

JAN 17 2025

A BILL FOR AN ACT

RELATING TO MARINA RESTORATION.

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

1 SECTION 1. The legislature finds that the Lahaina
2 wildfires of 2023 caused devastating damage to the historic
3 district of Lahaina, including properties along the oceanfront
4 of Front street. This area, renowned for its cultural and
5 historical significance, has long been a hub for maritime
6 activities and tourism. Restoring the historic marinas along
7 Front street is essential for maintaining Lahaina's historic
8 district designation, revitalizing its economic and cultural
9 vibrancy, and honoring the community's deep connection to its
10 maritime heritage.

11 The purpose of this Act is to create a framework for the
12 department of land and natural resources to authorize leases of
13 fast lands and submerged lands following a disaster.

14 SECTION 2. Chapter 200, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:



1 "§200- Restoration of historical marinas. (a)

2 Notwithstanding any law to the contrary, the board may authorize
3 the lease of fast lands and submerged lands adjacent to
4 properties located along the ocean side of any street having
5 structures that were destroyed by an event triggering a
6 presidential disaster declaration; provided that the:

7 (1) Reconstruction relating to the lease of the fast lands
8 or submerged lands begins within five years of the
9 date of the disaster; and

10 (2) Reconstructed structure is not larger than what the
11 destroyed or permitted structure was immediately prior
12 to the event triggering the presidential disaster
13 declaration.

14 (b) The permissible uses under any lease disposed of under
15 this section shall be limited to the reconstruction, operation,
16 and maintenance of historical marina structures consistent with
17 the maritime and cultural heritage of the area. Permissible
18 uses shall:

19 (1) Support the preservation of the district designation,
20 if any;



1 (2) Complement or promote the economic revitalization,
2 cultural preservation, and related recreational and
3 cultural activities of the area; and

4 (3) Be consistent with community goals, including
5 environmental sustainability and cultural
6 preservation.

7 (c) Any lease authorized under this section shall:

8 (1) Not exceed a term of sixty-five years, including any
9 extensions;

10 (2) Require lessees to restore structures to reflect the
11 pre-disaster historical run order of marinas and
12 buildings in the area; and

13 (3) Ensure environmental compliance and alignment with
14 community preservation objectives.

15 (d) Revenues derived from leases under this section shall
16 be deposited into the boating special fund and allocated for the
17 ongoing maintenance and enhancement of the marina and area.

18 (e) The department shall adopt rules in accordance with
19 chapter 91 to implement this section, including:

20 (1) Criteria for approving lease proposals that prioritize
21 cultural and historical restoration;



- 1 (2) Standards for ensuring architectural integrity and
2 environmental sustainability; and
3 (3) Provisions to ensure public access and community
4 benefit."

5 SECTION 3. Section 200-2.5, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) Notwithstanding any law to the contrary, the board
8 may lease fast lands and submerged lands within an existing
9 state boating facility by public auction, a request for
10 proposals, or by direct negotiation pursuant to section 171-59
11 and chapter 190D, for private development, management, and
12 operation; provided that any lease of fast lands or submerged
13 lands pursuant to a request for proposals shall be subject to
14 section 200-2.6[~~7~~] and 200-___, regardless to which state
15 boating facility the fast or submerged lands are attached.

16 As used in this section, the term "state boating facility"
17 means a state small boat harbor, launching ramp, offshore
18 mooring, pier, wharf, landing, or any other area under the
19 jurisdiction of the department pursuant to this chapter."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



S.B. NO. 751

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

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INTRODUCED BY:

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S.B. NO. 751

Report Title:

DLNR; Historical Marina Restoration; Disaster; Wildfire; Maui

Description:

Establishes a procedure for the Board of Land and Natural Resources to lease fast lands and submerged lands that were destroyed by an event triggering a Presidential Disaster Declaration.

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

