
A BILL FOR AN ACT

RELATING TO ADAPTATION PATHWAYS PLANNING.

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

1 SECTION 1. The legislature finds that the threat of sea
2 level rise and associated coastal hazards is well-documented and
3 already impacting various locations throughout the State. The
4 2023 National Climate Assessment states that for Hawaii and the
5 United States Affiliated Pacific Islands, climate change,
6 particularly sea level rise, will continue to threaten the
7 natural and built environment and will harm numerous sectors of
8 the islands' economies. A variety of strategies are required to
9 mitigate the effects of climate change and require thoughtful,
10 community-engaged location-based planning and consideration to
11 achieve desired results. The legislature aims to support and
12 safeguard vulnerable communities and to protect and conserve
13 public trust resources, including sandy beaches and dune
14 systems. Sandy beaches and dune systems provide a critical
15 natural defense against the impacts of sea level rise and
16 associated coastal hazards, while also being a resource for



1 public use and enjoyment, cultural importance, and ecosystem
2 services.

3 The legislature further finds that adaptation to sea level
4 rise and coastal hazards is best achieved via adaptation
5 pathways with triggers for successive adaptation measures over
6 time. It is in the public interest that state and county
7 governments engage in collaborative, holistic, location-specific
8 adaptation planning, which may include the modification of, and
9 ultimate relocation of, private and public development and
10 infrastructure away from areas that are or will be critically
11 damaged by coastal hazards, including coastal erosion and
12 flooding associated with sea level rise. Areas of particular
13 concern are those with high ecosystem, cultural, and public
14 recreational resource value.

15 In recognition of the need for a coordinated approach to
16 climate mitigation and adaptation planning, the legislature
17 established the Hawaii climate change mitigation and adaptation
18 commission (commission) to be a coordinating body that
19 establishes climate change mitigation and adaptation strategies
20 and goals. The commission also provides policy direction,
21 facilitation, coordination and planning amongst county, state,



1 and federal agencies and other partners as appropriate among the
2 various state and county departments and agencies.

3 The purpose of this Act is to require the commission to
4 develop a framework for and engage in long-term adaptation
5 pathways planning together with affected communities, to
6 facilitate natural resource conservation, limit damage to public
7 and private development, and reduce cost to taxpayers for
8 impacts associated with sea level rise and associated coastal
9 hazards by:

- 10 (1) Requiring the commission to develop a strategy and
11 framework for collaborative governance to prepare
12 adaptation pathways plans;
- 13 (2) Requiring the commission to coordinate the preparation
14 of plans to facilitate implementation of adaptation
15 measures, including the modification and relocation of
16 development and infrastructure away from certain high-
17 risk areas; and
- 18 (3) Requiring the appropriate state and county agencies
19 with representation on the commission to implement the
20 adaptation pathways plans developed by the commission.



1 SECTION 2. Chapter 225P, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§225P- Sea level rise adaptation pathways planning.

5 (a) The commission, in cooperation with the appropriate state
6 and county agencies, shall prepare and periodically revise
7 regional-scale adaptation pathways plans to facilitate the
8 adaptation of vulnerable private residential, commercial,
9 industrial, and resort development and associated public
10 infrastructure to the impacts of sea level rise and associated
11 flooding and erosion, and the restoration or remediation of the
12 shoreline and surrounding coastal area, where appropriate.

13 (b) The commission shall:

14 (1) Develop a framework and process for the assessment of
15 locations and implementation of adaptation pathways
16 plans;

17 (2) Identify communities and coastal lands that are
18 critically threatened by sea level rise and possess
19 high natural and community resource value appropriate
20 for adaptation; and



1 (3) Initiate preparation of one regional sea level rise
2 adaptation pathways plan for each county; provided
3 that the locations for these plans shall be
4 determined:

5 (A) Jointly by the commission in coordination with
6 community input following the framework
7 established by the commission; and

8 (B) Based on the severity of the threat of coastal
9 erosion and flooding caused by sea level rise to
10 development and natural resources, capacity to
11 respond to the threat, ownership demographics,
12 and zoning classification;

13 (4) Finalize the process for assessment and implementation
14 of adaptation pathways plans before December 31, 2026;
15 and

16 (5) Complete at least one regional plan for each county
17 before December 31, 2030.

18 (c) The commission shall develop adaptation pathways
19 plans:

20 (1) At a regional scale as recommended by the methods of
21 the regional shoreline management study conducted by



1 the office of planning and sustainable development;
2 and

3 (2) Specific to an individual location, considering
4 factors including but not limited to, the shoreline
5 type and natural resource value, coastal processes and
6 documented and projected erosion rates, coastal
7 flooding, and groundwater inundation.

