

JAN 23 2026

---

## A BILL FOR AN ACT

RELATING TO THE COASTAL ZONE MANAGEMENT ACT.

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

1 SECTION 1. The legislature finds that the federal Coastal  
2 Zone Management Act establishes a national framework for states  
3 and territories to consider when managing coastal resources and  
4 determining potential impacts on those resources. The Act also  
5 authorizes the federal government to provide financial  
6 assistance to support coastal management efforts.

7 The legislature further finds that it is in the public  
8 interest to streamline the delivery of essential public  
9 infrastructure, which may be accomplished, in part, by creating  
10 a targeted permitting exemption for state- or county-sponsored  
11 infrastructure improvement projects that are consistent with the  
12 applicable county's community plans.

13 Accordingly, the purpose of this Act is to amend the  
14 definition of "development" as it pertains to coastal zone  
15 management areas in the State to exempt from special management  
16 area use permit requirements state- or county-sponsored



1 infrastructure improvement projects that are consistent with  
2 applicable county community plans.

3 SECTION 2. Section 205A-22, Hawaii Revised Statutes, is  
4 amended by amending the definition of "development" to read as  
5 follows:

6       ""Development":

7       (1) Means any ~~of the uses, activities, or operations on~~  
8 ~~land or in or under water within a special management~~  
9 ~~area that are included below:~~

10       (A) ~~Placement or erection of any solid material or~~  
11 ~~any gaseous, liquid, solid, or thermal waste;~~  
12       (B) ~~Grading, removing, dredging, mining, or~~  
13 ~~extraction of any materials;~~  
14       (C) ~~Change in the density or intensity of use of~~  
15 ~~land, including but not limited to the division~~  
16 ~~or subdivision of land;~~  
17       (D) ~~Change in the intensity of use of water, ecology~~  
18 ~~related thereto, or of access thereto; and~~  
19       (E) ~~Construction, reconstruction, or alteration of~~  
20 ~~the size of any structure; and]~~



1                   use, activity, or structure, whether temporary or  
2                   permanent, on land or in the water within the  
3                   shoreline area that is placed, erected, or modified;  
4                   and

5                   (2) Does not include the following:

6                   (A) Construction or reconstruction of a single-family  
7                   residence that is less than seven thousand five  
8                   hundred square feet of floor area; is not  
9                   situated on a shoreline parcel or a parcel that  
10                  is impacted by waves, storm surges, high tide, or  
11                  shoreline erosion; and is not part of a larger  
12                  development;

13                  (B) Repair or maintenance of roads and highways  
14                  within existing rights-of-way;

15                  (C) Routine maintenance dredging of existing streams,  
16                  channels, and drainage ways;

17                  (D) Repair and maintenance of underground utility  
18                  lines, including but not limited to water, sewer,  
19                  power, and telephone and minor appurtenant  
20                  structures including pad mounted transformers and  
21                  sewer pump stations;



- (E) Zoning variances, except for height, density, parking, and shoreline setback;
- (F) Repair, maintenance, or interior alterations to existing structures;
- (G) Demolition or removal of structures, except those structures located on any historic site as designated in national or state registers;
- (H) Use of any land for the purpose of cultivating, planting, growing, and harvesting plants, crops, trees, and other agricultural, horticultural, or forestry products or animal husbandry, or aquaculture or mariculture of plants or animals, or other agricultural purposes, including all traditional fishpond and traditional agricultural practices;
- (I) Transfer of title to land;
- (J) Creation or termination of easements, covenants, or other rights in structures or land;
- (K) Subdivision of land into lots greater than twenty acres in size;



- 1 (L) Subdivision of a parcel of land into four or  
2 fewer parcels when no associated construction  
3 activities are proposed; provided that any land  
4 that is so subdivided shall not thereafter  
5 qualify for this exception with respect to any  
6 subsequent subdivision of any of the resulting  
7 parcels;
- 8 (M) Installation of underground utility lines and  
9 appurtenant aboveground fixtures less than four  
10 feet in height along existing corridors;
- 11 (N) Structural and nonstructural improvements to  
12 existing single-family residences, where  
13 otherwise permissible;
- 14 (O) Nonstructural improvements to existing commercial  
15 or noncommercial structures;
- 16 (P) Construction, installation, maintenance, repair,  
17 and replacement of emergency management warning  
18 or signal devices and sirens;
- 19 (Q) Installation, maintenance, repair, and  
20 replacement of public pedestrian and bicycle  
21 facilities, including sidewalks, paths, bikeways,





1 (W) Reconstruction of any lawfully constructed  
2 structure that was damaged or destroyed in a  
3 disaster proclaimed by the governor to constitute  
4 a state of emergency pursuant to chapter 127A, or  
5 a disaster declared pursuant to federal law;  
6 provided that:

11 (ii) Reconstruction commences within six years  
12 from the date that the proclamation is  
13 issued: and

14 (iii) The reconstructed structure is similar to  
15 its original footprint or overall dimensions  
16 that were existing or permitted and in  
17 compliance with the requirements of  
18 floodplain management standards; and





1                   implementation actions supporting the  
2                   determination;

3                   provided that [whenever] if the authority finds that  
4                   any excluded use, activity, or operation may have a  
5                   cumulative impact, or a significant environmental or  
6                   ecological effect on a special management area, that  
7                   use, activity, or operation shall be defined as  
8                   "development" for the purpose of this part."

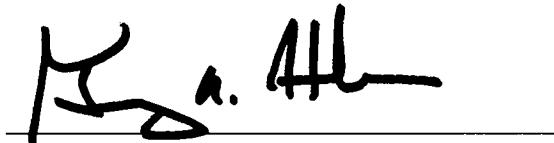
9                   SECTION 3. This Act does not affect rights and duties that  
10                  matured, penalties that were incurred, and proceedings that were  
11                  begun before its effective date.

12                  SECTION 4. Statutory material to be repealed is bracketed  
13                  and stricken. New statutory material is underscored.

14                  SECTION 5. This Act shall take effect upon its approval;  
15                  provided that the amendments made to section 205A-22, Hawaii  
16                  Revised Statutes, by section 2 of this Act shall not be repealed  
17                  when that section is reenacted on July 1, 2028, pursuant to  
18                  section 5 of Act 304, Session Laws of Hawaii 2025.

19

INTRODUCED BY:



# S.B. NO. 2541

**Report Title:**

Coastal Zone Management Act; Special Management Areas; Permitting; Requirements; Development; Excluded Activities; Public Infrastructure Improvement Projects; Exemption

**Description:**

Amends the definition of "development," as it pertains to coastal zone management, to exempt state- or county-sponsored infrastructure improvement projects that are consistent with the applicable county's community plans.

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

