

---

---

## HOUSE CONCURRENT RESOLUTION

REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES  
CONDUCT A STUDY ON THE OVERGROWTH OF INDUCED VEGETATION  
THAT INHIBITS BEACH ACCESS AND TRANSIT.

1           WHEREAS, there are many shoreline areas throughout the state  
2 where the overgrowth of vegetation inhibits access to and transit  
3 along the beach, thereby denying the public of use and enjoyment  
4 of the public domain; and

5  
6           WHEREAS, the area seaward of the shoreline is part of the  
7 conservation district and regulating uses of the conservation  
8 district is the responsibility of the department of land and  
9 natural resources; and

10  
11           WHEREAS, although there exists natural vegetative  
12 overgrowth along beach areas, there is also evidence in many  
13 areas of induced vegetative overgrowth into the beach area by  
14 private property owners; and

15  
16           WHEREAS, the department does not have the funding to remove  
17 this vegetative overgrowth, nor should it have the financial  
18 responsibility to do so; and

19  
20           WHEREAS, the legislature finds that public beach corridors  
21 are similar to public sidewalks in the sense that they are for  
22 public use; and

23  
24           WHEREAS, to maintain public transit along the shoreline,  
25 provisions similar to those pertaining to the maintenance of  
26 sidewalks may be needed; and

27  
28           WHEREAS, the legislature finds that a similar provision to  
29 protect public transit corridors along shorelines in the  
30 conservation district would have the benefit of encouraging  
31 property owners to keep adjacent beachfront free of encroaching



1 vegetation and would provide a means to reimburse government  
2 agencies for removing vegetation if necessary; and

3  
4 WHEREAS, the department of land and natural resources is  
5 best situated to understand this issue and make changes; now,  
6 therefore,

7  
8 BE IT RESOLVED by the House of Representatives of the  
9 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
10 of 2009, the Senate concurring, that the department of land and  
11 natural resources undertake a study to survey property owners in  
12 areas identified by the department as representative of the  
13 problem at beaches throughout the state; and

14  
15 BE IT FURTHER RESOLVED that the department of natural  
16 resources report the findings of their study and proposed  
17 legislation or executive actions to remedy the problem to the  
18 legislature no later than twenty days prior to the convening of  
19 the 2010 Regular Session; and

20  
21 BE IT FURTHER RESOLVED that certified copies of this  
22 Concurrent Resolution be transmitted to the Chairperson of the  
23 Department of Land and Natural Resources and the Governor.

24  
25  
26

OFFERED BY:

*Sabara Mannoto*  
*Waminu Houe*

*[Signature]*  
*[Signature]*

MAR 18 2009

