
A BILL FOR AN ACT

RELATING TO COASTAL ZONE MANAGEMENT.

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

1 SECTION 1. The legislature finds that the coastal zone
2 management program was established pursuant to Act 188, Session
3 Laws of Hawaii 1977. The Act declared that it is state policy
4 to:

5 (1) Protect, preserve, and where desirable, restore or
6 improve the quality of coastal scenic and open space
7 resources;

8 (2) Protect valuable coastal ecosystems from disruption
9 and minimize adverse impacts on all coastal
10 ecosystems;

11 (3) Reduce hazards to life and property from tsunami,
12 storm waves, stream flooding, erosion, and subsidence;
13 and

14 (4) Improve the development review process, communication,
15 and public participation in the management of coastal
16 resources and hazards.



1 The legislature also finds that a 2012 collaborative study
2 by the United States Geological Survey and the university of
3 Hawaii indicates that seventy per cent of beaches in Hawaii are
4 undergoing a trend of chronic sand loss and shoreline retreat.
5 Further, more than thirteen miles of beach in the State have
6 been completely lost to erosion fronting seawalls and
7 revetments. The Hawaii sea level rise vulnerability and
8 adaptation report, accepted in 2017 by the Hawaii climate change
9 mitigation and adaptation commission, finds that with just 1.1
10 feet of sea level rise, many more miles of beach could be lost
11 to erosion if widespread shoreline armoring is allowed. This
12 could mean a loss of five miles of beach on Kauai, seven miles
13 of beach on Oahu, and eight miles of beach on Maui. Based on
14 its findings, the report recommends enabling beaches to persist
15 with sea level rise and suggests integrating sea level rise
16 considerations into Hawaii's laws regarding coastal zone
17 management.

18 The legislature further finds that the convergence of dense
19 development along shorelines, increasing landward migration of
20 shoreline due to sea level rise and other human and natural
21 impacts, and extensive beach loss fronting shoreline armoring



1 necessitates revision of existing policies and regulations.
2 Revision of these existing policies and regulations would both
3 protect beaches and other coastal environments from further
4 degradation and reduce the exposure of shorefront communities to
5 increasing erosion and flooding hazards caused by sea level
6 rise.

7 The legislature also finds that a recent study by the
8 university of Hawaii coastal geology group identified several
9 primary causes for the State's failure to meet coastal zone
10 management policy objectives. Specifically, the study found
11 that current policies, ordinances, and practices allow for:

12 (1) The hardening of shorelines through a hardship
13 variance that is granted based upon demonstrated
14 hardship brought on by coastal erosion. When granted,
15 these hardship variances set into motion a cycle of
16 shoreline armoring that causes "flanking", or
17 amplified erosion, on properties adjacent to armored
18 shorelines. This continuous cycle of hardening and
19 flanking can extend along an entire beach and, in a
20 section of northeast Oahu, approximately forty-five
21 per cent of observed shoreline hardening was



1 implemented in response to adjacent hardening. This
2 cycle, caused by a combination of beach erosion and
3 coastal policy, has resulted in the narrowing and even
4 elimination of beaches to the extent that they can no
5 longer be used for public recreation or cultural
6 practice; and

- 7 (2) Renovation and expansion of single-family homes in
8 erosion and flood-prone coastal areas, thereby
9 extending building lifetimes indefinitely and allowing
10 for virtually complete coverage of coastal parcels by
11 these structures. The average building surface area
12 increased by twenty per cent following the
13 establishment of the State's coastal zone management
14 program and, combined with sea level rise, this
15 development increases the likelihood of mass
16 structural failure and deposit of debris on public
17 beaches.

18 The purpose of this Act is to strengthen coastal zone
19 management policy by amending chapter 205A, Hawaii Revised
20 Statutes, to protect state beaches and to reduce residential
21 exposure to coastal hazards.



1 SECTION 2. Section 205A-1, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Coastal hazards" means any tsunami, hurricane, wind,
5 wave, storm surges, high tide, flooding, erosion, sea level
6 rise, subsidence, and point and nonpoint source pollution."

7 SECTION 3. Section 205A-2, Hawaii Revised Statutes, is
8 amended by amending subsections (b) and (c) to read as follows:

9 "(b) Objectives.

10 (1) Recreational resources;

11 (A) Provide coastal recreational opportunities
12 accessible to the public.

13 (2) Historic resources;

14 (A) Protect, preserve, and, where desirable, restore
15 those natural and manmade historic and
16 prehistoric resources in the coastal zone
17 management area that are significant in Hawaiian
18 and American history and culture.

