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## 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, deteriorating coral reefs, and intensive use by  
12 individuals accessing the shoreline. Estimates indicate that  
13 nearly half of all visitors to Oahu visit the north shore during  
14 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, requires a comprehensive



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

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

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



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

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

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

16 SECTION 2. (a) The university of Hawaii sea grant college  
17 program shall develop a comprehensive, actionable beach  
18 management plan for the area of the north shore of Oahu from  
19 Sunset point to Kapo'ō (Sharks Cove). The beach management plan  
20 shall be completed by December 31, 2025.



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) Potential relocation of homes, infrastructure, and  
16 roadways;
- 17 (7) Land swaps and transfer of development rights;
- 18 (8) Long-term coastal protection and land use strategies;
- 19 (9) Shoreline protection and erosion management;
- 20 (10) Shoreline setbacks, rolling easements, and land  
21 acquisition;



1 (11) Modification of public parks; and

2 (12) Other innovative means to adapt to coastal erosion.

3 (d) The university of Hawaii sea grant college program  
4 shall submit the north shore beach management plan to the  
5 governor and legislature no later than twenty days prior to the  
6 convening of the regular session of 2026.

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

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

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

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



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

3           SECTION 4. In accordance with section 9 of article VII of  
4 the Hawaii State Constitution and sections 37-91 and 37-93,  
5 Hawaii Revised Statutes, the legislature has determined that the  
6 appropriations contained in H.B. No.           , will cause the state  
7 general fund expenditure ceiling for fiscal year 2024-2025 to be  
8 exceeded by \$                            or           per cent. In addition, the  
9 appropriation contained in this Act will cause the general fund  
10 expenditure ceiling for fiscal year 2024-2025 to be further  
11 exceeded by \$3,000,000 or           per cent. The combined total  
12 amount of general fund appropriations contained in only these  
13 two Acts will cause the state general fund expenditure ceiling  
14 for fiscal year 2024-2025 to be exceeded by  
15 \$                            or           per cent. The reasons for exceeding the  
16 general fund expenditure ceiling are that:

- 17           (1) The appropriation made in this Act is necessary to  
18                            serve the public interest; and  
19           (2) The appropriation made in this Act meets the needs  
20                            addressed by this Act.



1 SECTION 5. This Act shall take effect upon its approval;  
2 provided that section 3 of this Act shall take effect on July 1,  
3 2024.

4

INTRODUCED BY:



JAN 22 2024





# H.B. NO. 2248

**Report Title:**

Beach Management; North Shore of Oahu; Appropriation;  
Expenditure Ceiling

**Description:**

Appropriates funds to the university of Hawaii sea grant college program to develop a north shore beach management plan for the north shore of Oahu from Sunset point to the Kapo'o (Sharks Cove) area. Appropriates funds.

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

