

JAN 23 2026

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# 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;



- 1           (E)   Zoning variances, except for height, density,  
2                 parking, and shoreline setback;
- 3           (F)   Repair, maintenance, or interior alterations to  
4                 existing structures;
- 5           (G)   Demolition or removal of structures, except those  
6                 structures located on any historic site as  
7                 designated in national or state registers;
- 8           (H)   Use of any land for the purpose of cultivating,  
9                 planting, growing, and harvesting plants, crops,  
10                trees, and other agricultural, horticultural, or  
11                forestry products or animal husbandry, or  
12                aquaculture or mariculture of plants or animals,  
13                or other agricultural purposes, including all  
14                traditional fishpond and traditional agricultural  
15                practices;
- 16           (I)   Transfer of title to land;
- 17           (J)   Creation or termination of easements, covenants,  
18                 or other rights in structures or land;
- 19           (K)   Subdivision of land into lots greater than twenty  
20                 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 crosswalks, stairs, ramps, traffic control  
2 barriers, signs, signals, and associated  
3 improvements;

4 (R) Trash removal or invasive vegetation removal or  
5 control, including incidental ground disturbance,  
6 excluding the use of herbicides;

7 (S) Installation of fencing, including associated  
8 improvements and incidental structures, for  
9 invasive species control or preservation of  
10 native habitats on conservation land;

11 (T) Installation, maintenance, repair, and  
12 replacement of lighting, fixtures, and equipment  
13 to establish compliance with current standards at  
14 existing public facilities;

15 (U) Installation, maintenance, repair, and  
16 replacement of security measures, including  
17 fencing, to existing public facilities;

18 (V) Hawaiian traditional and customary practices,  
19 including work conducted by traditional means  
20 near, in, or related to loko i`a, traditional  
21 Hawaiian fishponds; ~~and~~



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:

7 (i) The structure is not situated on a shoreline  
8 parcel or a parcel that is impacted by  
9 waves, storm surges, high tide, or shoreline  
10 erosion;

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

19 (X) State- or county-sponsored infrastructure  
20 improvement projects; provided that:



1           (i) The project is proposed, funded, authorized,  
2           or implemented by the State or a county of  
3           the State;

4           (ii) The project is limited to the repair,  
5           maintenance, restoration, replacement,  
6           enhancement, or new construction of public  
7           infrastructure, including roads and bridges;  
8           water, wastewater, drainage, and stormwater  
9           management facilities; flood control,  
10          erosion control, and coastal resilience  
11          projects; public facilities; and public  
12          utility systems;

13          (iii) The project is consistent with the  
14          applicable county's community plan,  
15          including any regional, district, or  
16          community-based plan adopted by ordinance;  
17          and

18          (iv) The sponsoring agency issues a written  
19          determination of consistency with the  
20          applicable county's community plan,  
21          including citations to relevant policies or



implementation actions supporting the  
determination;

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

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

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

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

INTRODUCED BY:

K. a. All



# S.B. NO. 2547

**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.*

