

ACT 164

S. B. NO. 929

A Bill for an Act Relating to a Management Program for Coastal Zones.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Findings and purposes. The legislature finds that Congress has enacted a Coastal Zone Management Act of 1972, Public Law 92-583, which recognizes the national interest in the effective planning, management, beneficial use, protection, and development of the coastal zones of the several states. This Act authorizes grants to the states to encourage them to exercise their full authority over the lands and waters in the coastal zone by assisting the states, in cooperation with the federal and local governments and other vitally affected interests, to plan and develop management programs for the land and water resources of their coastal zones. These programs shall include unified policies, criteria, standards, methods, and processes for dealing with land and water use decisions of more than local significance.

As required by the Federal Coastal Zone Management Act, the state land use commission has the authority to administer land and water use regulations in coastal zones, control development in order to ensure compliance with the state's management program in coastal zones, and resolve conflicts among competing uses in coastal zones. The state and the counties, as well as agencies of the state and the counties, also have the authority as required by the Federal Coastal Zone Management Act to acquire fee simple and less than fee simple interests in lands, waters, and other property through condemnation or other means when necessary to achieve conformance with the state's management program for its coastal zones. It is the purpose of this Act to authorize the state department of planning and economic development to prepare a plan for the management of the state's coastal zones which complies with the requirements of the Federal Coastal Zone Management Act, and which guides the state and counties in the exercise of their authority in coastal zones.

SECTION 2. Coastal zone management program. The department of planning and economic development shall prepare a coastal zone management program which shall set forth objectives, policies, and standards to guide public and private uses of lands and waters in the coastal zone, which shall conform to the State Comprehensive Outdoor Recreation Plan as adopted and include such other elements as may be required by the Federal Coastal Zone Management Act, or any amendment to that Act. This program shall guide the department, the land use commission, and other agencies of the state and counties in the exercise of their authority to implement the management program in the state's coastal zones. The department shall and is authorized to comply with any condition, regulation, restriction, or requirement imposed by the federal government under its authority to make grants available to the states for the preparation of Coastal Zone Management Programs.

SECTION 3. Expenditures. The department of planning and economic development may use and expend federal grants which are made to the State for the development and administration of the Coastal Zone Management Program and State funds as may be for matching purposes with federal planning grants.

SECTION 4. Effective date. This Act shall take effect upon its approval.

(Approved May 22, 1973.)