19 (3) Scenic and open space resources;



- 1 (A) Protect, preserve, and, where desirable, restore
2 or improve the quality of coastal scenic and open
3 space resources.
- 4 (4) Coastal ecosystems;
- 5 (A) Protect valuable coastal ecosystems, including
6 reefs, beaches, and coastal dunes, from
7 disruption and minimize adverse impacts on all
8 coastal ecosystems.
- 9 (5) Economic uses;
- 10 (A) Provide public or private facilities and
11 improvements important to the State's economy in
12 suitable locations.
- 13 (6) Coastal hazards;
- 14 (A) Reduce hazard to life and property from [~~tsunami,~~
15 ~~storm waves, stream flooding, erosion,~~
16 ~~subsidence, and pollution.~~] coastal hazards.
- 17 (7) Managing development;
- 18 (A) Improve the development review process,
19 communication, and public participation in the
20 management of coastal resources and hazards.
- 21 (8) Public participation;



1 (A) Stimulate public awareness, education, and
2 participation in coastal management.

3 (9) Beach protection;

4 (A) Protect beaches and coastal dunes for ~~[public]~~:

5 (i) Public use and recreation~~[-]~~;

6 (ii) The benefit of coastal ecosystems; and

7 (iii) Natural barrier protection against coastal
8 hazards; and

9 (B) Coordinate and fund beach management and
10 protection.

11 (10) Marine resources;

12 (A) Promote the protection, use, and development of
13 marine and coastal resources to assure their
14 sustainability.

15 (c) Policies.

16 (1) Recreational resources;

17 (A) Improve coordination and funding of coastal
18 recreational planning and management; and

19 (B) Provide adequate, accessible, and diverse
20 recreational opportunities in the coastal zone
21 management area by:



(i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;

(ii) Requiring [~~replacement~~] restoration of coastal resources [~~having~~] that have significant recreational and ecosystem value including, but not limited to coral reefs, surfing sites, fishponds, [~~and~~] sand beaches, and coastal dunes; when [~~such~~] these resources will be unavoidably damaged by development; or requiring [~~reasonable~~] monetary compensation to the State for recreation when [~~replacement~~] restoration is not feasible or desirable;

(iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;

(iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;



1 (v) Ensuring public recreational uses of county,
2 state, and federally owned or controlled
3 shoreline lands and waters having
4 recreational value consistent with public
5 safety standards and conservation of natural
6 resources;

7 (vi) Adopting water quality standards and
8 regulating point and nonpoint sources of
9 pollution to protect, and where feasible,
10 restore the recreational value of coastal
11 waters;

12 (vii) Developing new shoreline recreational
13 opportunities, where appropriate, such as
14 artificial lagoons, artificial beaches, and
15 artificial reefs for surfing and fishing;
16 and

17 (viii) Encouraging reasonable dedication of
18 shoreline areas with recreational value for
19 public use as part of discretionary
20 approvals or permits by the land use
21 commission, board of land and natural



resources, and county authorities; and
crediting such dedication against the
requirements of section 46-6;

(2) Historic resources;

(A) Identify and analyze significant archaeological
resources;

(B) Maximize information retention through
preservation of remains and artifacts or salvage
operations; and

(C) Support state goals for protection, restoration,
interpretation, and display of historic
resources;

(3) Scenic and open space resources;

(A) Identify valued scenic resources in the coastal
zone management area;

(B) Ensure that new developments are compatible with
their visual environment by designing and
locating ~~such~~ those developments to minimize
the alteration of natural landforms and existing
public views to and along the shoreline;



1 (C) Preserve, maintain, and, where desirable, improve
2 and restore shoreline open space and scenic
3 resources; and

4 (D) Encourage those developments that are not coastal
5 dependent to locate in inland areas;

6 (4) Coastal ecosystems;

7 (A) Exercise an overall conservation ethic, and
8 practice stewardship in the protection, use, and
9 development of marine and coastal resources;

10 (B) Improve the technical basis for natural resource
11 management;

12 (C) Preserve valuable coastal ecosystems[~~including~~
13 ~~reefs,~~] of significant biological or economic
14 importance[+], including reefs, beaches, and
15 dunes;

16 (D) Minimize disruption or degradation of coastal
17 water ecosystems by effective regulation of
18 stream diversions, channelization, and similar
19 land and water uses, recognizing competing water
20 needs; and



(E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures;

(5) Economic uses;

(A) Concentrate coastal dependent development in appropriate areas;

