
A BILL FOR AN ACT

RELATING TO RESTORATION OF BEACH LANDS.

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

1 SECTION 1. The legislature finds that the
2 Intergovernmental Panel on Climate Change, the world's leading
3 authority on climate science, in its Assessment Report 6 (2021)
4 stated that it has high confidence that global sea level is
5 committed to rise for centuries to millennia, regardless of
6 whether humans slow carbon emissions into the atmosphere.

7 The legislature also finds that the state climate change
8 mitigation and adaptation commission, created by Act 32, Session
9 Laws of Hawaii 2017, stated in its 2022 report to the
10 legislature that Hawaii is projected to likely experience
11 between 3.9 and 5.9 feet of sea level rise by the year 2100.

12 The legislature finds that sea level rise poses a serious and
13 imminent threat to Hawaii's coastal communities and residents
14 and to Hawaii's natural resources, primarily beaches and coastal
15 ecosystems. The legislature recognizes that the State has an
16 affirmative duty to preserve beaches as a public trust resource
17 for the people of Hawaii, and that beaches are both culturally

H.B. NO. 1137

1 important and provide natural resilience to sea level rise and
2 associated coastal flooding.

3 The purpose of this Act is to amend the definition of beach
4 restoration to expand the types of activities the State
5 recognizes as restorative and beneficial to beach lands in
6 response to increasing threat of sea level rise and beach loss.

7 SECTION 2. Section 171-151, Hawaii Revised Statutes, is
8 amended by amending the definition of "beach restoration" to
9 read as follows:

10 "Beach restoration" means ~~[the placement of sand, with or~~
11 ~~without stabilizing structures, on an eroded beach from an~~
12 ~~outside source such as offshore sand deposits, streams,~~
13 ~~channels or harbor mouths, or an upland sand quarry.]~~ an
14 activity undertaken to:

15 (1) Maintain and improve beaches and dune systems through
16 management of sand and native dune vegetation;

17 (2) Place sand on an eroded beach from an approved outside
18 or adjacent source, with or without stabilizing
19 structures; or

20 (3) Remove abandoned remnant materials from beaches and
21 dunes that pose a risk to public health and coastal
22 ecosystems."

H.B. NO. 1137

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Nicholas K. Maden

6

BY REQUEST

JAN 21 2025

H.B. NO. 1137

Report Title:

Restoration of Beach Lands

Description:

Amends the definition of beach restoration to include activities undertaken to maintain and improve eroded beaches and degraded dune systems through the management of sand and native vegetation, placement of sand, and activities undertaken to remove abandoned and remnant materials that pose a risk to public and ecosystem health.

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JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO RESTORATION OF BEACH LANDS.

PURPOSE: To amend the definition of beach restoration to expand the types of activities the State recognizes as restorative and beneficial to beach lands in response to increasing threat of sea level rise and beach loss.

MEANS: Amend section 171-151, Hawaii Revised Statutes (HRS).

JUSTIFICATION: The current definition of "beach restoration" in section 171-151, HRS, is limited to the placement of sand on eroded beaches. The Department recognizes that other activities, such as sand management, native vegetation management, and removal of abandoned materials from public beaches are restorative and beneficial to the public trust resource. This amendment will enable the Department to support county agencies and non-governmental organizations seeking to conduct dune restoration and other beneficial projects.

Impact on the public: The bill will support proactive and ongoing management and care for the public trust beach resources through a variety of nature-based measures.

Impact on the department and other agencies: This bill will provide the Department with flexibility in maintaining and managing beach resources.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: None.

OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.