



**GOV. MSG. NO. 1306**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 2, 2021

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirty First State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirty First State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 2, 2021, the following bill was signed into law:

HB0243 HD1 SD2 CD1

RELATING TO SEA LEVEL RISE ADAPTATION  
**ACT 178 (21)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO SEA LEVEL RISE ADAPTATION.

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

1 SECTION 1. The legislature finds that climate change and  
2 sea level rise pose significant, dangerous, and imminent threats  
3 to the State's social and economic well-being, public safety,  
4 nature and environments, cultural resources, property,  
5 infrastructure, and government functions and will likely have a  
6 disproportionate impact on low-income and otherwise vulnerable  
7 communities. Chronic impacts of sea level rise, including  
8 coastal erosion, high tide flooding, and annual high wave  
9 flooding, are already impacting many low-lying coastal areas and  
10 are predicted to increase in extent and severity in the coming  
11 decades. Climate change and sea level rise will exacerbate the  
12 impacts of disaster events, such as hurricanes, extreme  
13 rainfall, high-wave events, and tsunamis.

14 The legislature further finds that a 2017 report by the  
15 National Oceanic and Atmospheric Administration projects that  
16 3.2 feet of global mean sea level rise will occur by 2100 in an



1 intermediate scenario and could occur as early as the 2060s in  
2 an extreme scenario.

3 The legislature notes that the Hawaii sea level rise  
4 vulnerability and adaptation report completed by the department  
5 of land and natural resources and accepted by the Hawaii climate  
6 change mitigation and adaptation commission, along with map data  
7 available via the Hawaii sea level rise viewer online mapping  
8 tool and the Hawaii statewide GIS program, provide a relevant  
9 assessment, based on the best available science, of the State's  
10 coastal areas' exposure to the chronic impacts of sea level  
11 rise. The state hazard mitigation plan provides expanded  
12 assessment of natural hazards and potential impacts of disaster  
13 events in recognition of climate change and sea level rise.  
14 Both documents provide current references; are consistent with  
15 sea level rise projections reported in the latest and best  
16 available science, including National Oceanic and Atmospheric  
17 Administration reporting; and serve as key references for the  
18 State in assessing vulnerabilities and developing actions to  
19 improve resilience to impacts of sea level rise and extreme  
20 climate events, and therefore can serve as useful tools for



1 state agencies with operational responsibilities over state  
2 facilities in preparing for sea level rise.

3 To successfully adapt to climate change and sea level rise,  
4 state agencies having operational responsibilities over state  
5 facilities must plan, coordinate, and act to assure Hawaii's  
6 sustainable and resilient future. In 2017, the legislature  
7 passed Act 32, Session Laws of Hawaii 2017, which formally  
8 established the Hawaii climate change mitigation and adaptation  
9 commission, for which the office of planning serves as a  
10 co-chair. To support the implementation of statewide climate  
11 change adaptation planning and coordination, the legislature  
12 enacted Act 45, Session Laws of Hawaii 2020, which requires the  
13 office of planning to serve as the lead agency for the State to  
14 coordinate sea level rise adaptation and climate change planning  
15 and coordination.

16 The legislature further finds that the climate change  
17 adaptation priority guidelines of the Hawaii State Planning Act,  
18 codified in section 226-109, Hawaii Revised Statutes, expresses  
19 that the State should prepare to address the impacts of climate  
20 change. More specifically, section 226-109(7), Hawaii Revised  
21 Statutes, directs the State to "[p]romote sector resilience in



1 areas such as water, roads, airports, and public health, by  
2 encouraging the identification of climate change threats,  
3 assessment of potential consequences, and evaluation of  
4 adaptation options[.]"

5 The legislature recognizes that the practice of statewide  
6 sea level rise adaptation will require comprehensive and  
7 long-term planning and that collectively, state agencies having  
8 operational responsibilities over state facilities must work  
9 collaboratively over time through a centralized coordinating  
10 agency to identify existing and planned facilities that are  
11 vulnerable to sea level rise, flooding impacts, and natural  
12 hazards. The legislature also finds that the American Jobs  
13 Plan, proposed by the President of the United States in  
14 March 2021, could provide potential federal moneys to fund the  
15 planning, coordination, and revitalization of state facilities  
16 and infrastructure that are threatened by the impacts of climate  
17 change and that are vulnerable to sea level rise, flooding  
18 impacts, and natural hazards.