(B) Ensure that [~~coastal dependent development such as~~] residential and commercial development, transportation infrastructure, [harbors and ports,] and coastal related development [~~such as~~] including but not limited to visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize exposure to coastal hazards and adverse social, visual, and environmental impacts in the coastal zone management area; and

(C) Direct the location and expansion of coastal [~~dependent developments~~] development to areas



1 presently designated and used for [~~such~~
2 ~~developments~~] that development and permit
3 reasonable long-term growth at [~~such~~] those
4 areas, and permit coastal [~~dependent~~] development
5 outside of presently designated areas when:

6 (i) Use of presently designated locations is not
7 feasible;

8 (ii) Adverse environmental effects and risks from
9 coastal hazards are minimized; and

10 (iii) The development is important to the State's
11 economy;

12 (6) Coastal hazards;

13 (A) Develop and communicate adequate information
14 about [~~storm wave, tsunami, flood, erosion,~~
15 ~~subsidence, and point and nonpoint source~~
16 ~~pollution~~] the risks of coastal hazards;

17 (B) Control development, including planning and
18 zoning control, in areas subject to [~~storm wave,~~
19 ~~tsunami, flood, erosion, hurricane, wind,~~
20 ~~subsidence, and point and nonpoint source~~
21 ~~pollution~~] coastal hazards;



1 (C) Ensure that developments comply with requirements
2 of the [~~Federal Flood Insurance Program~~] national
3 flood insurance program; and

4 (D) Prevent coastal flooding from inland projects;

5 (7) Managing development;

6 (A) Use, implement, and enforce existing law
7 effectively to the maximum extent possible in
8 managing present and future coastal zone
9 development;

10 (B) Facilitate timely processing of applications for
11 development permits and resolve overlapping or
12 conflicting permit requirements; and

13 (C) Communicate the potential short and long-term
14 impacts of proposed significant coastal
15 developments early in their life cycle and in
16 terms understandable to the public to facilitate
17 public participation in the planning and review
18 process;

19 (8) Public participation;

20 (A) Promote public involvement in coastal zone
21 management processes;



1 (B) Disseminate information on coastal management
2 issues by means of educational materials,
3 published reports, staff contact, and public
4 workshops for persons and organizations concerned
5 with coastal issues, developments, and government
6 activities; and

7 (C) Organize workshops, policy dialogues, and site-
8 specific mediations to respond to coastal issues
9 and conflicts;

10 (9) Beach protection;

11 (A) Locate new structures inland from the shoreline
12 setback to conserve open space, minimize
13 interference with natural shoreline processes,
14 and minimize loss of improvements due to erosion;

15 (B) Prohibit construction of private [~~erosion-~~
16 ~~protection~~] shoreline hardening structures
17 [~~seaward of the shoreline, except when they~~
18 ~~result in improved aesthetic and engineering~~
19 ~~solutions to erosion at the sites and do not~~],
20 such as seawalls and revetments, at sites with
21 sand beaches and at sites where shoreline



- 1 hardening structures interfere with existing
2 recreational and waterline activities;
- 3 (C) Minimize the construction of public [~~erosion-~~
4 ~~protection~~] shoreline hardening structures
5 ~~[seaward of the shoreline]~~, such as seawalls and
6 revetments, at sites with sand beaches and at
7 sites where shoreline hardening structures
8 interfere with existing recreational and
9 waterline activities;
- 10 (D) Avoid grading of and damage to coastal dunes;
- 11 [~~(D)~~] (E) Prohibit private property owners from
12 creating a public nuisance by inducing or
13 cultivating the private property owner's
14 vegetation in a beach transit corridor; and
- 15 [~~(E)~~] (F) Prohibit private property owners from
16 creating a public nuisance by allowing the
17 private property owner's unmaintained vegetation
18 to interfere or encroach upon a beach transit
19 corridor;
- 20 (10) Marine and coastal resources;



- 1 (A) Ensure that the use and development of marine and
2 coastal resources are ecologically and
3 environmentally sound and economically
4 beneficial;
- 5 (B) Coordinate the management of marine and coastal
6 resources and activities to improve effectiveness
7 and efficiency;
- 8 (C) Assert and articulate the interests of the State
9 as a partner with federal agencies in the sound
10 management of ocean resources within the United
11 States exclusive economic zone;
- 12 (D) Promote research, study, and understanding of
13 ocean and coastal processes, climate change and
14 sea level rise, marine life, and other ocean
15 resources to acquire and inventory information
16 necessary to understand how [~~ocean~~] coastal
17 development activities relate to and impact
18 [~~upon~~] ocean and coastal resources; and
- 19 (E) Encourage research and development of new,
20 innovative technologies for exploring, using, or
21 protecting marine and coastal resources."



