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# A BILL FOR AN ACT

RELATING TO BEACHES.

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

1 SECTION 1. Section 198D-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established the Hawaii statewide trail and  
4 access program, to be known as Na Ala Hele. The department of  
5 land and natural resources shall plan, develop, acquire land or  
6 rights for public use of land, construct, restore, and engage in  
7 coordination activities to implement the program in accordance  
8 with this chapter[-], including a comprehensive statewide trail  
9 system between beaches."

10 SECTION 2. Section 343-5, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12 "(a) Except as otherwise provided, an environmental  
13 assessment shall be required for actions that:

14 (1) Propose the use of state or county lands or the use of  
15 state or county funds, other than funds to be used for  
16 feasibility or planning studies for possible future  
17 programs or projects that the agency has not approved,  
18 adopted, or funded, or funds to be used for the



1 acquisition of unimproved real property; provided that  
2 the agency shall consider environmental factors and  
3 available alternatives in its feasibility or planning  
4 studies; provided further that an environmental  
5 assessment for proposed uses under section 205-2(d)(9)  
6 or [†]205-4.5(a)(13)[†] shall only be required  
7 pursuant to section 205-5(b);

8 (2) Propose any use within any land classified as a  
9 conservation district by the state land use commission  
10 under chapter 205;

11 (3) Propose any use within a shoreline area as defined in  
12 section 205A-41; provided that any area within a  
13 comprehensive statewide trail system between beaches  
14 established under section 198D-2 shall be exempted  
15 from any requirements of this section;

16 (4) Propose any use within any historic site as designated  
17 in the National Register or Hawaii Register, as  
18 provided for in the Historic Preservation Act of 1966,  
19 Public Law 89-665, or chapter 6E;

20 (5) Propose any use within the Waikiki area of Oahu, the  
21 boundaries of which are delineated in the land use



1 ordinance as amended, establishing the "Waikiki  
2 Special District";

3 (6) Propose any amendments to existing county general  
4 plans where the amendment would result in designations  
5 other than agriculture, conservation, or preservation,  
6 except actions proposing any new county general plan  
7 or amendments to any existing county general plan  
8 initiated by a county;

9 (7) Propose any reclassification of any land classified as  
10 a conservation district by the state land use  
11 commission under chapter 205;

12 (8) Propose the construction of new or the expansion or  
13 modification of existing helicopter facilities within  
14 the State, that by way of their activities, may  
15 affect:

16 (A) Any land classified as a conservation district by  
17 the state land use commission under chapter 205;

18 (B) A shoreline area as defined in section 205A-41;  
19 or

20 (C) Any historic site as designated in the National  
21 Register or Hawaii Register, as provided for in  
22 the Historic Preservation Act of 1966, Public Law



1                   89-665, or chapter 6E; or until the statewide  
2                   historic places inventory is completed, any  
3                   historic site that is found by a field  
4                   reconnaissance of the area affected by the  
5                   helicopter facility and is under consideration  
6                   for placement on the National Register or the  
7                   Hawaii Register of Historic Places; and

- 8           (9) Propose any:
- 9                   (A) Wastewater treatment unit, except an individual
  - 10                   wastewater system or a wastewater treatment unit
  - 11                   serving fewer than fifty single-family dwellings
  - 12                   or the equivalent;
  - 13                   (B) Waste-to-energy facility;
  - 14                   (C) Landfill;
  - 15                   (D) Oil refinery; or
  - 16                   (E) Power-generating facility."

17           SECTION 3. (a) The department of land and natural  
18 resources shall give priority to the planning, development, and  
19 implementation of a comprehensive statewide trail system between  
20 beaches, especially on the neighbor islands.

21           (b) The department shall submit to the legislature a  
22 report of its progress in planning, developing, and implementing



1 a comprehensive statewide trail system between beaches,  
2 especially on the neighbor islands, including any proposed  
3 legislation, no later than twenty days prior to the convening of  
4 the regular sessions of 2008 and 2009.

5 SECTION 4. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$ or so much  
7 thereof as may be necessary for fiscal year 2007-2008 for the  
8 planning, development, and implementation of a comprehensive  
9 statewide trail system between beaches, especially on the  
10 neighbor islands.

11 The sum appropriated shall be expended by the department of  
12 land and natural resources for the purposes of this Act.

13 SECTION 5. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2007.

16

INTRODUCED BY:

*[Signature]*  
Nunui Mouri

*[Signature]*  
JAN 22 2007



**Report Title:**

Beach Access; Trails

**Description:**

Requires DLNR to develop a comprehensive plan to improve lateral access between beaches, especially on the neighbor islands. Amends the definition of "trail", as used in chapter 198D relating to the Hawaii Statewide Trail and Access System, to include those that connect one beach to another.