1           The purpose of this Act is to:

2           (1)   Require the office of planning, in coordination with

3                 state agencies with operational responsibilities over

4                 state facilities, to:

5                 (A)   Identify existing and planned facilities that are

6                         vulnerable to sea level rise, flooding impacts,

7                         and natural hazards;

8                 (B)   Assess options to mitigate the impacts of sea

9                         level rise to those facilities; and

10                (C)   Submit annual reports to the governor,

11                         legislature, and Hawaii climate change mitigation

12                         and adaptation commission regarding vulnerability

13                         and mitigation assessments for state facilities

14                         and progress in implementing sea level rise and

15                         disaster resiliency considerations;

16           (2)   Update and reaffirm the role of the office of planning

17                 to coordinate climate change adaptation and sea level

18                 rise adaptation among all state agencies to improve

19                 the interagency coordination of these activities; and

20           (3)   Amend the Hawaii State Planning Act to include

21                 sustainable development, climate change adaptation,



1 and sea level rise adaptation as objectives for  
2 facility systems.

3 SECTION 2. Chapter 225M, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§225M- Coordination of sea level rise adaptation  
7 activities. The office of planning, in cooperation with each  
8 state agency having operational responsibilities over state  
9 facilities, shall:

- 10 (1) Begin statewide sea level rise adaptation coordination  
11 by working with state agencies to identify existing  
12 and planned facilities, including critical  
13 infrastructure, that are vulnerable to sea level rise,  
14 flooding impacts, and natural hazards, utilizing  
15 projections and map data from the most recent update  
16 of the Hawaii sea level rise vulnerability and  
17 adaptation report, the State of Hawaii hazard  
18 mitigation plan, and any other pertinent data and  
19 scientific reports to aid in this planning;



- 1        (2) Assess a range of options for mitigating impacts of
- 2        sea level rise to those existing and planned state
- 3        facilities; and
- 4        (3) Submit an annual report to the governor, legislature,
- 5        and the Hawaii climate change mitigation and
- 6        adaptation commission no later than twenty days prior
- 7        to the convening of each regular session regarding the
- 8        vulnerability and mitigation assessments for state
- 9        facilities and progress made toward implementing sea
- 10       level rise adaptation in future plans, programs, and
- 11       capital improvement needs and decisions."

12       SECTION 3. Section 225M-2, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14       "(b) The office of planning shall gather, analyze, and  
15 provide information to the governor to assist in the overall  
16 analysis and formulation of state policies and strategies to  
17 provide central direction and cohesion in the allocation of  
18 resources and effectuation of state activities and programs and  
19 effectively address current or emerging issues and  
20 opportunities. More specifically, the office shall engage in  
21 the following activities:





- 1 (1) State comprehensive planning and program coordination.  
2 Formulating and articulating comprehensive statewide  
3 goals, objectives, policies, and priorities, and  
4 coordinating their implementation through the  
5 statewide planning system established in part II of  
6 chapter 226;
- 7 (2) Strategic planning. Identifying and analyzing  
8 significant issues, problems, and opportunities  
9 confronting the State, and formulating strategies and  
10 alternative courses of action in response to  
11 identified problems and opportunities by:
- 12 (A) Providing in-depth policy research, analysis, and  
13 recommendations on existing or potential areas of  
14 critical state concern;
- 15 (B) Examining and evaluating the effectiveness of  
16 state programs in implementing state policies and  
17 priorities;
- 18 (C) Monitoring through surveys, environmental  
19 scanning, and other techniques--current social,  
20 economic, and physical conditions and trends; and



- 1 (D) Developing, in collaboration with affected public
- 2 or private agencies and organizations,
- 3 implementation plans and schedules and, where
- 4 appropriate, assisting in the mobilization of
- 5 resources to meet identified needs;
  
- 6 (3) Planning coordination and cooperation. Facilitating
- 7 coordinated and cooperative planning and policy
- 8 development and implementation activities among state
- 9 agencies and between the state, county, and federal
- 10 governments, by:
  - 11 (A) Reviewing, assessing, and coordinating, as
  - 12 necessary, major plans, programs, projects, and
  - 13 regulatory activities existing or proposed by
  - 14 state and county agencies;
  
