

JAN 20 2023

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# A BILL FOR AN ACT

RELATING TO SEA LEVEL RISE ADAPTATION.

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

1           SECTION 1. The legislature finds that climate change and  
2 sea level rise pose significant, dangerous, and imminent threats  
3 to the State's social and economic well-being, public safety,  
4 nature and environments, cultural resources, property,  
5 infrastructure, and government functions and will likely have a  
6 disproportionate impact on low-income and otherwise vulnerable  
7 communities. Chronic impacts of sea level rise, including  
8 coastal erosion, high tide flooding, and annual high wave  
9 flooding, are already impacting many low-lying coastal areas and  
10 are predicted to increase in extent and severity in the coming  
11 decades. Climate change and sea level rise will exacerbate the  
12 impacts of disaster events, such as hurricanes, extreme  
13 rainfall, high-wave events, and tsunamis.

14           The legislature further finds that a 2017 report by the  
15 National Oceanic and Atmospheric Administration projects that  
16 3.2 feet of global mean sea level rise will occur by 2100 in an



1 intermediate scenario and could occur as early as the 2060s in  
2 an extreme scenario.

3       The legislature notes that the Hawaii sea level rise  
4 vulnerability and adaptation report completed by the department  
5 of land and natural resources and accepted by the Hawaii climate  
6 change mitigation and adaptation commission, along with map data  
7 available via the Hawaii sea level rise viewer online mapping  
8 tool and the Hawaii statewide GIS program, provide a relevant  
9 assessment, based on the best available science, of the State's  
10 coastal areas' exposure to the chronic impacts of sea level  
11 rise. The State of Hawaii hazard mitigation plan provides  
12 expanded assessment of natural hazards and potential impacts of  
13 disaster events in recognition of climate change and sea level  
14 rise. Both documents provide current references; are consistent  
15 with sea level rise projections reported in the latest and best  
16 available science, including National Oceanic and Atmospheric  
17 Administration reporting; and serve as key references for the  
18 State in assessing vulnerabilities and developing actions to  
19 improve resilience to impacts of sea level rise and extreme  
20 climate events, and therefore can serve as useful tools for  
21 executive departments in preparing for sea level rise.



1           The purpose of this Act is to require the executive  
2 departments of the State to:

3           (1) Identify existing and planned facilities that are  
4           vulnerable to sea level rise, flooding impacts, and  
5           natural hazards;

6           (2) Assess a range of options for mitigation impacts of  
7           sea level rise to existing and planned facilities;

8           (3) Establish staff level points of contact to improve  
9           interagency coordination for sea level rise  
10          adaptation, flooding, and resilience; and

11          (4) Submit annual reports to the governor, legislature,  
12          and Hawaii climate change mitigation and adaptation  
13          commission regarding vulnerability and adaptation  
14          assessments for state facilities and progress in  
15          implementing sea level rise and disaster resiliency  
16          considerations.

17          SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended  
18 by adding a new section to be appropriately designated and to  
19 read as follows:

20          "§27-     Sea level rise; responsibilities. (a) Each state  
21 department shall:



- 1        (1) Identify existing and planned facilities, including  
2        critical infrastructure, that are vulnerable to sea  
3        level rise, flooding impacts, and natural hazards,  
4        utilizing projections and map data from the most  
5        recent update of the Hawaii sea level rise  
6        vulnerability and adaptation report and State of  
7        Hawaii hazard mitigation plan; and
- 8        (2) Assess a range of options for mitigation impacts of  
9        sea level rise to existing and planned facilities,  
10       including flood-proofing in-place and relocation of  
11       facilities, especially in locations where conservation  
12       of beaches and coastal environments is desired;  
13       provided that the departments shall take sea level  
14       rise, flooding, and disaster resilience into account  
15       in their planning and investment decisions; identify  
16       and consider risk from climate change; and employ full  
17       life-cycle cost accounting to evaluate and compare  
18       facilities investments and alternatives; provided  
19       further that the departments shall be guided by the  
20       following principles:



- 1           (A) Prioritize actions that build disaster resilience
- 2                   and climate adaptation;
- 3           (B) Take actions to protect the State's most
- 4                   vulnerable populations; and
- 5           (C) Prioritize nature-based adaptation and resilience
- 6                   solutions.

7           In carrying out these functions, the departments shall

8                   coordinate resiliency actions with county and federal

9                   agencies, relevant communities, and the private

10                  sector.

11           (b) Each department shall establish staff level points of

12                  contact with relevant expertise to build internal capacity and

13                  work with Hawaii climate change mitigation and adaptation

14                  commission staff to improve interagency coordination for sea

15                  level rise adaptation, flooding, and resilience.

16           (c) Each department shall submit a report to the governor,

17                  legislature, and Hawaii climate change mitigation and adaptation

18                  commission no later than twenty days prior to the convening of

19                  each regular session regarding its vulnerability and adaptation

20                  assessments for its facilities and progress made toward

21                  implementing sea level rise and disaster resiliency



1 considerations in its plans, programs, and capital improvement  
2 decisions."

3 SECTION 3. Section 27-1, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§27-1 **Functions of statewide concern.** The purpose of the  
6 chapter is to fix responsibility for certain functions, which  
7 are of statewide concern, in the state government. These  
8 functions which are declared to be state functions are as  
9 follows:

- 10 (1) Planning, construction, improvement and maintenance of  
11 public school facilities and grounds and the  
12 transportation of school children; provided that  
13 nothing in this paragraph shall preclude the several  
14 counties from expending their own funds to supplement  
15 state funds;
- 16 (2) Burial of indigents;
- 17 (3) Planning, construction, improvement, maintenance, and  
18 operation of public hospitals and other public health  
19 and medical facilities;
- 20 (4) Rendering of medical treatment and hospitalization  
21 services to state and county pensioners;



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- 1           (5) Administration and operation of district courts; [~~and~~]  
2           (6) Providing information and services to the public  
3           through joint cooperation with the several  
4           counties [~~-~~]; and  
5           (7) Planning and implementing considerations, policies,  
6           and practices related to disaster resilience and  
7           climate adaptation, including sea level rise."

8           SECTION 4. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10          SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

  
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# S.B. NO. 509

**Report Title:**

State Responsibilities; Executive Departments; Climate Change;  
Sea Level Rise Adaptation

**Description:**

Requires each executive branch department to: identify existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards; assess options for mitigation impacts of sea level rise to existing and planned facilities; establish staff level points of contact to improve interagency coordination for sea level rise adaptation, flooding, and resilience; and submit annual reports to the Governor, Legislature, and Hawaii Climate Change Mitigation and Adaptation Commission.

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

