

STAND. COM. REP. NO. **2963**

Honolulu, Hawaii

MAR 06 2026

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committees on Economic Development and Tourism and Ways and Means, to which was referred S.B. No. 3169 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a five-year Coastal Resilience Pilot Program (Pilot Program) within the Department of Business, Economic Development, and Tourism for the preservation of Mantokuji Bay;
- (2) Exempt the Pilot Program from certain regulatory requirements;
- (3) Require the State Historic Preservation Division to conduct a streamlined historic preservation review; and
- (4) Require annual reports to the Legislature.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development; Oceanit Laboratories, Inc.; Paia Mantokuji Soto Zen Mission; and two individuals.



Your Committees received testimony in opposition to this measure from the Maui Nui Resiliency Hui, League of Women Voters of Hawaii, and two individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and one individual.

Your Committees find that the north shore of Maui is facing urgent and complex erosion issues which threaten the coastal environment and nearby cultural assets, including the historic Mantokuji Soto Mission in Paia and its associated cemetery. Previous remediation efforts by individual landowners have failed to resolve the crisis because they functioned on a parcel-by-parcel basis. Natural phenomena such as sediment transport, wave energy, and shoreline dynamics, however, do not respect property boundaries. Therefore, comprehensive coastal resilience strategies that address natural coastal cells are necessary for effective intervention. This measure will safeguard critical infrastructure and preserve cultural and natural resources by supporting science-based coastal erosion interventions.

Your Committees acknowledge the concerns raised in testimony by Oceanit Laboratories, Inc. that this measure's current inadvertent discovery protocol may subject Native Hawaiian burial discoveries to an abbreviated historic review process with limited descendant and burial council involvement. Therefore, amendments to this measure are necessary to address this matter.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the inadvertent discovery of Native Hawaiian skeletal remains shall not be subject to the inadvertent discovery protocol under the streamlined historic preservation review process established to evaluate measures approved under the Pilot Program;
- (2) Inserting language that establishes procedures that the inadvertent discovery of Native Hawaiian skeletal remains during activities conducted under the Pilot Program shall be subject to;

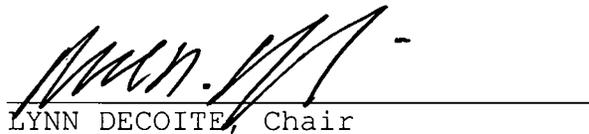


- (3) Requiring an entity authorized to conduct coastal restoration activities under the Pilot Program to coordinate with the Department of Health regarding the identification, documentation, and treatment of any human remains from the established Mantokuji Soto Zen Mission cemetery that may be encountered during Pilot Program activities;
- (4) Inserting definitions of "applicant", "island burial council", "Native Hawaiian skeletal remains", and "state historic preservation division" or "division";
- (5) Inserting an effective date of July 1, 2050, and a repeal date of July 1, 2055, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Economic Development and Tourism and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3169, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3169, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Economic
Development and Tourism and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


LYNN DECOITE, Chair



