

Honolulu, Hawaii

Feb 26, 2010

RE: H.B. No. 1808
H.D. 3

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1808, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this bill is to ensure public access to beaches by:

- (1) Requiring landowners in shoreline areas to ensure that public transit beach corridors are passable and free from human-induced, enhanced, or unmaintained vegetation that blocks transit;
- (2) Authorizing the Department of Land and Natural Resources (DLNR) to require maintenance of public transit corridors by the adjacent landowner and to charge landowners for the cost of removal if the landowner fails to remove an obstruction;
- (3) Establishing as an indicator of the highest wash of the waves, as it relates to the definition of "shoreline", the edge of natural vegetation growth, but never lower than the upper limit of debris left by the wash of the waves;
- (4) Establishing shoreline access as a policy of the Coastal Zone Management Program; and



- (5) Imposing fines for noncompliance.

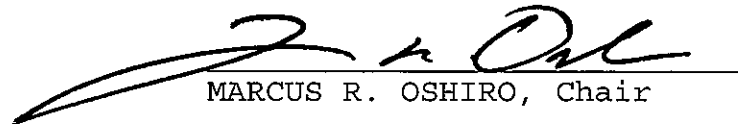
The Office of Hawaiian Affairs, Waialae-Kahala Neighborhood Board No. 3, Kuliouou/Kalani Iki Neighborhood Board #2, Kailua Neighborhood Board #31, Sierra Club-Hawaii Chapter, Conservation Council for Hawaii, Surfrider Foundation, and many concerned individuals testified in support of this bill. A concerned individual opposed this measure. DLNR, the Representative of the 19th District, and a concerned individual provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1808, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1808, H.D. 3.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



