
A BILL FOR AN ACT

RELATING TO BEACH PARK RESTORATION.

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

1 SECTION 1. The legislature finds that Kahalu'u bay on
2 Hawai'i island is located 4.5 miles south of the town of Kailua-
3 Kona and is situated in a major resort area. While the State
4 has jurisdiction over the bay's shoreline until the high water
5 mark, the county of Hawai'i owns and operates the Kahalu'u beach
6 park facility, which is heavily utilized by both residents and
7 tourists, recording over four hundred thousand visitors
8 annually. The county of Hawai'i uses an innovative public-
9 private partnership with the Kohala Center's Kahalu'u Bay
10 Education Center to provide daily stewardship management
11 intended to promote long-term preservation.

12 The legislature further finds that in 2022, the county of
13 Hawai'i and United States Army Corps of Engineers, under section
14 206 of the Water Resources Development Act of 1996, requested
15 federal assistance for aquatic ecosystem restoration due to
16 impacts of climate change, overuse, trampling of live coral and



1 other marine life, and sunscreen chemicals degrading the Kahalu'u
2 bay marine area, a crucial spawning area for cauliflower and
3 other corals. The legislature further finds that funding can
4 supplement interagency efforts that require sea-level rise
5 studies and reports to preserve vulnerable sections of the
6 State's coastline, including at Kahalu'u bay.

7 Kahalu'u bay has historically been regarded as a sacred
8 place to Native Hawaiians, adorned with heiau, fishponds, and
9 barrier rock walls that provide good fishing conditions for
10 hunter-gatherers in the area. Due to its historic nature and
11 popularity among visitors, there have been recent efforts by the
12 county of Hawai'i, in partnership with the Kahalu'u Bay Education
13 Center, to preserve the beach park for future generations
14 through the promotion of reef-friendly practices. The
15 legislature finds that due to the tireless advocacy of the
16 education center, Kahalu'u bay was designated as a Mission Blue
17 Hope Spot in 2022, demonstrating how smaller bays can integrate
18 networks powered by modern technology with traditional knowledge
19 to care for these places. In 2023, the Kahalu'u Bay Education
20 Center further illustrated its reliability as a governmental
21 partner through its visitor parking fee pilot project in



1 partnership with the county of Hawai'i, which requires all out-
2 of-state visitors to pay a parking fee in four-hour intervals
3 from 7:00 a.m. through 7:00 p.m. daily with revenues directed
4 towards ongoing protection, stewardship, and restoration of the
5 natural and cultural resources at Kahalu'u beach park.

6 The legislature also finds that the Kahalu'u Bay Education
7 Center's efforts have greatly benefited Kahalu'u beach's marine
8 and coastal ecosystem. However, they do not shield the beach
9 park from the impacts of global warming. Thus, an interagency
10 Kahalu'u bay restoration working group, comprised of state and
11 county officials and community leaders, was convened and has
12 been planning for the restoration of Kahalu'u beach park. The
13 legislature believes that the group's findings warrant a
14 prioritization of Hawai'i island's overall coastal planning, as
15 well as the need for a sea level rise study and coastal
16 engineering input to help guide the planning process. The
17 legislature further believes that as a public resource with
18 intergovernmental jurisdictions, the restoration of Kahalu'u
19 beach park should be a state and county partnership and can
20 serve as a model for the restoration of other public natural
21 resources throughout the State.



1 Accordingly, the purpose of this Act is to provide matching
 2 grant-in-aid funds to the county of Hawai'i to hire an
 3 engineering firm to study, plan, assist, and conduct preliminary
 4 design and concept work for a two-phase project to restore
 5 Kahalu'u beach park in the county of Hawai'i.

6 SECTION 2. In accordance with section 9 of article VII of
 7 the Constitution of the State of Hawaii and sections 37-91 and
 8 37-93, Hawaii Revised Statutes, the legislature has determined
 9 that the appropriations contained in this Act will cause the
 10 state general fund expenditure ceiling for fiscal year 2024-2025
 11 to be exceeded by \$, or per cent. The reasons
 12 for exceeding the general fund expenditure ceiling are that the
 13 appropriations made in this Act are necessary to serve the
 14 public interest and to meet the needs addressed by this Act.

15 SECTION 3. There is appropriated out of the general
 16 revenues of the State of Hawaii the sum of \$ or so
 17 much thereof as may be necessary for fiscal year 2024-2025 for a
 18 grant-in-aid to the county of Hawai'i to hire an engineering firm
 19 to study, plan, and assist in phase one of the Kahalu'u beach
 20 park restoration project in the county of Hawai'i; provided that
 21 no funds shall be made available under this Act unless the



1 county of Hawai'i provides matching funds of \$ for the
2 purpose for which the sum is appropriated.

3 The sum appropriated shall be expended by the county of
4 Hawai'i for the purposes of this Act.

5 The appropriation made by this section for fiscal year
6 2024-2025 for a grant-in-aid to the county of Hawai'i shall not
7 lapse at the end of the fiscal year for which the appropriation
8 is made; provided that all moneys from the appropriation that
9 are unencumbered as of June 30, 2026, shall lapse as of that
10 date; provided further that all moneys unencumbered before
11 June 30, 2026, shall remain available to aid in carrying out the
12 improvements prescribed by the design and concept work of phase
13 one of the Kahalu'u beach park restoration project in the county
14 of Hawai'i.

15 SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2024-2025 for a
18 grant-in-aid to the county of Hawai'i to hire an engineering firm
19 to conduct preliminary design and concept work, which includes
20 sequencing of events, studies, and plans, to assist in phase two
21 of the Kahalu'u beach park restoration project in the county of



1 Hawai'i; provided that no funds shall be made available under
2 this Act unless the county of Hawai'i provides matching funds of
3 \$ for the purpose for which this sum is appropriated.

4 The sum appropriated shall be expended by the county of
5 Hawai'i for the purposes of this Act.

6 The appropriation made by this section for fiscal year
7 2024-2025 for a grant-in-aid to the county of Hawai'i shall not
8 lapse at the end of the fiscal year for which the appropriation
9 is made; provided that all moneys from the appropriation that
10 are unencumbered as of June 30, 2026, shall lapse as of that
11 date; provided further that all moneys unencumbered before
12 June 30, 2026, shall remain available to aid in carrying out the
13 improvements prescribed by the design and concept work of phase
14 two of the Kahalu'u beach park restoration project in the county
15 of Hawai'i.

16 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

County of Hawaii; Grant-in-Aid; Beach Restoration; Kahaluu Beach Park; Expenditure Ceiling; Appropriations

Description:

Appropriates funds for a grant-in-aid to the County of Hawaii to hire an engineering firm to study, plan, assist, and conduct preliminary design and concept work for a two-phase project to restore the Kahaluu Beach Park in the County of Hawaii. Conditions the appropriations on the County of Hawaii's contribution of matching funds. Effective 7/1/3000. (HD1)

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