  - 15 (B) Formulating mechanisms to simplify, streamline,
  - 16 or coordinate interagency development and
  - 17 regulatory processes; and
  
  - 18 (C) Recognizing the presence of federal defense and
  - 19 security forces and agencies in the State as
  - 20 important state concerns;



1           (4) Statewide planning and geographic information system.  
2           Collecting, integrating, analyzing, maintaining, and  
3           disseminating various forms of data and information,  
4           including geospatial data and information, to further  
5           effective state planning, policy analysis and  
6           development, and delivery of government services by:  
7           (A) Collecting, assembling, organizing, evaluating,  
8           and classifying existing geospatial and non-  
9           geospatial data and performing necessary basic  
10          research, conversions, and integration to provide  
11          a common database for governmental planning and  
12          geospatial analyses by state agencies;  
13          (B) Planning, coordinating, and maintaining a  
14          comprehensive, shared statewide planning and  
15          geographic information system and associated  
16          geospatial database. The office shall be the  
17          lead agency responsible for coordinating the  
18          maintenance of the multi-agency, statewide  
19          planning and geographic information system and  
20          coordinating, collecting, integrating, and  
21          disseminating geospatial data sets that are used



1 to support a variety of state agency applications  
2 and other spatial data analyses to enhance  
3 decision-making. The office shall promote and  
4 encourage free and open data sharing among and  
5 between all government agencies. To ensure the  
6 maintenance of a comprehensive, accurate, up-to-  
7 date geospatial data resource that can be drawn  
8 upon for decision-making related to essential  
9 public policy issues such as land use planning,  
10 resource management, homeland security, and the  
11 overall health, safety, and well-being of  
12 Hawaii's citizens, and to avoid redundant data  
13 development efforts, state agencies shall provide  
14 to the shared system either their respective  
15 geospatial databases or, at a minimum, especially  
16 in cases of secure or confidential data sets that  
17 cannot be shared or must be restricted, metadata  
18 describing existing geospatial data. In cases  
19 where agencies provide restricted data, the  
20 office of planning shall ensure the security of  
21 that data; and



1 (C) Maintaining a centralized depository of state and  
2 national planning references;

3 (5) Land use planning. Developing and presenting the  
4 position of the State in all boundary change petitions  
5 and proceedings before the land use commission,  
6 assisting state agencies in the development and  
7 submittal of petitions for land use district boundary  
8 amendments, and conducting periodic reviews of the  
9 classification and districting of all lands in the  
10 State, as specified in chapter 205;

11 (6) Coastal and ocean policy management, and sea level  
12 rise adaptation coordination. Carrying out the lead  
13 agency responsibilities for the Hawaii coastal zone  
14 management program, as specified in chapter 205A.

15 Also:

16 (A) Developing and maintaining an ocean and coastal  
17 resources information, planning, and management  
18 system;

19 (B) Further developing and coordinating  
20 implementation of the ocean resources management  
21 plan; [~~and~~]



- 1 (C) Formulating ocean policies with respect to the
- 2 exclusive economic zone, coral reefs, and
- 3 national marine sanctuaries; and
- 4 (D) Coordinating sea level rise adaptation with state
- 5 agencies having operational responsibilities over
- 6 state facilities to identify existing and planned
- 7 facilities, including critical infrastructure,
- 8 that are vulnerable to sea level rise, flooding
- 9 impacts, and natural hazards;
- 10 (7) Regional planning and studies. Conducting plans and
- 11 studies to determine:
- 12 (A) The capability of various regions within the
- 13 State to support projected increases in both
- 14 resident populations and visitors;
- 15 (B) The potential physical, social, economic, and
- 16 environmental impact on these regions resulting
- 17 from increases in both resident populations and
- 18 visitors;
- 19 (C) The maximum annual visitor carrying capacity for
- 20 the State by region, county, and island; and



1 (D) The appropriate guidance and management of  
2 selected regions and areas of statewide critical  
3 concern.

