



GOV. MSG. NO. 1327

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

July 8, 2024

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 8, 2024, the following bill was signed into law:

HB2248 HD1 SD1 CD1

RELATING TO BEACH MANAGEMENT ON THE
NORTH SHORE OF OAHU.
ACT 226

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

HOUSE OF REPRESENTATIVES
THIRTY-SECOND LEGISLATURE, 2024
STATE OF HAWAII

H.B. NO. 2248
H.D. 1
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO BEACH MANAGEMENT ON THE NORTH SHORE OF OAHU.

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

1 SECTION 1. The legislature finds that the northwest-facing
2 shoreline of the north shore of Oahu from Sunset point to Kapo‘o
3 (Sharks Cove) is an iconic beach of primary importance to state
4 residents and visitors from around the world due to its natural
5 beauty, famous surf breaks, recreational opportunities, marine
6 resources, wildlife, and scenic vistas.

7 The legislature further finds that this north shore beach
8 faces an increasing risk of erosion and deterioration from a
9 combination of high-energy waves, winter surf, summer swells,
10 sea-level rise from climate change, coastal erosion, shifting
11 sand, inadequate building setbacks, deteriorating coral reefs,
12 and intensive use by individuals accessing the shoreline.
13 Estimates indicate that nearly half of all visitors to Oahu
14 visit the north shore during their stay.

15 The legislature additionally finds that the infrastructure
16 of most of the shoreline beach parks and coastal access areas
17 along the north shore of Oahu is inadequate to handle the high



1 number of residents and visitors who are attracted to these
2 beaches each year, thereby causing additional damage to natural
3 resources.

4 During the past fifteen to twenty years, homes in this area
5 on the north shore of Oahu have been damaged and are at risk
6 from high surf, summer swells, and eroding beaches, which cause
7 significant disruption and calls for both immediate and long-
8 term action by state and county government, beachfront
9 homeowners, beach users, and the community at large. This area
10 of coastline is at severe risk from the lack of overall planning
11 for beach protection, beach access, and shoreline uses.

12 Furthermore, the legislature finds that Hawaii's beaches
13 and coastline constitute part of the public trust, held by the
14 State for the benefit of the people, and the State has a
15 fiduciary duty to affirmatively protect this beach and coastal
16 access. This beach is also a public park of the city and county
17 of Honolulu, which also has an obligation to maintain this beach
18 and coastal access.

19 The legislature finds that the long-term protection of this
20 north shore beach, which is subject to a common wave regime and
21 common beach erosion characteristic, is a matter of statewide



1 concern pursuant to article X, section 6, of the Hawaii State
2 Constitution, and requires a comprehensive assessment and plan
3 that recognizes the risks of sea level rise from climate change.
4 The large number of government, business, private, and community
5 entities and individuals involved in the use and enjoyment of
6 this north shore beach would benefit from participating in the
7 development and implementation of a comprehensive beach
8 management plan for this vulnerable area.

9 In 2010, the university of Hawaii sea grant college program
10 successfully produced a beach and dune management program plan
11 for Kailua beach, which provided an extensive analysis of the
12 existing state of that beach and recommended management measures
13 for federal, state, and local government as well as community
14 partners, in response to threats such as sea level rise from
15 climate change. That study serves as a useful prototype for the
16 implementation of a beach management plan for this north shore
17 beach and demonstrates the effectiveness of location-specific
18 beach management policies and practices.

19 In October 2022, the north shore coastal resilience working
20 group, which comprised a diverse group of government and private
21 stakeholders, published a report titled "Adaptive Coastal



1 Management Recommendations, Actions and Strategies". The report
2 documents that long-term erosion is driven by a combination of
3 natural sand movement from large waves, sea level rise over the
4 past century, degradation of natural dune systems from
5 development, and the removal of sand from some beaches by sand
6 mining operations and shoreline armoring.

7 One of the three coastal erosion "hot spots" identified on
8 the north shore of Oahu was the Sunset/Kammies area. One of the
9 key recommendations of the report was to develop a beach and
10 dune management plan for north shore beach parks and accessways.

11 Therefore, the purpose of this Act is to appropriate funds
12 to the university of Hawaii sea grant college program to
13 develop, with diverse stakeholder input, a comprehensive,
14 actionable north shore beach management plan covering the area
15 from Sunset point to Kapo'o (Sharks Cove) on the north shore of
16 Oahu.

17 SECTION 2. (a) The university of Hawaii sea grant college
18 program shall develop a comprehensive, actionable beach
19 management plan for the area of the north shore of Oahu from
20 Sunset point to Kapo'o (Sharks Cove).



1 (b) In developing the beach management plan, the
2 university of Hawaii sea grant college program shall ensure the
3 inclusion of diverse community input. The plan shall consider
4 innovative means to address beach erosion and the erosion of
5 private beachfront property, protection of recreational access,
6 and preservation of natural beauty and vistas.

7 (c) The beach management plan shall also consider:

- 8 (1) Long- and short-term planning and climate change
9 scenarios;
- 10 (2) Temporary and emergency erosion management measures;
- 11 (3) Beach and dune management techniques based on sediment
12 transport;
- 13 (4) Shoreline public access and foot-traffic management;
- 14 (5) Beach and dune nourishment;
- 15 (6) Long-term coastal protection and land use strategies;
- 16 (7) Shoreline protection, erosion management, and county
17 land use ordinance impacts on the shoreline;
- 18 (8) Modification of public parks;
- 19 (9) Shoreline setbacks and rolling easements; and
- 20 (10) Other innovative means to adapt to coastal erosion.



1 (d) The university of Hawaii sea grant college program
2 shall submit the north shore beach management plan to the
3 governor and legislature by December 1, 2025.

4 (e) In developing the north shore beach management plan,
5 the university of Hawaii sea grant college program may accept
6 private funding to supplement any legislative appropriations;
7 provided that the donor of the private funding:

8 (1) Remains anonymous or expressly releases all control
9 over the use of the funding, as long as it is used for
10 the purpose of developing the plan; and

11 (2) Has no influence over the development of the plan,
12 including any of its conclusions or recommendations.

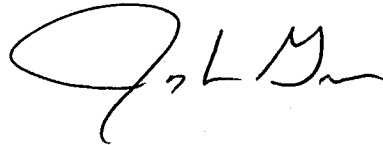
13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$1,000,000 or so much
15 thereof as may be necessary for fiscal year 2024-2025 for the
16 university of Hawaii sea grant college program to develop a
17 north shore beach management plan for the area from Sunset point
18 to Kapo'o (Sharks Cove) pursuant to section 2 of this Act.

19 The sum appropriated shall be expended by the university of
20 Hawaii for the purposes of this Act.



1 SECTION 4. This Act shall take effect on July 1, 2024.

APPROVED this 8th day of July, 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 2248, HD 1, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2024
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki
Speaker
House of Representatives

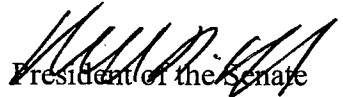



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2024
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.


President of the Senate


Clerk of the Senate