SECTION 4. Section 205A-22, Hawaii Revised Statutes, is amended as follows:

1. By amending the definition of "development" to read:

"Development" means any of the uses, activities, or operations on land or in or under water within a special management area that are included below:

- (1) Placement or erection of any solid material or any gaseous, liquid, solid, or thermal waste;
- (2) Grading, removing, dredging, mining, or extraction of any materials;
- (3) Change in the density or intensity of use of land, including but not limited to the division or subdivision of land;
- (4) Change in the intensity of use of water, ecology related thereto, or of access thereto; and
- (5) Construction, reconstruction, demolition, or alteration of the size of any structure.

"Development" does not include the following:

- (1) Construction or reconstruction of a single-family residence that is less than seven thousand five hundred square feet of floor area, is not situated on



1 a parcel that is impacted by waves, storm surges, high
2 tide, or shoreline erosion, and is not part of a
3 larger development;

4 (2) Repair or maintenance of roads and highways within
5 existing rights-of-way;

6 (3) Routine maintenance dredging of existing streams,
7 channels, and drainage ways;

8 (4) Repair and maintenance of underground utility lines,
9 including but not limited to water, sewer, power, and
10 telephone and minor appurtenant structures such as pad
11 mounted transformers and sewer pump stations;

12 (5) Zoning variances, except for height, density, parking,
13 and shoreline setback;

14 (6) Repair, maintenance, or interior alterations to
15 existing structures;

16 (7) Demolition or removal of structures, except those
17 structures located on any historic site as designated
18 in national or state registers;

19 (8) Use of any land for the purpose of cultivating,
20 planting, growing, and harvesting plants, crops,
21 trees, and other agricultural, horticultural, or



1 forestry products or animal husbandry, or aquaculture
2 or mariculture of plants or animals, or other
3 agricultural purposes;

4 (9) Transfer of title to land;

5 (10) Creation or termination of easements, covenants, or
6 other rights in structures or land;

7 ~~[(11) Final subdivision approval; provided that in counties~~
8 ~~that may automatically approve tentative subdivision~~
9 ~~applications as a ministerial act within a fixed time~~
10 ~~of the submission of a preliminary plat map, unless~~
11 ~~the director takes specific action, a special~~
12 ~~management area use permit if required, shall be~~
13 ~~processed concurrently with an application for~~
14 ~~tentative subdivision approval or after tentative~~
15 ~~subdivision approval and before final subdivision~~
16 ~~approval,]~~

17 ~~[(12)]~~ (11) Subdivision of land into lots greater than
18 twenty acres in size;

19 ~~[(13)]~~ (12) Subdivision of a parcel of land into four or
20 fewer parcels when no associated construction
21 activities are proposed; provided that any land that



1 is so subdivided shall not thereafter qualify for this
2 exception with respect to any subsequent subdivision
3 of any of the resulting parcels;

4 ~~[(14)]~~ (13) Installation of underground utility lines and
5 appurtenant aboveground fixtures less than four feet
6 in height along existing corridors;

7 ~~[(15)]~~ (14) Structural and nonstructural improvements to
8 existing single-family residences, where otherwise
9 permissible;

10 ~~[(16)]~~ (15) Nonstructural improvements to existing
11 commercial structures; and

12 ~~[(17)]~~ (16) Construction, installation, maintenance, repair,
13 and replacement of emergency management warning or
14 signal devices and sirens;

15 provided that whenever the authority finds that any excluded
16 use, activity, or operation may have a cumulative impact, or a
17 significant environmental or ecological effect on a special
18 management area, that use, activity, or operation shall be
19 defined as "development" for the purpose of this part."

20 2. By amending the definition of "special management area
21 emergency permit" to read:



1 ""Special management area emergency permit" means an action
2 by the authority authorizing development in cases of emergency
3 requiring immediate action to prevent substantial physical harm
4 to persons or property or to allow the reconstruction of
5 structures damaged by natural hazards to their original form;
6 provided that [~~such~~] those structures were previously found to
7 be in compliance with requirements of the [~~Federal Flood~~
8 ~~Insurance Program.~~] national flood insurance program."