4 The studies in subparagraphs (A) to (C) shall be  
5 conducted at appropriate intervals, but not less than  
6 once every five years;

7 (8) Regional, national, and international planning.  
8 Participating in and ensuring that state plans,  
9 policies, and objectives are consistent, to the extent  
10 practicable, with regional, national, and  
11 international planning efforts;

12 (9) Climate adaptation and sustainability planning and  
13 coordination. Conducting plans and studies and  
14 preparing reports as follows:

15 (A) Develop, monitor, and evaluate strategic climate  
16 adaptation plans and actionable policy  
17 recommendations for the State and counties  
18 addressing expected statewide climate change  
19 impacts identified under chapter 225P and  
20 sections 226-108 and 226-109; and



- 1 (B) Provide planning and policy guidance and
- 2 assistance to state and county agencies regarding
- 3 climate change and sustainability; and
- 4 (10) Smart growth and transit-oriented development. Acting
- 5 as the lead agency to coordinate and advance smart
- 6 growth and transit-oriented development planning
- 7 within the State as follows:
- 8 (A) Identify transit-oriented development
- 9 opportunities shared between state and county
- 10 agencies, including relevant initiatives such as
- 11 the department of health's healthy Hawaii
- 12 initiative and the Hawaii clean energy
- 13 initiative;
- 14 (B) Refine the definition of "transit-oriented
- 15 development" in the context of Hawaii, while
- 16 recognizing the potential for smart growth
- 17 development patterns in all locations;
- 18 (C) Clarify state goals for transit-oriented
- 19 development and smart growth that support the
- 20 principles of the Hawaii State Planning Act by





- 1                   preserving non-urbanized land, improving worker  
2                   access to jobs, and reducing fuel consumption;
- 3           (D) Target transit-oriented development areas for  
4                   significant increase in affordable housing and  
5                   rental units;
- 6           (E) Conduct outreach to state agencies to help  
7                   educate state employees about the ways they can  
8                   support and benefit from transit-oriented  
9                   development and the State's smart growth goals;
- 10          (F) Publicize coordinated state efforts that support  
11                   smart growth, walkable neighborhoods, and  
12                   transit-oriented development;
- 13          (G) Review state land use decision-making processes  
14                   to identify ways to make transit-oriented  
15                   development a higher priority and facilitate  
16                   better and more proactive leadership in creating  
17                   walkable communities and employment districts,  
18                   even if transit will only be provided at a later  
19                   date; and
- 20          (H) Approve all state agencies' development plans for  
21                   parcels along the rail transit corridor. For the



1 purposes of this subparagraph, "development  
2 plans" means conceptual land use plans that  
3 identify the location and planned uses within a  
4 defined area."

5 SECTION 4. Section 226-14, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 **"§226-14 Objective and policies for facility systems--in**

8 **general.** (a) Planning for the State's facility systems in  
9 general shall be directed towards achievement of the objective  
10 of water, transportation, sustainable development, climate  
11 change adaptation, sea level rise adaptation, waste disposal,  
12 and energy and telecommunication systems that support statewide  
13 social, economic, and physical objectives.

14 (b) To achieve the general facility systems objective, it  
15 shall be the policy of this State to:

16 (1) Accommodate the needs of Hawaii's people through  
17 coordination of facility systems and capital  
18 improvement priorities in consonance with state and  
19 county plans.

20 (2) Encourage flexibility in the design and development of  
21 facility systems to promote prudent use of resources



- 1 and accommodate changing public demands and
- 2 priorities.
- 3 (3) Ensure that required facility systems can be supported
- 4 within resource capacities and at reasonable cost to
- 5 the user.
- 6 (4) Pursue alternative methods of financing programs and
- 7 projects and cost-saving techniques in the planning,
- 8 construction, and maintenance of facility systems.
- 9 (5) Identify existing and planned state facilities that
- 10 are vulnerable to sea level rise, flooding impacts,
- 11 and natural hazards.
- 12 (6) Assess a range of options to mitigate the impacts of
- 13 sea level rise to existing and planned state
- 14 facilities."

15 SECTION 5. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on July 1, 2021.

APPROVED this 02 day of JUL, 2021



GOVERNOR OF THE STATE OF HAWAII



HB No. 243, HD 1, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki  
Speaker  
House of Representatives





Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI‘I**

Date: April 27, 2021  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2021.

  
President of the Senate

  
Clerk of the Senate