

JAN 20 2023

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

13 The legislature further finds that in 2022, the county of
14 Hawai'i and the United States Army Corps of Engineers, under
15 Section 206 of the Water Resources Development Act of 1996,
16 requested federal assistance for the aquatic ecosystem



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

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



1 The legislature also finds that the education center's
2 efforts have greatly benefited Kahalu'u beach's marine and
3 coastal ecosystem. However, they do not shield the beach park
4 from the impacts of global warming. Thus, during the 2021
5 Regular Session, the senate adopted Senate Concurrent Resolution
6 No. 52, S.D. 1 (2021), which requested the department of land
7 and natural resources and the county of Hawai'i to collaborate to
8 identify sea level rise at Kahalu'u bay to avoid further
9 deterioration and damage caused by rising sea levels. The
10 resulting interagency Kahalu'u Bay Restoration Working Group,
11 comprised of state and county officials, as well as community
12 leaders, have been planning for the restoration of Kahalu'u beach
13 park. The legislature believes that the group's findings
14 warrant a prioritization of Hawai'i island's overall coastal
15 planning, as well as the need for a sea level rise study and
16 coastal engineering input to help guide the planning process.
17 The 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 resources
21 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 the
5 Kahalu'u beach park in the county of Hawai'i.

6 SECTION 2. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$75,000 or so much
8 thereof as may be necessary for fiscal year 2023-2024 for a
9 grant-in-aid to the county of Hawai'i to hire an engineering firm
10 to study, plan, and assist in phase one of the Kahalu'u beach
11 park restoration project in the county of Hawai'i; provided that
12 no funds shall be made available under this Act unless the
13 county of Hawai'i provides matching funds of \$75,000 for the
14 purpose for which the sum is appropriated.

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

17 The appropriation made by this section for fiscal year
18 2023-2024 for a grant-in-aid to the county of Hawai'i shall not
19 lapse at the end of the fiscal year for which the appropriation
20 is made; provided that all moneys from the appropriation that
21 are unencumbered as of June 30, 2025, shall lapse as of that



1 date; provided further that all moneys unencumbered prior to
2 June 30, 2025, shall remain available to aid in carrying out the
3 improvements prescribed by the design and concept work of phase
4 one of the Kahalu'u beach park restoration project in the county
5 of Hawai'i.

6 SECTION 3. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$461,379 or so much
8 thereof as may be necessary for fiscal year 2023-2024 for a
9 grant-in-aid to the county of Hawai'i to hire an engineering firm
10 to conduct preliminary design and concept work, which includes
11 sequencing of events, studies, and plans, to assist in phase two
12 of the Kahalu'u beach park restoration project in the county of
13 Hawai'i; provided that no funds shall be made available under
14 this Act unless the county of Hawai'i provides matching funds of
15 \$461,379 for the purpose for which this sum is appropriated.

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

18 The appropriation made by this section for fiscal year
19 2023-2024 for a grant-in-aid to the county of Hawai'i shall not
20 lapse at the end of the fiscal year for which the appropriation
21 is made; provided that all moneys from the appropriation that



1 are unencumbered as of June 30, 2025, shall lapse as of that
2 date; provided further that all moneys unencumbered prior to
3 June 30, 2025, shall remain available to aid in carrying out the
4 improvements prescribed by the design and concept work of phase
5 two of the Kahalu'u beach park restoration project in the county
6 of Hawai'i.

7 SECTION 4. This Act shall take effect on July 1, 2023.

8 INTRODUCED BY: 



S.B. NO. 770

Report Title:

Grant-in-Aid; County of Hawaii; Beach Restoration; Kahaluu Beach Park; Appropriation

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 appropriation on the County of Hawaii contribution of matching funds.

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

