
A BILL FOR AN ACT

RELATING TO DISASTER RECOVERY.

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

1 SECTION 1. Section 205A-21, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§205A-21 Findings and purposes.** The legislature finds
4 that~~[7]~~ special controls on developments within an area along
5 the shoreline are necessary to avoid permanent losses of
6 valuable resources and the foreclosure of management options,
7 and to ensure that adequate access is provided, by dedication or
8 other means, to public owned or used beaches, recreation areas,
9 and natural reserves [~~is provided~~]. The legislature finds and
10 declares that it is the ~~[state]~~ State's policy to preserve,
11 protect, and where possible, to restore the natural resources of
12 the coastal zone of Hawaii.

13 The legislature further finds that the wildfires of
14 August 8, 2023, devastated Lahaina's heritage, economy, and
15 sense of place, and has deeply affected housing, business, jobs,
16 and treasured resources. If the area is not rebuilt in a
17 deliberate, coordinated, and expeditious manner, the area may



1 languish in the long term and affect the well-being of the land,
2 people, and economy. However, the legislature recognizes that
3 there is an opportunity to rebuild Lahaina by preserving and
4 reintroducing its valued resources in a manner that reflects the
5 values and priorities of its residents and businesses, and
6 addresses future challenges, including climate change and
7 affordable housing."

8 SECTION 2. Section 205A-22, Hawaii Revised Statutes, is
9 amended by amending the definition of "development" to read as
10 follows:

11 ""Development":

12 (1) Means any of the uses, activities, or operations on
13 land or in or under water within a special management
14 area that are included below:

15 (A) Placement or erection of any solid material or
16 any gaseous, liquid, solid, or thermal waste;

17 (B) Grading, removing, dredging, mining, or
18 extraction of any materials;

19 (C) Change in the density or intensity of use of
20 land, including but not limited to the division
21 or subdivision of land;



- 1 (D) Change in the intensity of use of water, ecology
- 2 related thereto, or of access thereto; and
- 3 (E) Construction, reconstruction, or alteration of
- 4 the size of any structure; and
- 5 (2) Does not include the following:
- 6 (A) Construction or reconstruction of a single-family
- 7 residence that is less than seven thousand five
- 8 hundred square feet of floor area; is not
- 9 situated on a shoreline parcel or a parcel that
- 10 is impacted by waves, storm surges, high tide, or
- 11 shoreline erosion; and is not part of a larger
- 12 development;
- 13 (B) Repair or maintenance of roads and highways
- 14 within existing rights-of-way;
- 15 (C) Routine maintenance dredging of existing streams,
- 16 channels, and drainage ways;
- 17 (D) Repair and maintenance of underground utility
- 18 lines, including but not limited to water, sewer,
- 19 power, and telephone and minor appurtenant
- 20 structures such as pad mounted transformers and
- 21 sewer pump stations;



- 1 (L) Subdivision of a parcel of land into four or
2 fewer parcels when no associated construction
3 activities are proposed; provided that any land
4 that is so subdivided shall not thereafter
5 qualify for this exception with respect to any
6 subsequent subdivision of any of the resulting
7 parcels;
- 8 (M) Installation of underground utility lines and
9 appurtenant aboveground fixtures less than four
10 feet in height along existing corridors;
- 11 (N) Structural and nonstructural improvements to
12 existing single-family residences, where
13 otherwise permissible;
- 14 (O) Nonstructural improvements to existing commercial
15 or noncommercial structures;
- 16 (P) Construction, installation, maintenance, repair,
17 and replacement of emergency management warning
18 or signal devices and sirens;
- 19 (Q) Installation, maintenance, repair, and
20 replacement of public pedestrian and bicycle
21 facilities, including sidewalks, paths, bikeways,



- 1 crosswalks, stairs, ramps, traffic control
- 2 barriers, signs, signals, and associated
- 3 improvements;
- 4 (R) Trash removal or invasive vegetation removal or
- 5 control, including incidental ground disturbance,
- 6 excluding the use of herbicides;
- 7 (S) Installation of fencing, including associated
- 8 improvements and incidental structures, for
- 9 invasive species control or preservation of
- 10 native habitats on conservation land;
- 11 (T) Installation, maintenance, repair, and
- 12 replacement of lighting, fixtures, and equipment
- 13 to establish compliance with current standards at
- 14 existing public facilities;
- 15 (U) Installation, maintenance, repair, and
- 16 replacement of security measures, including
- 17 fencing, to existing public facilities; [~~and~~]
- 18 (V) Hawaiian traditional and customary practices,
- 19 including work conducted by traditional means
- 20 near, in, or related to loko i`a, traditional
- 21 Hawaiian fishponds; and



1 (W) Reconstruction of all or a portion of a structure
2 in the Lahaina national historic landmark
3 district; provided that:

4 (i) The structure was destroyed by a wildfire on
5 August 8, 2023;

6 (ii) Reconstruction commences on or before August
7 8, 2028; and

8 (iii) The reconstructed structure is no larger
9 than the structure that existed, or, in the
10 case of partial construction, the structure
11 that was permitted, as of August 8, 2023;

12 provided that whenever the authority finds that any
13 excluded use, activity, or operation may have a
14 cumulative impact, or a significant environmental or
15 ecological effect on a special management area, that
16 use, activity, or operation shall be defined as
17 "development" for the purpose of this part."

18 SECTION 3. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY: Elle Cochran

JAN 23 2025



H.B. NO. 1503

Report Title:

Coastal Zone Management; Lahaina; Reconstruction

Description:

Excludes from the definition of "development" for purposes of coastal zone management restrictions, the reconstruction, under certain circumstances, of structures destroyed in the August 8, 2023, wildfires in Lahaina, Maui.

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

