
HOUSE RESOLUTION

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT
POLICIES PROHIBITING THE INSTALLATION OF SHORELINE
HARDENING STRUCTURES UNLESS CERTAIN CONDITIONS ARE MET.

1 WHEREAS, Hawaii's beaches and shoreline areas provide
2 numerous benefits that are critical to the cultural values and
3 way of life of the Native Hawaiian community and the public; and
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5 WHEREAS, access to the shoreline and the resources in the
6 nearshore environment is critical to Native Hawaiian cultural
7 perpetuation and constitutionally protected traditional and
8 customary gathering practices; and
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10 WHEREAS, Hawaii's beaches and shoreline areas provide a
11 place to bond with 'ohana and friends, to foster positive youth
12 development and early appreciation for natural resources, and to
13 provide for a variety of recreational activities, such as
14 surfing and fishing, that have been staples of local life for
15 generations; and
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17 WHEREAS, Hawaii's beaches are also a driving force for the
18 State's economy as a key attraction for tourists visiting the
19 islands; and
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21 WHEREAS, Hawaii's laws have recognized the right of the
22 public to access the shoreline and the Office of Hawaiian
23 Affairs has always been a strong advocate for shoreline access
24 in the State; and
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26 WHEREAS, poor planning has resulted in the proliferation of
27 shoreline hardening structures that continue to erode away much
28 of the State's beaches and shoreline areas, cutting off lateral
29 shoreline access; and



1 WHEREAS, while shoreline hardening structures are necessary
2 in some instances to protect property and infrastructure, they
3 have notoriously led to the erosion of beaches throughout the
4 State and should only be granted where absolutely necessary; and
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6 WHEREAS, an estimated twenty-five percent of Oahu's beaches
7 have been permanently lost due to shoreline hardening, along
8 with many miles of shoreline on Maui; and
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10 WHEREAS, in many areas, the beach loss has completely
11 precluded safe lateral access along the shoreline, eliminating
12 any opportunity for cultural or public use; and
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14 WHEREAS, despite the clear impact of shoreline hardening
15 structures on our shoreline areas, however, the threat of sea
16 level rise and adjacent shoreline loss due to existing shoreline
17 hardening structures may motivate coastal landowners to seek the
18 installation of new shoreline hardening structures for their own
19 properties, particularly where buildings or infrastructure have
20 been placed too close to the ocean; and
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22 WHEREAS, legislation is necessary to provide an increased
23 level of public accountability and regulatory oversight in the
24 proposed installation of new shoreline hardening structures;
25 now, therefore,
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27 BE IT RESOLVED by the House of Representatives of the
28 Twenty-ninth Legislature of the State of Hawaii, Regular Session
29 of 2017, that the Department of Land and Natural Resources is
30 urged to adopt policies prohibiting the construction of
31 shoreline hardening structures in shoreline areas unless certain
32 conditions are met; and
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34 BE IT FURTHER RESOLVED that a variance for construction of
35 a shoreline hardening structure should not be approved unless
36 there has been a public hearing and showing that the shoreline
37 hardening structure is necessary to protect an existing legal
38 object, structure, or activity from damage due to seawater
39 inundation or shoreline erosion, and no reasonable alternative
40 locations exist; and




1 BE IT FURTHER RESOLVED that in determining whether a
2 variance for a shoreline hardening structure may be approved,
3 the authority shall consider the following factors:

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- 5 (1) The feasibility and cost of relocating the relevant
6 structures, objects, or activities outside of the
7 shoreline area;
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- 9 (2) The likelihood and severity of damage that will occur
10 if the shoreline hardening structure is not
11 constructed;
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- 13 (3) The availability of reasonable alternative means to
14 protect the relevant objects, structures, or
15 activities from damage due to shoreline erosion;
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- 17 (4) The nature and scope of valued cultural and historical
18 resources in the seaward areas that may be impacted by
19 shoreline erosion resulting from the installation of a
20 shoreline hardening structure, impact to any
21 associated native Hawaiian traditional and customary
22 practices, and the feasibility of action that may be
23 taken to protect the resources and practices; and
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- 25 (5) The diminution of safe lateral public access and
26 enjoyment of shoreline area resulting from the
27 shoreline hardening structure, and conditions,
28 including but not limited to public access easements,
29 that may be required to mitigate any such diminution;
30 and
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32 BE IT FURTHER RESOLVED that certified copies of this
33 Resolution be transmitted to the Chair of the Board of Land and
34 Natural Resources and Chair of the Board of Trustees of the
35 Office of Hawaiian Affairs.

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OFFERED BY: _____



MAR 10 2017

