

JAN 23 2025

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# A BILL FOR AN ACT

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RELATING TO ADAPTATION PATHWAYS PLANNING.

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

1       SECTION 1. The legislature finds that the threat of sea  
2 level rise and associated coastal hazards is well-documented and  
3 already impacting various locations throughout the State. The  
4 2023 National Climate Assessment states that for Hawaii and the  
5 United States Affiliated Pacific Islands, climate change,  
6 particularly sea level rise, will continue to threaten the  
7 natural and built environment and will harm numerous sectors of  
8 the islands' economies. A variety of strategies are required to  
9 mitigate the effects of climate change and require thoughtful,  
10 community-engaged location-based planning and consideration to  
11 achieve desired results. The legislature aims to support and  
12 safeguard vulnerable communities and to protect and conserve  
13 public trust resources, including sandy beaches and dune  
14 systems. Sandy beaches and dune systems provide a critical  
15 natural defense against the impacts of sea level rise and  
16 associated coastal hazards, while also being a resource for



1 public use and enjoyment, cultural importance, and ecosystem  
2 services.

3       The legislature further finds that adaptation to sea level  
4 rise and coastal hazards is best achieved via adaptation  
5 pathways with triggers for successive adaptation measures over  
6 time. It is in the public interest that state and county  
7 governments engage in collaborative, holistic, location-specific  
8 adaptation planning, which may include the modification of, and  
9 ultimate relocation of, private and public development and  
10 infrastructure away from areas that are or will be critically  
11 damaged by coastal hazards, including coastal erosion and  
12 flooding associated with sea level rise. Areas of particular  
13 concern are those with high ecosystem, cultural, and public  
14 recreational resource value.

15       In recognition of the need for a coordinated approach to  
16 climate mitigation and adaptation planning, the legislature  
17 established the Hawaii climate change mitigation and adaptation  
18 commission (commission) to be a coordinating body that  
19 establishes climate change mitigation and adaptation strategies  
20 and goals. The commission also provides policy direction,  
21 facilitation, coordination and planning amongst county, state,



1 and federal agencies and other partners as appropriate among the  
2 various state and county departments and agencies.

3 The purpose of this Act is to require the commission to  
4 develop a framework for and engage in long-term adaptation  
5 pathways planning together with affected communities, to  
6 facilitate natural resource conservation, limit damage to public  
7 and private development, and reduce cost to taxpayers for  
8 impacts associated with sea level rise and associated coastal  
9 hazards by:

10 (1) Requiring the commission to develop a strategy and  
11 framework for collaborative governance to prepare  
12 adaptation pathways plans;

13 (2) Requiring the commission to coordinate the preparation  
14 of plans to facilitate implementation of adaptation  
15 measures, including the modification and relocation of  
16 development and infrastructure away from certain high-  
17 risk areas; and

18 (3) Requiring the appropriate state and county agencies  
19 with representation on the commission to implement the  
20 adaptation pathways plans developed by the commission.



1       SECTION 2. Chapter 225P, Hawaii Revised Statutes, is  
2       amended by adding a new section to be appropriately designated  
3       and to read as follows:

4       "§225P-       Sea level rise adaptation pathways planning.

5       (a) The commission, in cooperation with the appropriate state  
6       and county agencies, shall prepare and periodically revise  
7       regional-scale adaptation pathways plans to facilitate the  
8       adaptation of vulnerable private residential, commercial,  
9       industrial, and resort development and associated public  
10       infrastructure to the impacts of sea level rise and associated  
11       flooding and erosion, and the restoration or remediation of the  
12       shoreline and surrounding coastal area, where appropriate.

13       (b) The commission shall:

14       (1) Develop a framework and process for the assessment of  
15       locations and implementation of adaptation pathways  
16       plans;

17       (2) Identify communities and coastal lands that are  
18       critically threatened by sea level rise and possess  
19       high natural and community resource value appropriate  
20       for adaptation; and



1        (3) Initiate preparation of one regional sea level rise  
2        adaptation pathways plan for each county; provided  
3        that the locations for these plans shall be  
4        determined:

5        (A) Jointly by the commission in coordination with  
6        community input following the framework  
7        established by the commission; and

8        (B) Based on the severity of the threat of coastal  
9        erosion and flooding caused by sea level rise to  
10       development and natural resources, capacity to  
11       respond to the threat, ownership demographics,  
12       and zoning classification;

13       (4) Finalize the process for assessment and implementation  
14       of adaptation pathways plans before December 31, 2026;  
15       and

16       (5) Complete at least one regional plan for each county  
17       before December 31, 2030.

18       (c) The commission shall develop adaptation pathways  
19       plans:

20       (1) At a regional scale as recommended by the methods of  
21       the regional shoreline management study conducted by



1           the office of planning and sustainable development;

2           and

3           (2) Specific to an individual location, considering  
4           factors including but not limited to, the shoreline  
5           type and natural resource value, coastal processes and  
6           documented and projected erosion rates, coastal  
7           flooding, and groundwater inundation.

