

STAND. COM. REP. NO. 422

Honolulu, Hawaii

FEB 19, 2009

RE: H.B. No. 593

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which  
was referred H.B. No. 593 entitled:

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

begs leave to report as follows:

The purpose of this bill is to direct the Board of Land and  
Natural Resources to adopt rules for determining the shoreline  
setback area and the mauka extent of the conservation district for  
Kailua Beach.

The Department of Land and Natural Resources (DLNR); Beach  
Access Hawaii; The Free Ocean Project; the Kailua Neighborhood  
Board; Sierra Club, Hawaii Chapter; the Surfrider Foundation; and  
several concerned individuals testified in support of this bill.  
The Department of Business, Economic Development, & Tourism  
offered testimony in support of this measure with amendments. The  
Office of Hawaiian Affairs opposed this bill.

Your Committee has amended this bill by granting DLNR a two-  
year period in which to establish a two-year interim coastal  
construction moratorium along Kailua Beach to:

- (1) Protect development from coastal hazards;
- (2) Conserve and protect the beach;
- (3) Preserve recreational uses; or

HB593 HD1 HSCR WLO HMS 2009-1992



(4) Minimize future impact to the coastal ecosystem.

DLNR's authority to establish the moratorium sunsets after two years. Any moratorium in effect at the sunset date, however, will remain in effect until it expires.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 593, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 593, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, &  
Ocean Resources,



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KEN ITO, Chair



