earned or accrued on moneys deposited into the
15 fund shall become part of the fund.

16 (b) Subject to legislative appropriation, the department
17 of land and natural resources may expend moneys from the fund to
18 purchase from landowners any lands threatened by sea level rise
19 or beach erosion and to carry out other forms of managed retreat
20 for the protection of public beaches. Lands purchased pursuant
21 to this section shall be managed by the department.



1 (c) The department shall adopt rules in accordance with
2 chapter 91 to effectuate the purposes of this section."

3 SECTION 3. (a) There shall be established within the
4 Hawaii climate change mitigation and adaptation commission a
5 Hawaii beach preservation working group. The working group
6 shall identify effective funding mechanisms for the Hawaii beach
7 preservation special fund.

8 (b) The working group shall consider as possible funding
9 mechanisms for the Hawaii beach preservation special fund:

10 (1) Increases to the conveyance tax applicable to
11 shoreline properties;

12 (2) Taxes or surcharges on real property; and

13 (3) Any other funding mechanism the working group deems
14 appropriate.

15 (c) The commission shall determine the working group's
16 membership from among its members.

17 (d) The working group shall submit a report with findings
18 and recommendations, including proposed legislation, if any, to
19 the legislature no later than twenty days prior to the convening
20 of the regular session of 2019. Copies of the report shall be
21 transmitted to the mayor of each county.



1 SECTION 4. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2018-2019 to be
4 deposited into the Hawaii beach preservation special fund.

5 SECTION 5. There is appropriated out of the Hawaii beach
6 preservation special fund the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2018-2019 for the
8 purpose of purchasing property from landowners threatened by sea
9 level rise or beach erosion and carrying out other forms of
10 managed retreat.

11 The sum appropriated shall be expended by the department of
12 land and natural resources for the purposes of this Act.

13 PART III

14 SECTION 6. (a) There is established the north shore Oahu
15 pilot program, to be administered by the department of land and
16 natural resources, to address sea level rise and beach erosion
17 by exploring managed retreat options for beach preservation in
18 the State.

19 (b) The north shore Oahu pilot program shall investigate
20 and make recommendations for managed retreat options, including
21 buyouts or other methods of land acquisition, that address



1 current emergency conditions at legacy beaches on Oahu's north
2 shore and that may be replicated elsewhere the State to preserve
3 beaches with economic and cultural value. The pilot program
4 shall make recommendations for strategies that may be funded
5 through the Hawaii beach preservation special fund established
6 pursuant to section 171- , Hawaii Revised Statutes.
7 focus on the north shore of Oahu and other beaches in the State
8 of Hawaii that have economic and cultural value.

9 (c) The north shore Oahu pilot program shall submit a
10 report of its findings and recommendations, including any
11 proposed legislation, to the legislature no later than twenty
12 days prior to the convening of the regular session of 2019.

13 (d) The north shore Oahu pilot project shall be dissolved
14 on July 1, 2019.

15 SECTION 7. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so much
17 thereof as may be necessary for fiscal year 2018-2019 for the
18 north shore Oahu pilot program.

19 The sum appropriated shall be expended by the department of
20 land and natural resources for the purposes of this Act.



1 SECTION 8. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 9. This Act shall take effect on July 1, 2018.



Report Title:

Department of Land and Natural Resources; Climate Change;
Special Fund; Working Group; Pilot Program; Appropriation

Description:

Establishes a Hawaii beach preservation special fund.
Authorizes the Department of Land and Natural Resources (DLNR)
to expend moneys from the Hawaii Beach Preservation Special Fund
to purchase lands threatened by sea level rise or beach erosion.
Requires DLNR to manage the purchased lands. Creates a working
group within the Hawaii Climate Change Mitigation and Adaptation
Commission to determine appropriate funding mechanisms for the
Hawaii beach preservation special fund. Establishes a North
Shore Oahu Pilot Program under DLNR to explore managed retreat
options. Appropriates funds. (HB2468 HD1)

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