8           (d) Adaptation pathways plans shall include adaptation  
9           measures, which may result in:

10          (1) The relocation of development once adaptation triggers  
11          are reached or exceeded; and

12          (2) The restoration and remediation of the shoreline and  
13          surrounding coastal areas, as appropriate, after the  
14          removal of structures and materials.

15          (e) In preparing plans pursuant to this section, the  
16          commission:

17          (1) May use or conduct studies:

18           (A) Necessary to support the development of  
19           adaptation pathways plans, including the  
20           development of regional studies pertaining to  
21           relocation or physical alteration of development,



1 cost-benefit analysis for project viability, and  
2 engineering studies; and

3 (B) Pertaining to the restoration of lands to natural  
4 conditions and for public purposes;

5 (2) Shall engage in culturally-informed community-engaged  
6 planning to determine the appropriate adaptation  
7 actions and triggers for implementation on a regional  
8 scale;

9 (3) Shall consider state and county climate adaptation  
10 plans;

11 (4) Shall ensure that any adaptation pathways plan aligns  
12 with the objectives of state and county hazard  
13 mitigation plans and county general and community  
14 plans; and

15 (5) Shall ensure that any armoring on sandy beaches to  
16 prevent the loss of critical public-infrastructure be  
17 time limited.

18 (f) Relevant state and county agencies that shall  
19 participate in the adaptation pathways planning process include  
20 but are not limited to the:

21 (1) Department of land and natural resources;



- 1        (2) Office of planning and sustainable development;  
2        (3) Department of Hawaiian home lands;  
3        (4) Department of transportation;  
4        (5) Hawaii tourism authority; and  
5        (6) County planning agencies identified in chapter 205A.

6        The adaptation pathways plans shall be cooperatively implemented  
7        by the appropriate state and county agencies with land  
8        management authority at each location.

9        (g) The department of land and natural resources shall  
10       enforce existing statutes and rules regarding the use of state  
11       lands and shall exercise the authority granted to it in  
12       implementing adaptation pathways plans prepared pursuant to this  
13       section.

14       (h) The county planning authorities, as identified in  
15       chapter 205A, shall enforce shoreline setbacks, control  
16       development within the special management areas, and enforce  
17       building ordinances in implementing the adaptation pathways  
18       plans prepared pursuant to this section."

19       SECTION 3. Section 225P-2, Hawaii Revised Statutes, is  
20       amended by adding four new definitions to be appropriately  
21       inserted and to read as follows:





1       "Adaptation measure" means an individual action, including  
2 nature-based measures, flood-proofing, building elevation or  
3 reengineering, armoring, zoning changes, relocation to areas  
4 outside the sea level rise exposure area, and other actions in  
5 response to actual or anticipated damage caused by coastal  
6 erosion, flooding, groundwater inundation, and other hazards  
7 associated with sea level rise.

8       "Adaptation pathway" means a collection of adaptation  
9 measures to be implemented sequentially in response to  
10 adaptation triggers intended to conserve and protect natural  
11 resources and lower risk of damage and loss due to progressive  
12 sea level rise over time.

13       "Adaptation pathways plan" means a plan outlining the  
14 adaptation pathways appropriate for a specific region, or  
15 individual parcels within a region, with identified adaptation  
16 triggers for implementation of individual adaptation measures.

17       "Adaptation trigger" means a predetermined condition that  
18 specifies when an adaptation measure is to be implemented in  
19 response to, or in anticipation of, environmental, structural,  
20 or natural resource damage impacts."



1       SECTION 4. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$2,000,000 or so much  
3 thereof as may be necessary for fiscal year 2025-2026 and the  
4 same sum or so much thereof as may be necessary for fiscal year  
5 2026-2027 for the Hawaii climate change mitigation and  
6 adaptation commission to develop adaptation pathways plans.

7       The sums appropriated shall be expended by the department  
8 of land and natural resources for the purposes of this Act.

9       SECTION 5. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12       SECTION 6. New statutory material is underscored.

13       SECTION 7. This Act shall take effect on July 1, 2025.

14  
INTRODUCED BY: 



# S.B. NO. 1598

**Report Title:**

Hawaii Climate Change Mitigation and Adaptation Commission;  
Adaptation Pathways; Adaptation Planning for Residential,  
Commercial, Industrial, and Resort Shoreline Development; Sea  
Level Rise Exposure Area; Appropriations

**Description:**

Requires the Hawaii Climate Change Mitigation and Adaptation Commission to develop adaptation pathways plans to modify and relocate development and associated infrastructure away from critically vulnerable areas to locations outside of sea level rise and coastal flooding exposure area. Appropriates funds.

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