9 SECTION 5. Section 205A-26, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§205A-26 Special management area guidelines.** In
12 implementing this part, the authority shall adopt the following
13 guidelines for the review of developments proposed in the
14 special management area:

15 (1) All development in the special management area shall
16 be subject to reasonable terms and conditions set by
17 the authority in order to ensure:

18 (A) Adequate access, by dedication or other means, to
19 publicly owned or used beaches, recreation areas,
20 and natural reserves is provided to the extent
21 consistent with sound conservation principles;



1 (B) Adequate and properly located public recreation
2 areas and wildlife preserves are reserved;

3 (C) Provisions are made for solid and liquid waste
4 treatment, disposition, and management [~~which~~]
5 that will minimize adverse effects upon special
6 management area resources; and

7 (D) Alterations to existing land forms and
8 vegetation, except crops, and construction of
9 structures shall cause minimum adverse effect to
10 water resources, beaches, coastal dunes, and
11 scenic and recreational amenities and [~~minimum~~
12 ~~danger-of~~] minimize impacts from floods, wind
13 damage, storm surge, landslides, erosion, sea
14 level rise, siltation, or failure in the event of
15 earthquake.

16 (2) No development shall be approved unless the authority
17 has first found:

18 (A) That the development will not have any
19 [~~substantial~~] significant adverse environmental
20 or ecological effect, except as [~~such~~] any
21 adverse effect is minimized to the extent



1 practicable and clearly outweighed by public
2 health, safety, or compelling public interests.
3 [~~Such~~] Those adverse effects shall include, but
4 not be limited to, the potential cumulative
5 impact of individual developments, each [~~one~~] of
6 which taken [~~in~~] by itself might not have a
7 [~~substantial~~] significant adverse effect, and the
8 elimination of planning options;

9 (B) That the development is consistent with the
10 objectives, policies, and special management area
11 guidelines of this chapter and any guidelines
12 enacted by the legislature; and

13 (C) That the development is consistent with the
14 county general plan, community plan, and zoning[~~-~~
15 ~~Such~~]; provided that a finding of consistency
16 does not preclude concurrent processing where a
17 general plan, community plan, or zoning amendment
18 may also be required.

19 (3) The authority shall seek to minimize, where
20 reasonable:



- 1 (A) Dredging, filling or otherwise altering any bay,
2 estuary, salt marsh, river mouth, slough or
3 lagoon;
- 4 (B) Any development [~~which~~] that would reduce the
5 size of any beach or other area usable for public
6 recreation;
- 7 (C) Any development [~~which~~] that would reduce or
8 impose restrictions upon public access to tidal
9 and submerged lands, beaches, portions of rivers
10 and streams within the special management areas
11 and the mean high tide line where there is no
12 beach;
- 13 (D) Any development [~~which~~] that would substantially
14 interfere with or detract from the line of sight
15 toward the sea from the state highway nearest the
16 coast; and
- 17 (E) Any development [~~which~~] that would adversely
18 affect water quality, existing areas of open
19 water free of visible structures, existing and
20 potential fisheries and fishing grounds, wildlife



1 habitats, or potential or existing agricultural
2 uses of land."

3 SECTION 6. Section 205A-43, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Setbacks along shorelines are established of not less
6 than [~~twenty feet and not more than~~] forty feet inland from the
7 shoreline. The department shall adopt rules pursuant to chapter
8 91, and shall enforce the shoreline setbacks and rules
9 pertaining thereto."

10 SECTION 7. Section 205A-43.5, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) Prior to action on a variance application, the
13 authority shall hold a public hearing under chapter 91. By
14 adoption of rules under chapter 91, the authority may delegate
15 responsibility to the department. Public and private notice,
16 including reasonable notice to abutting property owners and
17 persons who have requested this notice, shall be provided, but a
18 public hearing may be waived prior to action on a variance
19 application for:

20 (1) Stabilization of shoreline erosion by the moving of
21 sand entirely on public lands;



- (2) Protection of a legal structure [~~costing more than~~
\$20,000;] or public facility, including any facility
owned by a public utility that is regulated pursuant
to chapter 269, that does not fix the shoreline, under
an emergency authorization issued by the authority;
provided that the structure or public facility is at
risk of immediate damage from shoreline erosion[+] and
the authorization does not exceed three years;
- (3) Other structures or activities; provided that no
person or agency has requested a public hearing within
twenty-five calendar days after public notice of the
application; or
- (4) Maintenance, repair, reconstruction, and minor
additions or alterations of legal boating, maritime,
or watersports recreational facilities, [~~which~~] that
result in little or no interference with natural
shoreline processes."

SECTION 8. Section 205A-46, Hawaii Revised Statutes, is
amended as follows:

1. By amending subsection (a) to read:



1 "(a) A variance may be granted for a structure or activity
2 otherwise prohibited in this part if the authority finds in
3 writing, based on the record presented, that the proposed
4 structure or activity is necessary for or ancillary to:

5 (1) Cultivation of crops;

6 (2) Aquaculture;

7 (3) Landscaping; provided that the authority finds that
8 the proposed structure or activity will not adversely
9 affect beach processes and will not artificially fix
10 the shoreline;

11 (4) Drainage;

12 (5) Boating, maritime, or watersports recreational
13 facilities;

14 (6) Facilities or improvements by public agencies or
15 public utilities regulated under chapter 269;

16 (7) Private facilities or improvements that are clearly in
17 the public interest;

18 (8) Private facilities or improvements ~~[which]~~ that will
19 ~~[neither]~~ not adversely affect beach processes ~~[nor]~~,
20 result in flanking shoreline erosion, or artificially
21 fix the shoreline; provided that the authority ~~[also]~~



1 ~~finds that]~~ may consider any hardship that will result
2 to the applicant if the facilities or improvements are
3 not allowed within the shoreline area;

4 (9) Private facilities or improvements that may
5 artificially fix the shoreline except for areas with
6 sand beaches; provided that the ~~[authority also finds~~
7 ~~that shoreline erosion is likely to cause]~~ action will
8 not interfere with existing recreational and water
9 line activities; provided further that the authority
10 may consider any hardship that will result to the
11 applicant if the facilities or improvements are not
12 allowed within the shoreline area~~[, and the authority~~
13 ~~imposes conditions to prohibit any structure seaward~~
14 ~~of the existing shoreline]~~; or

15 (10) Moving of sand from one location seaward of the
16 shoreline to another location seaward of the
17 shoreline; provided that the authority also finds that
18 moving of sand will not adversely affect beach
19 processes, will not diminish the size of a public
20 beach, and will be necessary to stabilize an eroding
21 shoreline."



2. By amending subsection (c) to read:

"(c) No variance shall be granted unless appropriate conditions are imposed:

(1) To maintain safe lateral access to and along the shoreline or adequately compensate for its loss;

(2) To minimize risk of adverse impacts on beach processes;

(3) To minimize risk of structures failing and becoming loose rocks, sharp or otherwise dangerous debris, or rubble on public property; and

(4) To minimize adverse impacts on public views to, from, and along the shoreline."

SECTION 9. Section 205A-62, Hawaii Revised Statutes, is amended to read as follows:

"§205A-62 Duties and responsibilities of the lead agency.

The lead agency shall have the following duties and responsibilities:

(1) Coordinate overall implementation of the plan, giving special consideration to the plan's priority recommendations;

(2) Review and periodically update the plan;



1 (3) Coordinate the development of state agency work plans
2 to implement the ocean resources management plan. The
3 work plans shall be revised on a biennial basis and
4 coordinated with the budget process. State agencies
5 with responsibilities relating to marine and coastal
6 zone management include but are not limited to:

7 (A) The department of agriculture;

8 (B) The department of business, economic development,
9 and tourism;

10 (C) The department of defense;

11 (D) The department of education;

12 [~~(D)~~] (E) The department of health;

13 [~~(E)~~] (F) The department of land and natural
14 resources;

15 [~~(F)~~] (G) The department of public safety;

16 [~~(G)~~] (H) The department of transportation; and

17 [~~(H)~~] (I) The University of Hawaii;

18 (4) Ensure that state agency work plans are closely
19 coordinated with the work plans of relevant federal
20 and county agencies;



(5) Analyze, resolve conflicts between, and prioritize, in cooperation with relevant agencies and as part of the work plan development process, the sector-specific recommendations included in the plan;

(6) Coordinate exclusive economic zone and other marine-related issues with state and county agencies;

(7) Provide technical assistance to the agencies on policy and issue-related matters regarding marine and coastal resources management;

(8) Coordinate marine and coastal education activities; and

(9) Adopt rules pursuant to chapter 91 to carry out the purposes of this part."

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

SECTION 11. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 12. This Act shall take effect on July 1, 2050.



Report Title:

Department of Business, Economic Development, and Tourism;
Coastal Zone Management; Sea Level Rise; Coastal Erosion

Description:

Amends coastal zone management laws to further protect against
impacts of sea level rise and coastal erosion. Effective
7/1/2050. (SD1)

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

