

STAND. COM. REP. NO.

154

Honolulu, Hawaii

FEB 11 2013

RE: S.B. No. 1162

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred S.B. No. 1162 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to make permanent Act 160, Session Laws of Hawaii 2010 (Act 160), which would otherwise sunset on June 30, 2013.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, Hawaii Association of REALTORS, and two individuals.

Act 160 requires 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. Landowners that induce or allow their vegetation to grow below the shoreline are asked to remove or trim the vegetation. When landowners fail to comply, Act 160 allows the Department of Land and Natural Resources to issue a notice of violation to the landowner, assess penalties, and charge landowners for the cost of removal if the landowner fails to remove an obstruction.

Your Committee finds that coastal vegetation is an integral part of the native ecosystem and can provide an important ecological and environmental function, including coastal flood mitigation. However, when certain species of coastal vegetation are allowed to grow unfettered in an urban beach environment, they may create community-wide problems. Coastal vegetation that

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extends seaward of its natural range can impede public access by creating a barrier at the fragile intersection of submerged and fast lands. Moving vegetative barriers inland allows homeowners to maintain the privacy barriers they have grown accustomed to, while fostering healthy shoreline access and beach use on a heavily used urban beach.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1162 and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

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




MALAMA SOLOMON, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1162	WTL, WAM	2/5/13		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SOLOMON, Malama (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
DELA CRUZ, Donovan M.				✓
IHARA, Jr., Les				✓
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.				✓
SLOM, Sam	✓			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes