

JAN 17 2024

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 Kahalu‘u bay, Hawai‘i
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 Hawai‘i owns and operates the Kahalu‘u beach park
6 facility, which is heavily utilized by both residents and
7 tourists. As Kahalu‘u beach park is a highly visited beach park
8 on Hawai‘i island, recording over four hundred thousand visitors
9 annually, the county of Hawai‘i uses an innovative public-private
10 partnership with the Kohala Center's Kahalu‘u 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 Hawai‘i 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



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

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



1 governmental partner through its Visitor Parking Fee Pilot
2 Project in partnership with the county of Hawai'i, which requires
3 all out-of-state visitors to pay a parking fee in four-hour
4 intervals from 7:00 a.m. through 7:00 p.m. daily with revenues
5 directed towards ongoing protection, stewardship, and
6 restoration of the natural and cultural resources at Kahalu'u
7 beach park.

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



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

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

13 SECTION 2. In accordance with section 9 of article VII of
14 the Constitution of the State of Hawaii and sections 37-91 and
15 37-93, Hawaii Revised Statutes, the legislature has determined
16 that the appropriations contained in this Act will cause the
17 state general fund expenditure ceiling for fiscal year 2024-2025
18 to be exceeded by \$, or per cent. The reasons
19 for exceeding the general fund expenditure ceiling are that the
20 appropriations made in this Act are necessary to serve the
21 public interest and to meet the needs addressed by this Act.



1 SECTION 3. 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 2024-2025 for a
4 grant-in-aid to the county of Hawai'i to hire an engineering firm
5 to study, plan, and assist in phase one of the Kahalu'u beach
6 park restoration project in the county of Hawai'i; provided that
7 no funds shall be made available under this Act unless the
8 county of Hawai'i provides matching funds of \$ for the
9 purpose for which the sum is appropriated.

10 The sum appropriated shall be expended by the county of
11 Hawai'i for the purposes of this Act.

12 The appropriation made by this section for fiscal year
13 2024-2025 for a grant-in-aid to the county of Hawai'i shall not
14 lapse at the end of the fiscal year for which the appropriation
15 is made; provided that all moneys from the appropriation that
16 are unencumbered as of June 30, 2026, shall lapse as of that
17 date; provided further that all moneys unencumbered before
18 June 30, 2026, shall remain available to aid in carrying out the
19 improvements prescribed by the design and concept work of phase
20 one of the Kahalu'u beach park restoration project in the county
21 of Hawai'i.



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 2024-2025 for a
4 grant-in-aid to the county of Hawai'i to hire an engineering firm
5 to conduct preliminary design and concept work, which includes
6 sequencing of events, studies, and plans, to assist in phase two
7 of the Kahalu'u beach park restoration project in the county of
8 Hawai'i; provided that no funds shall be made available under
9 this Act unless the county of Hawai'i provides matching funds of
10 \$ for the purpose for which this sum is appropriated.

11 The sum appropriated shall be expended by the county of
12 Hawai'i for the purposes of this Act.

13 The appropriation made by this section for fiscal year
14 2024-2025 for a grant-in-aid to the county of Hawai'i shall not
15 lapse at the end of the fiscal year for which the appropriation
16 is made; provided that all moneys from the appropriation that
17 are unencumbered as of June 30, 2026, shall lapse as of that
18 date; provided further that all moneys unencumbered before
19 June 30, 2026, shall remain available to aid in carrying out the
20 improvements prescribed by the design and concept work of phase



1 two of the Kahalu'u beach park restoration project in the county
2 of Hawai'i.

3 SECTION 5. This Act shall take effect on July 1, 2024.

4

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "D. Keolu", is written over a horizontal line. The signature is stylized and cursive.

S.B. NO. 2057

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.

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