



1           As beaches erode and retreat, the State may need to acquire  
2 adjacent private lands to ensure that space exists for beaches  
3 and dune systems to survive. The acquisition of adjacent land  
4 will also enable continued public access to these priceless  
5 community assets. Additionally, acquiring adjacent property  
6 will create a buffer zone between the shoreline and developed  
7 areas 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 or carry out other forms of managed retreat  
14           for the protection of adjacent public beaches; and  
15           (2) Creating a working group within the Hawaii climate  
16           change mitigation and adaptation commission to  
17           determine appropriate funding mechanisms for the  
18           Hawaii beach preservation special fund; and  
19           (3) Establishing the north shore Oahu pilot project to  
20           explore managed retreat options to address current  
21           emergency beach conditions and investigate managed



1 retreat options that may be replicated elsewhere in  
2 the State.

3 PART II

4 SECTION 2. Chapter 171, Hawaii Revised Statutes, is  
5 amended by adding a new section to part VIII to be appropriately  
6 designated and to read as follows:

7 "§171- Hawaii beach preservation special fund. (a)

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

10 (1) All appropriations made by the legislature to the  
11 fund; and

12 (2) Gifts, donations, and grants from public agencies and  
13 private persons.

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

16 (b) Subject to legislative appropriation, the department  
17 of land and natural resources may expend moneys from the fund to  
18 purchase from landowners any lands threatened by sea level rise  
19 or beach erosion and to carry out other forms of managed retreat  
20 for the protection of public beaches. Lands purchased pursuant  
21 to this section shall be managed by the department.



1        (c) The department shall adopt rules in accordance with  
2 chapter 91 to effectuate the purposes of this section."

3        SECTION 3. (a) There shall be established within the  
4 Hawaii climate change mitigation and adaptation commission a  
5 Hawaii beach preservation working group. The working group  
6 shall identify effective funding mechanisms for the Hawaii beach  
7 preservation special fund.

8        (b) The working group shall consider as possible funding  
9 mechanisms for the Hawaii beach preservation special fund:

10        (1) Increases to the conveyance tax applicable to  
11        shoreline properties;

12        (2) Taxes or surcharges on real property; and

13        (3) Any other funding mechanism the working group deems  
14        appropriate.

15        (c) The commission shall determine the working group's  
16 membership from among its members.

17        (d) The working group shall submit a report with findings  
18 and recommendations, including proposed legislation, if any, to  
19 the legislature no later than twenty days prior to the convening  
20 of the regular session of 2019. Copies of the report shall be  
21 transmitted to the mayor of each county.



1 SECTION 4. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so  
3 much thereof as may be necessary for fiscal year 2018-2019 to be  
4 deposited into the Hawaii beach preservation special fund.

5 SECTION 5. There is appropriated out of the Hawaii beach  
6 preservation special fund the sum of \$ or so much  
7 thereof as may be necessary for fiscal year 2018-2019 for the  
8 purpose of purchasing property from landowners threatened by sea  
9 level rise or beach erosion and carrying out other forms of  
10 managed retreat.

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

13 PART III

14 SECTION 6. (a) There is established the north shore Oahu  
15 pilot program, to be administered by the department of land and  
16 natural resources, to address sea level rise and beach erosion  
17 by exploring managed retreat options for beach preservation in  
18 the State.

19 (b) The north shore Oahu pilot program shall investigate  
20 and make recommendations for managed retreat options, including  
21 buyouts or other methods of land acquisition, that address



1 current emergency conditions at legacy beaches on Oahu's north  
2 shore and that may be replicated elsewhere the State to preserve  
3 beaches with economic and cultural value. The pilot program  
4 shall make recommendations for strategies that may be funded  
5 through the Hawaii beach preservation special fund established  
6 pursuant to section 171- , Hawaii Revised Statutes.  
7 focus on the north shore of Oahu and other beaches in the State  
8 of Hawaii that have economic and cultural value.

9 (c) The north shore Oahu pilot program shall submit a  
10 report of its findings and recommendations, including any  
11 proposed legislation, to the legislature no later than twenty  
12 days prior to the convening of the regular session of 2019.

13 (d) The north shore Oahu pilot project shall be dissolved  
14 on July 1, 2019.

15 SECTION 7. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$ or so much  
17 thereof as may be necessary for fiscal year 2018-2019 for the  
18 north shore Oahu pilot program.

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



1 SECTION 8. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.  
3 SECTION 9. This Act shall take effect on July 1, 2018.



**Report Title:**

Department of Land and Natural Resources; Climate Change;  
Special Fund; Working Group; Pilot Program; Appropriation

**Description:**

Establishes a Hawaii beach preservation special fund.  
Authorizes the Department of Land and Natural Resources (DLNR)  
to expend moneys from the Hawaii Beach Preservation Special Fund  
to purchase lands threatened by sea level rise or beach erosion.  
Requires DLNR to manage the purchased lands. Creates a working  
group within the Hawaii Climate Change Mitigation and Adaptation  
Commission to determine appropriate funding mechanisms for the  
Hawaii beach preservation special fund. Establishes a North  
Shore Oahu Pilot Program under DLNR to explore managed retreat  
options. Appropriates funds. (HB2468 HD1)

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