8 (d) Adaptation pathways plans shall include adaptation
9 measures, which may result in:

10 (1) The relocation of development once adaptation triggers
11 are reached or exceeded; and

12 (2) The restoration and remediation of the shoreline and
13 surrounding coastal areas, as appropriate, after the
14 removal of structures and materials.

15 (e) In preparing plans pursuant to this section, the
16 commission:

17 (1) May use or conduct studies:

18 (A) Necessary to support the development of
19 adaptation pathways plans, including the
20 development of regional studies pertaining to
21 relocation or physical alteration of development,



1 cost-benefit analysis for project viability, and
2 engineering studies; and

3 (B) Pertaining to the restoration of lands to natural
4 conditions and for public purposes;

5 (2) Shall engage in culturally-informed community-engaged
6 planning to determine the appropriate adaptation
7 actions and triggers for implementation on a regional
8 scale;

9 (3) Shall consider state and county climate adaptation
10 plans;

11 (4) Shall ensure that any adaptation pathways plan aligns
12 with the objectives of state and county hazard
13 mitigation plans and county general and community
14 plans; and

15 (5) Shall ensure that any armoring on sandy beaches to
16 prevent the loss of critical public-infrastructure be
17 time limited.

18 (f) Relevant state and county agencies that shall
19 participate in the adaptation pathways planning process include
20 but are not limited to the:

21 (1) Department of land and natural resources;



- 1 (2) Office of planning and sustainable development;
- 2 (3) Department of Hawaiian home lands;
- 3 (4) Department of transportation;
- 4 (5) Hawaii tourism authority; and
- 5 (6) County planning agencies identified in chapter 205A.

6 The adaptation pathways plans shall be cooperatively implemented
7 by the appropriate state and county agencies with land
8 management authority at each location.

9 (g) The department of land and natural resources shall
10 enforce existing statutes and rules regarding the use of state
11 lands and shall exercise the authority granted to it in
12 implementing adaptation pathways plans prepared pursuant to this
13 section.

14 (h) The county planning authorities, as identified in
15 chapter 205A, shall enforce shoreline setbacks, control
16 development within the special management areas, and enforce
17 building ordinances in implementing the adaptation pathways
18 plans prepared pursuant to this section."

19 SECTION 3. Section 225P-2, Hawaii Revised Statutes, is
20 amended by adding four new definitions to be appropriately
21 inserted and to read as follows:



1 "Adaptation measure" means an individual action, including
2 nature-based measures, flood-proofing, building elevation or
3 reengineering, armoring, zoning changes, relocation to areas
4 outside the sea level rise exposure area, and other actions in
5 response to actual or anticipated damage caused by coastal
6 erosion, flooding, groundwater inundation, and other hazards
7 associated with sea level rise.

8 "Adaptation pathway" means a collection of adaptation
9 measures to be implemented sequentially in response to
10 adaptation triggers intended to conserve and protect natural
11 resources and lower risk of damage and loss due to progressive
12 sea level rise over time.

13 "Adaptation pathways plan" means a plan outlining the
14 adaptation pathways appropriate for a specific region, or
15 individual parcels within a region, with identified adaptation
16 triggers for implementation of individual adaptation measures.

17 "Adaptation trigger" means a predetermined condition that
18 specifies when an adaptation measure is to be implemented in
19 response to, or in anticipation of, environmental, structural,
20 or natural resource damage impacts."



1 SECTION 4. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$2,000,000 or so much
3 thereof as may be necessary for fiscal year 2025-2026 and the
4 same sum or so much thereof as may be necessary for fiscal year
5 2026-2027 for the Hawaii climate change mitigation and
6 adaptation commission to develop adaptation pathways plans.

7 The sums appropriated shall be expended by the department
8 of land and natural resources for the purposes of this Act.

9 SECTION 5. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 6. New statutory material is underscored.

13 SECTION 7. This Act shall take effect on July 1, 2025.

14

INTRODUCED BY: Mark J. ...
JAN 16 2025



Report Title:

Hawaii Climate Change Mitigation and Adaptation Commission;
Adaptation Pathways; Adaptation Planning for Residential,
Commercial, Industrial, and Resort Shoreline Development; Sea
Level Rise Exposure Area; Appropriations

Description:

Requires the Hawaii Climate Change Mitigation and Adaptation
Commission to develop adaptation pathways plans to modify and
relocate development and associated infrastructure away from
critically vulnerable areas to locations outside of sea level
rise and coastal flooding exposure area. Appropriates funds.

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not legislation or evidence of legislative intent.*

