

Honolulu, Hawaii

, 2026

MAR 20

RE: S.B. No. 3169
S.D. 1
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred S.B. No. 3169, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COASTAL RESILIENCE,"

begs leave to report as follows:

The purpose of this measure is to establish a five-year pilot program to implement comprehensive coastal resilience measures for Mantokuji Bay in Paia, Maui, using streamlined regulatory processes while maintaining environmental and cultural protections, which may later be used to inform future statewide policy for protecting threatened coastal areas.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development; one member of the Maui County Council; Paia Mantokuji Soto Zen Mission; Oceanit Laboratories, Inc.; and four individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association for Marine Education and Research; Maui Nui Resiliency Hui; and one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs; Department of Land and Natural Resources; League of Women Voters of Hawaii; and one individual.



Your Committee recognizes the importance of the proper stewardship of Hawaii's valuable natural and cultural resources. Your Committee finds that the pilot program in this measure presents a significant opportunity to demonstrate how comprehensive coastal-resilience efforts can simultaneously protect cultural sites, infrastructure, and natural systems. However, your Committee prefers the companion measure, H.B. No. 2490, H.D. 2 (Regular Session of 2026), which was previously passed by the House.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2490, H.D. 2, a similar measure with the following substantive differences:
 - (A) Replaces the State Historic Preservation Division's requirement for an archaeological monitoring plan and inadvertent discovery protocol with an archaeological literature review and procedures for the discovery of Native Hawaiian skeletal remains; and
 - (B) Allows, rather than requires, the Pilot Program to be exempt from state laws governing conservation districts, coastal zone management, and environmental review; county ordinances regulating shoreline setback and variance requirements; and county building permit requirements specifically related to coastal resilience structures; and
- (2) Changing the effective date to July 1, 3000, to encourage further discussion.

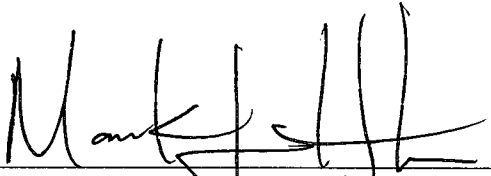
Your Committee respectfully requests your Committee on Economic Development & Technology, should it deliberate on this measure, to consider whether the Pilot Program should be placed within the Department of Business, Economic Development, and Tourism or Department of Land and Natural Resources and which department should have the discretion to exempt the Pilot Program from certain regulatory requirements.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your



Committee is in accord with the intent and purpose of S.B. No. 3169, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3169, S.D. 1, H.D. 1, and be referred to your Committee on Economic Development & Technology.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,


MARK J. HASHEM, Chair



