

JAN 18 2024

A BILL FOR AN ACT

RELATING TO PORT INFRASTRUCTURE.

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

1 SECTION 1. The legislature finds that maintenance dredging
2 is critical to the maintenance of small boat harbors, channels,
3 ramps, and other port infrastructure in the State. The
4 legislature further finds that the current system of waiting
5 until dredging is imminent to appropriate funds and only then
6 initiating the permitting process creates a haphazard system for
7 both the allocation of money and the issuance of permits. This
8 disorganized process sometimes contributes to worsened
9 conditions at these facilities when increased amounts of marine
10 sediment and foreign debris accumulate, sometimes up to such a
11 height that, if not cleared immediately, it can damage the hulls
12 of ships. These conditions can potentially cause a shutdown of
13 the affected sites, which are important for recreation and
14 subsistence fishing and use by the general public, for safety
15 reasons.

16 The legislature further finds that federal agencies have
17 encouraged the states to adopt programmatic schedules of



1 maintenance dredging to expedite federal review and even draw
2 down federal dollars that are available to assist the states in
3 these endeavors. Creating a strategic plan for maintenance
4 dredging of small boat harbors, channels, ramps, and other port
5 infrastructure in the State will spread resources based on
6 actual need and allow ample time for permitting and public input
7 before port infrastructure reaches a critical stage.

8 The purpose of this Act is to require the department of
9 land and natural resources to create a strategic plan for
10 maintenance dredging of small boat harbors, channels, ramps, and
11 other important port infrastructure in the State.

12 SECTION 2. The department of land and natural resources
13 shall create a strategic plan for maintenance dredging of small
14 boat harbors, channels, ramps, and other port infrastructure.

15 The strategic plan shall include:

16 (1) A list of potential projects in locations where the
17 department has identified a need for maintenance
18 dredging;

19 (2) Detailed estimated costs of each project; and



1 (3) A detailed timeline of each project until completion
2 that prevents or minimizes closures or interruption of
3 services at each project site.

4 The department shall submit a report, including the strategic
5 plan and any proposed legislation, to the legislature no later
6 than twenty days prior to the convening of the regular session
7 of 2025.

8 SECTION 3. In accordance with section 9 of article VII of
9 the Hawaii State Constitution and sections 37-91 and 37-93,
10 Hawaii Revised Statutes, the legislature has determined that the
11 appropriations contained in Act 164, Regular Session of 2023,
12 and this Act will cause the state general fund expenditure
13 ceiling for fiscal year 2024-2025 to be exceeded by
14 \$ or per cent. This current declaration takes
15 into account general fund appropriations authorized for fiscal
16 year 2024-2025 in Act 164, Regular Session of 2023, and this Act
17 only. The reasons for exceeding the general fund expenditure
18 ceiling are that:

19 (1) The appropriation made in this Act is necessary to
20 serve the public interest; and



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1 (2) The appropriation made in this Act meets the needs
2 addressed by this Act.

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2024-2025 for
6 the purpose of creating a strategic plan for maintenance
7 dredging of harbor and port locations, as identified by the
8 department of land and natural resources.

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

11 SECTION 5. This Act shall take effect on July 1, 2024.

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INTRODUCED BY: *Francis X. Garza*



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Report Title:

DLNR; Maintenance Dredging; Port Infrastructure; Strategic Plan; Report; Expenditure Ceiling; Appropriation

Description:

Requires the Department of Land and Natural Resources to create a strategic plan for maintenance dredging of harbors and port locations. Requires a report to the Legislature. Makes an appropriation.

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

