
A BILL FOR AN ACT

RELATING TO BEACH PARK RESTORATION.

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

1 SECTION 1. The legislature finds that Kahaluu bay, Hawaii
2 island, is located 4.5 miles south of the town of Kailua-Kona,
3 and is situated in a major resort area. While the State has
4 jurisdiction over the bay's shoreline until the high water mark,
5 the county of Hawaii owns and operates the Kahaluu beach park
6 facility, which is heavily utilized by both residents and
7 tourists. As Kahaluu beach park is a highly visited beach park
8 on Hawaii island, recording over four hundred thousand visitors
9 annually, the county of Hawaii uses an innovative public-private
10 partnership with the Kohala Center's Kahaluu Bay Education
11 Center to provide daily stewardship management, intended to
12 promote long-term preservation.

13 The legislature further finds that in 2022, the county of
14 Hawaii and the United States Army Corps of Engineers, under
15 Section 206 of the Water Resources Development Act of 1996,
16 requested federal assistance for the aquatic ecosystem
17 restoration due to impacts of climate change, overuse, trampling



1 of live coral and other marine life, and sunscreen chemicals
2 degrading the Kahaluu bay marine area, a crucial spawning area
3 for cauliflower and other corals. The legislature further finds
4 that funding can supplement interagency efforts that require
5 sea-level rise studies and reports to preserve vulnerable
6 sections of the State's coastline, including at Kahaluu bay.

7 Kahaluu bay has historically been regarded as a sacred
8 place to Native Hawaiians, adorned with heiau, fishponds, and
9 barrier rock walls that provided for better fishing conditions
10 for hunter-gatherers in the area. Due to its historic nature
11 and popularity among visitors, there have been recent efforts by
12 the county of Hawaii, in partnership with the Kahaluu Bay
13 Education Center, to preserve the beach park for future
14 generations through the promotion of reef-friendly practices.
15 The legislature finds that, thanks to the tireless advocacy of
16 the education center, Kahaluu bay was designated as a Mission
17 Blue Hope Spot in 2022, demonstrating how smaller bays can
18 integrate networks powered by modern technology with traditional
19 knowledge to care for these places. In 2023, the Kahaluu Bay
20 Education Center further illustrated its reliability as a
21 governmental partner through its Visitor Parking Fee Pilot



1 Project in partnership with the county of Hawaii, which requires
2 all out-of-state visitors to pay a parking fee in four-hour
3 intervals from 7:00 a.m. through 7:00 p.m. daily with revenues
4 directed towards ongoing protection, stewardship, and
5 restoration of the natural and cultural resources at Kahaluu
6 beach park.

7 The legislature also finds that the Kahaluu Bay Education
8 Center's efforts have greatly benefited Kahaluu beach's marine
9 and coastal ecosystem. However, they do not shield the beach
10 park from the impacts of global warming. Thus, during the 2021
11 Regular Session, the senate adopted Senate Concurrent Resolution
12 No. 52, S.D. 1 (2021), which requested the department of land
13 and natural resources and the county of Hawaii to collaborate to
14 identify sea level rise at Kahaluu bay to avoid further
15 deterioration and damage caused by rising sea levels. The
16 resulting interagency Kahaluu bay restoration working group,
17 comprised of state and county officials, as well as community
18 leaders, have been planning for the restoration of Kahaluu beach
19 park. The legislature believes that the group's findings
20 warrant a prioritization of Hawaii island's overall coastal
21 planning, as well as the need for a sea level rise study and



1 coastal engineering input to help guide the planning process.
2 The legislature further believes that as a public resource with
3 intergovernmental jurisdictions, the restoration of Kahaluu
4 beach park should be a state and county partnership and can
5 serve as a model for the restoration of other public natural
6 resources throughout the State.

7 Accordingly, the purpose of this Act is to provide matching
8 grant-in-aid funds to the county of Hawaii to hire an
9 engineering firm to study, plan, assist, and conduct preliminary
10 design and concept work for a two-phase project to restore the
11 Kahaluu beach park in the county of Hawaii.

12 SECTION 2. In accordance with section 9 of article VII of
13 the Hawaii State Constitution and sections 37-91 and 37-93,
14 Hawaii Revised Statutes, the legislature has determined that the
15 appropriations contained in Act 164, Regular Session of 2023,
16 and this Act will cause the state general fund expenditure
17 ceiling for fiscal year 2024-2025 to be exceeded by
18 \$ or per cent. This current declaration takes
19 into account general fund appropriations authorized for fiscal
20 year 2024-2025 in Act 164, Regular Session of 2023, and this Act



1 only. The reasons for exceeding the general fund expenditure
2 ceiling are that:

3 (1) The appropriation made in this Act is necessary to
4 serve the public interest; and

5 (2) The appropriation made in this Act meets the needs
6 addressed by this Act.

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2024-2025 for a
10 grant-in-aid to the county of Hawaii to hire an engineering firm
11 to study, plan, and assist in phase one of the Kahaluu beach
12 park restoration project in the county of Hawaii; provided that
13 no funds shall be made available under this Act unless the
14 county of Hawaii provides matching funds of \$ for the
15 purpose for which the sum is appropriated.

16 The sum appropriated shall be expended by the county of
17 Hawaii for the purposes of this Act.

18 The appropriation made by this section for fiscal year
19 2024-2025 for a grant-in-aid to the county of Hawaii shall not
20 lapse at the end of the fiscal year for which the appropriation
21 is made; provided that all moneys from the appropriation that



1 are unencumbered as of June 30, 2026, shall lapse as of that
2 date; provided further that all moneys unencumbered before
3 June 30, 2026, shall remain available to aid in carrying out the
4 improvements prescribed by the design and concept work of phase
5 one of the Kahaluu beach park restoration project in the county
6 of Hawaii.

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2024-2025 for a
10 grant-in-aid to the county of Hawaii to hire an engineering firm
11 to conduct preliminary design and concept work, which includes
12 sequencing of events, studies, and plans, to assist in phase two
13 of the Kahaluu beach park restoration project in the county of
14 Hawaii; provided that no funds shall be made available under
15 this Act unless the county of Hawaii provides matching funds of
16 \$ for the purpose for which this sum is appropriated.

17 The sum appropriated shall be expended by the county of
18 Hawaii for the purposes of this Act.

19 The appropriation made by this section for fiscal year
20 2024-2025 for a grant-in-aid to the county of Hawaii shall not
21 lapse at the end of the fiscal year for which the appropriation



1 is made; provided that all moneys from the appropriation that
2 are unencumbered as of June 30, 2026, shall lapse as of that
3 date; provided further that all moneys unencumbered before
4 June 30, 2026, shall remain available to aid in carrying out the
5 improvements prescribed by the design and concept work of phase
6 two of the Kahaluu beach park restoration project in the county
7 of Hawaii.

8 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

County of Hawaii; Grant-in-Aid; Beach Restoration; Kahaluu Beach Park; Expenditure Ceiling; Appropriations

Description:

Appropriates funds for a grant-in-aid to the County of Hawaii to hire an engineering firm to study, plan, assist, and conduct preliminary design and concept work for a two-phase project to restore the Kahaluu Beach Park in the County of Hawaii. Conditions the appropriations on the County of Hawaii's contribution of matching funds. Declares that the general fund expenditure ceiling is exceeded. Takes effect 7/1/2050. (SD1)

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