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# 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, which provide a critical natural defense against the  
15 impacts of sea level rise and associated coastal hazards, while  
16 also being a resource for public use and enjoyment, cultural  
17 importance, and ecosystem services.



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

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



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

8       (1)   Requiring the commission to develop a strategy and  
9             framework for collaborative governance to prepare  
10            adaptation pathways plans;

11       (2)   Requiring the commission to coordinate the preparation  
12             of plans to facilitate implementation of adaptation  
13             measures, including the modification and relocation of  
14             development and infrastructure away from certain high-  
15             risk areas; and

16       (3)   Requiring the appropriate state and county agencies  
17             with representation on the commission to implement the  
18             adaptation pathways plans developed by the commission.

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



1        **"§225P-        Sea level rise adaptation pathways planning.**

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

10       (b) The commission shall:

11       (1) Develop a framework and process for the assessment of  
12       locations and implementation of adaptation pathways  
13       plans;

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

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



1           (A) Jointly by the commission in coordination with  
2           community input following the framework  
3           established by the commission; and

4           (B) Based on the severity of the threat of coastal  
5           erosion and flooding caused by sea level rise to  
6           development and natural resources, capacity to  
7           respond to the threat, ownership demographics,  
8           and zoning classification;

9           (4) Finalize the process for assessment and implementation  
10           of adaptation pathways plans before December 31, 2026;  
11           and

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

14           (c) The commission shall develop adaptation pathways  
15   plans:

16           (1) At a regional scale as recommended by the methods of  
17           the regional shoreline management study conducted by  
18           the office of planning and sustainable development;  
19           and

20           (2) Specific to an individual location, considering  
21           factors including but not limited to the shoreline



1 type and natural resource value, coastal processes and  
2 documented and projected erosion rates, coastal  
3 flooding, and groundwater inundation.

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

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

8 (2) The restoration and remediation of the shoreline and  
9 surrounding coastal areas, as appropriate, after the  
10 removal of structures and materials.

11 (e) In preparing plans pursuant to this section, the  
12 commission:

13 (1) May use or conduct studies:

14 (A) Necessary to support the development of  
15 adaptation pathways plans, including the  
16 development of regional studies pertaining to  
17 relocation or physical alteration of development,  
18 cost-benefit analysis for project viability, and  
19 engineering studies; and

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



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

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

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

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

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

(1) Department of land and natural resources;

(2) Office of planning and sustainable development;

(3) Department of Hawaiian home lands;

(4) Department of transportation;

(5) Hawaii tourism authority; and



1       (6) County planning agencies identified in chapter 205A.  
2       The adaptation pathways plans shall be cooperatively implemented  
3       by the appropriate state and county agencies with land  
4       management authority at each location.

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

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

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

18       "Adaptation measure" means an individual action, including  
19       nature-based measures, flood-proofing, building elevation or  
20       reengineering, armoring, zoning changes, relocation to areas  
21       outside the sea level rise exposure area, and other actions in





1 response to actual or anticipated damage caused by coastal  
2 erosion, flooding, groundwater inundation, and other hazards  
3 associated with sea level rise.

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

9 "Adaptation pathways plan" means a plan outlining the  
10 adaptation pathways appropriate for a specific region, or  
11 individual parcels within a region, with identified adaptation  
12 triggers for implementation of individual adaptation measures.

13 "Adaptation trigger" means a predetermined condition that  
14 specifies when an adaptation measure is to be implemented in  
15 response to, or in anticipation of, environmental, structural,  
16 or natural resource damage impacts."

17 SECTION 4. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2025-2026 and  
20 the same sum or so much thereof as may be necessary for fiscal



1 year 2026-2027 for the Hawaii climate change mitigation and  
2 adaptation commission to develop adaptation pathways plans.

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

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

8 SECTION 6. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on July 1, 3000.



**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; Appropriation

**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.  
Effective 7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

