

STAND. COM. REP. NO.

1174

Honolulu, Hawaii

APR 06 2009

RE: H.B. No. 593
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 593, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS,"

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Land and Natural Resources (DLNR) to establish a temporary coastal construction moratorium along Kailua Beach to preserve the beach for the use and enjoyment of future generations.

Testimony in support of this measure was submitted by one state agency, two organizations, and three public citizens. One state agency supported the intent, and three public citizens provided comments. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that the potential impacts of future coastal erosion and sea-level rise necessitate planning beyond current environmental parameters. Your Committee affirms the importance of proactively working toward a stewardship plan that helps to protect development from coastal hazards, conserves and protects the beaches, preserves recreational uses of coastal resources, and minimizes future impacts to the coastal ecosystem. Your Committee believes that coastal construction moratoriums can be an effective tool to stop seaward expansion on threatened beaches and that DLNR should conduct a statewide survey of beaches



to determine where a moratorium is needed, subject to the availability of funding.

Your Committee further finds that an interim coastal construction moratorium for Kailua Beach, which is one of the few beaches that is fully urban, accreting, and entirely unarmored will minimize current and future impacts of shoreline erosion.

Your Committee has amended this measure by:

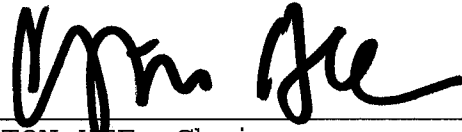
- (1) Expanding the scope of DLNR's authorization to establish coastal construction moratoriums from only Kailua Beach to include any beach in the State which meets the specified conditions;
- (2) Requiring DLNR to establish an interim coastal construction moratorium for Kailua Beach upon the Board of Land and Natural Resources finding specified conditions;
- (3) Amending the purpose section to reflect these changes;
- (4) Removing the sunset date, and changing the effective date to July 1, 2009;
- (5) Inserting a severability clause; and
- (6) Making technical, nonsubstantive changes for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 593, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 593, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.



1174

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,

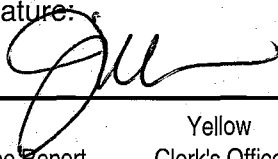


CLAYTON HEE, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

Bill / Resolution No.:*	Committee Referral:	Date:
HB 593, HD 2	WTL	3/20/09
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
HEE, Clayton (C)	✓	
TOKUDA, Jill N. (VC)	✓	
BUNDA, Robert		✓
FUKUNAGA, Carol	✓	
KOKUBUN, Russell S.	✓	
TAKAMINE, Dwight Y.	✓	
HEMMINGS, Fred		✓
TOTAL	5	0
	0	2
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
		Goldenrod Committee File Copy

*Only one measure per Record of Votes