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IN REPLY REFER TO:

February 24, 2012

**HOUSE BILL NO. 2154, H.D. 2
RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS**

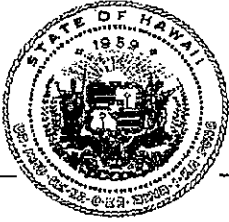
HOUSE COMMITTEE ON FINANCE

The Department of Transportation supports House Bill No. 2154, HD2. This bill will exempt development at airports from special management area permitting requirements if the development is necessary to comply with Federal Aviation Administration (FAA) regulations.

Securing special management area permits can be time consuming and delay projects from going to construction when funding and procurement have been completed. This bill will help the Department complete projects quicker to insure compliance with FAA regulations concerning requirements such as airfield safety and also assist with the ability to receive discretionary grants which are based on timely expenditure performance.

Thank you for the opportunity to provide testimony.





DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

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Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON FINANCE
Friday, February 24, 2012
10:00 AM
State Capitol, Conference Room 308_

in consideration of
HB 2154 HD2
RELATING TO SPECIAL MANAGEMENT AREAS.

Chair Oshiro, Vice Chair Lee, and Members of the House Committee on Finance.

The Office of Planning (OP) administers Hawaii Revised Statutes (HRS) Chapter 205A, the Coastal Zone Management (CZM) law. The special management area (SMA) permitting system is part of the federal and state approved Hawaii CZM Program.

HB 2154 HD2 is a sunset bill to exempt all structures and improvements to land, to be used for airport purposes from SMA permitting provided that the structures and improvements relating to airports are necessary to comply with Federal Aviation Administration (FAA) regulations.

OP supports HB 2154 HD2 for the following reasons:

- 1) Federal Aviation Administration (FAA) permits and licenses are identified on the National Oceanic and Atmospheric Administration (NOAA) approved list of "Federal Licenses and Permits Subject to Federal Consistency Certification," in

accordance with 15 Code of Federal Regulations section 930.53. The FAA "permits and licenses for construction and operation of airports" are subject to Hawaii Coastal Zone Management (CZM) Program federal consistency review.

- 2) The requirements of the National Environmental Policy Act (NEPA) and Hawaii Revised Statutes (HRS) Chapter 343 Environmental Impact Statements (EIS) are applicable to structures and improvements relating to airports. The Office of Planning as the lead agency of Hawaii CZM Program will continue to review and comment on NEPA and EIS documents in that regard.
- 3) HB 2154 HD2, which amends HRS §261-4, will provide the department of transportation with sufficient authority to plan, design and construct airports, subject to Hawaii CZM Program federal consistency review, without sacrificing special controls on developments within an area along the shoreline in order to avoid permanent losses of valuable coastal resources.
- 4) At the administration's direction, OP is working on an alternative process to SMA permitting for state projects that will be consistent with the CZM Program. Recommendations for alternative processes, in consultation with state agencies, will be completed before the next legislative session.

Thank you for the opportunity to provide testimony on this measure.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 23, 2012 4:44 PM
To: FINTestimony
Cc: nihipalim001@hawaii.rr.com
Subject: Testimony for HB2154 on 2/24/2012 10:00:00 AM

Testimony for FIN 2/24/2012 10:00:00 AM HB2154

Conference room: 308
Testifier position: Oppose
Testifier will be present: No
Submitted by: Michele Nihipali
Organization: Individual
E-mail: nihipalim001@hawaii.rr.com
Submitted on: 2/23/2012

Comments:

Dear Finance Committee Members:

HB2154 has been pushed forward without the usual checks and balances. This is a bad bill that would exempt airport projects from the Coastal Zone Management Act. No project in the State of Hawaii should be exempt from the oversight of Acts that serve to protect residents the environment and our precious resources from unleashed developement. Do not pass this bill.

Thank you for your consideration.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2012 9:12 PM
To: FINTestimony
Cc: anthuriumz@hotmail.com
Subject: Testimony for HB2154 on 2/24/2012 10:00:00 AM

Testimony for FIN 2/24/2012 10:00:00 AM HB2154

Conference room: 308
Testifier position: Oppose
Testifier will be present: No
Submitted by: Wynn timer Hee
Organization: Individual
E-mail: anthuriumz@hotmail.com
Submitted on: 2/22/2012

Comments:

These so-called "economic stimulus measures" are NOT in the public's best interests. We the people do NOT want to speed development of highways and airports without examining the particular impacts on the neighborhood or the marine environment. The economic benefit -- if any, and to whom? -- is not worth the destruction of our democratic process and the resulting risks to our natural environment.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2012 7:54 AM
To: FINTestimony
Cc: nlowen@gmail.com
Subject: Testimony for HB2154 on 2/24/2012 10:00:00 AM

Testimony for FIN 2/24/2012 10:00:00 AM HB2154

Conference room: 308
Testifier position: Oppose
Testifier will be present: No
Submitted by: Nicole Lowen
Organization: Individual
E-mail: nlowen@gmail.com
Submitted on: 2/22/2012

Comments:

Aloha Chair Oshiro and members of the committee,

I oppose HB 2154, which would exempt airport projects from SMA requirements. This bill is unnecessary and it is unclear whether it would even serve the purpose of streamlining airport projects as intended. Please let the long standing Coastal Zone Management Act do its job, and hold this bill.

Thank you,

Nicole Lowen
Palolo