
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

1 SECTION 1. The legislature finds that many important
2 aspects of our State, including its economy and the way of life
3 of its communities, rely on the preservation of its beaches.
4 However, beach loss has accelerated at an unprecedented rate in
5 recent decades, resulting in Hawaii losing more than seventeen
6 miles of beaches. Repeated king tides have deteriorated beaches
7 and sea walls and shoreline hardening have hastened the rate of
8 beach loss.

9 As rising sea levels and intensifying erosion threaten
10 additional beaches, Hawaii's economy faces tens of billions of
11 dollars in potential losses. The loss of Waikiki beach alone
12 would cause an estimated \$2,000,000,000 in annual losses to
13 Hawaii's economy. Losing similar beaches critical to our
14 communities would also be devastating, resulting in significant
15 decreases to property values, revenues to local businesses, and
16 the overall quality of life in the State.



1 As beaches erode and retreat, the State may need to acquire
2 adjacent private lands to ensure space exists for beaches and
3 dune systems to survive. The acquisition of adjacent land will
4 also enable continued public access to these priceless community
5 assets. Most importantly, acquiring adjacent property will
6 create a buffer zone between the shoreline and developed areas
7 to protect the State from potential natural disasters.

8 The purpose of this Act is to ensure the preservation of
9 Hawaii's beaches for future generations by:

10 (1) Establishing a Hawaii beach preservation special fund
11 within the treasury of the State to be used to
12 purchase lands threatened by sea level rise or beach
13 erosion for the protection of adjacent public beaches;
14 and

15 (2) Creating a task force within the office of planning to
16 identify the most effective funding mechanism for the
17 Hawaii beach preservation special fund.

18 SECTION 2. Chapter 225M, Hawaii Revised Statutes, is
19 amended by adding a new section to be appropriately designated
20 and to read as follows:



1 "§225M- Hawaii beach preservation special fund. (a)

2 There is established a Hawaii beach preservation special fund
3 within the treasury of the State into which shall be deposited:

4 (1) All appropriations made by the legislature to the
5 fund; and

6 (2) Gifts, donations, and grants from public agencies and
7 private persons.

8 All interest earned or accrued on moneys deposited into the
9 fund shall become part of the fund.

10 (b) Subject to legislative appropriation, the office of
11 planning may expend moneys from the fund to purchase from
12 landowners any lands threatened by sea level rise or beach
13 erosion for the protection of adjacent public beaches. Lands
14 purchased pursuant to this section shall be managed by the
15 department of land and natural resources.

16 (c) The office of planning shall adopt rules in accordance
17 with chapter 91 to effectuate the purposes of this section."

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2018-2019 to be
21 deposited into the Hawaii beach preservation special fund.



1 SECTION 4. There is appropriated out of the Hawaii beach
2 preservation special fund the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2018-2019 for the
4 purpose of purchasing property from landowners threatened by sea
5 level rise or beach erosion.

6 The sum appropriated shall be expended by the office of
7 planning for the purposes of this Act.

8 SECTION 5. (a) There shall be established within the
9 office of planning a Hawaii beach preservation task force. The
10 task force shall identify effective funding mechanisms for the
11 Hawaii beach preservation special fund.

12 (b) The task force shall consider as possible funding
13 mechanisms for the Hawaii beach preservation special fund:

- 14 (1) Increases to the conveyance tax, applicable to
15 shoreline properties;
16 (2) Taxes or surcharges on real property; and
17 (3) Any other funding mechanism the task force deems
18 appropriate.

19 (c) The task force shall include the following members:

- 20 (1) The director of the office of planning, or the
21 director's designee, who shall serve as chairperson;



- 1 (2) The chairperson of the board of land and natural
2 resources, or the chairperson's designee;
- 3 (3) The chairperson of the senate standing committee with
4 primary jurisdiction over the environment;
- 5 (4) The chairperson of the house of representatives
6 standing committee with primary jurisdiction over the
7 environment;
- 8 (5) The chairperson of the senate standing committee with
9 primary jurisdiction over shoreline land use;
- 10 (6) The chairperson of the house of representatives
11 standing committee with primary jurisdiction over
12 shoreline land use;
- 13 (7) The chairperson of the senate standing committee with
14 primary jurisdiction over tourism;
- 15 (8) The chairperson of the house of representatives
16 standing committee with primary jurisdiction over
17 tourism; and
- 18 (9) The chief executive officer of the Hawaii tourism
19 authority,
- 20 provided that the chairperson of the task force may invite any
21 relevant stakeholders to serve as members on the task force.



(d) The members of the task force shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(e) The task force shall submit a report with findings and recommendations, including proposed legislation, if any, to the legislature no later than twenty days prior to the convening of the regular session of 2019. Copies of the report shall be transmitted to:

(1) The Hawaii climate change mitigation and adaptation commission, established pursuant to section 225P-3, Hawaii Revised Statutes; and

(2) The mayor of each county.

(f) The task force shall be dissolved on June 30, 2019.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 2018.

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H.B. NO. 2468

Report Title:

Office of Planning; DLNR; Climate Change; Special Fund;
Appropriation

Description:

Establishes a Hawaii beach preservation special fund. Authorizes the office of planning to expend moneys from the Hawaii beach preservation special fund to purchase lands threatened by sea level rise or beach erosion. Requires the Department of Land and Natural Resources to manage the purchased lands. Creates a task force within the office of planning to determine appropriate funding mechanisms for the Hawaii beach preservation special fund. Makes an appropriation.

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