

OFFICE OF PLANNING STATE OF HAWAII

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DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
Tuesday, February 7, 2017
9:00 AM
State Capitol, Conference Room 312

in consideration of
HB 437
RELATING TO COASTAL ZONE MANAGEMENT.

Chair Ing, Vice Chair Gates, and Members of the House Committee on Ocean, Marine Resources & Hawaiian Affairs.

HB 437 proposes to prohibit the construction of seawalls in shoreline areas without a public hearing and showing that the seawall is necessary to protect an existing legal object, structure, or activity from damage due to seawater inundation or shoreline erosion, and that no reasonable alternatives exist.

OP supports HB 437, and respectfully offers the following comments on this measure:

1. Page 2, lines 8-10, amends HRS § 205A-43.5(a) by adding a condition to waive a public hearing for action on a variance application for a seawall. Given the fact that a seawall is only one type of shoreline hardening structure that will artificially fix the shoreline, we recommend amending HRS § 205A-43.5(a) by adding a condition to waive a public hearing for action on a variance application, to read as follows:

“§ 205A-43.5 Powers and duties of the authority. (a) Prior to action on a variance application, the authority shall hold a public hearing under chapter 91. By adoption of rules under chapter 91, the authority may delegate responsibility to the department. Public and private notice, including reasonable notice to abutting property owners and persons who have requested this notice, shall be provided, but a public hearing may be waived prior to action on a variance application for:

- (1) Stabilization of shoreline erosion by the moving of sand entirely on public lands;
- (2) Protection of a legal structure costing more than \$20,000; provided the structure is at risk of immediate damage from shoreline erosion;

- (3) Other structures or activities; provided that no person or agency has requested a public hearing within twenty- five calendar days after public notice of the application; or
- (4) Maintenance, repair, reconstruction, and minor additions or alterations of legal boating, maritime, or watersports recreational facilities, which result in little or no interference with natural shoreline processes[-];

provided that no public hearing shall be waived for action on a variance application for construction of a shoreline hardening structure that will artificially fix the shoreline, including seawall, revetment and groin.”

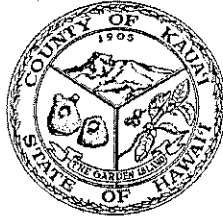
2. Page 6, lines 14-20, and page 7, lines 1-10, amends HRS § 205A-46 to add requirements to approve a variance application for a seawall by adding subsection (d). OP believes the requirements to approve a variance application have been included in HRS §§ 205A-46(a), (b) and (c). OP recommends amending HRS § 205A-46 by adding subsection (d) for action on a variance application for a shoreline hardening structure, which includes seawalls, to read as follows:

(d) No variance shall be granted to allow for construction of a shoreline hardening structure that will artificially fix the shoreline, including seawall, revetment and groin, unless the applicant has provided the following assessment of:

- (1) The likelihood that damage will occur if the shoreline hardening structure is not allowed and the likely severity of subject damage;
- (2) The feasibility and cost of relocating the relevant structures, objects, or activities outside of the shoreline area;
- (3) The availability of alternative means to protect the relevant structures, objects, or activities; and
- (4) The shoreline hardening structure as the only reasonable alternative to protect existing legal structures, objects, or activity from damage due to shoreline erosion.

Thank you for the opportunity to testify on this measure.

Bernard P. Carvalho, Jr.
Mayor



Michael A. Dahilig
Director of Planning

Wallace G. Rezentes, Jr.
Managing Director

Ka'āina S. Hull
Deputy Director of Planning

PLANNING DEPARTMENT

County of Kaua'i, State of Hawai'i

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Testimony Relating to Coastal Zone Management

HB 437

By Michael A. Dahilig
Director of Planning, County of Kauai

The Planning Department **SUPPORTS** HB 437 and respectfully offers the following comments on this measure:

1. Page 2, lines 8-10, HB 437 amends HRS 205A-43.5(a) by adding a condition to waive a public hearing for action on a variance application for a seawall. Given the fact that seawall is one type of shoreline hardening structure that will artificially fix the shoreline, we recommend amending HRS 205A-43.5(a) by adding a condition to waive a public hearing for action on a variance to include seawalls, revetments and groins.
2. Page 6, lines 14-20 and page 7, lines 1-10, HB 437 amends HRS 205A-46 to add requirements to approve a variance application for a seawall by adding subsection (d). The Planning Department suggests adding an additional requirement to the assessment to include justification that the shoreline hardening structure is the only reasonable alternative to protect the existing legal structures, objects, or activity from damage due to shoreline erosion.



HB437
RELATING TO COASTAL ZONE MANAGEMENT
Committee on Ocean, Marine Resources, & Hawaiian Affairs

February 7, 2017

9:00 a.m.

Room 312

The Office of Hawaiian Affairs (OHA) Beneficiary Advocacy and Empowerment Committee will recommend that the Board of Trustees **SUPPORT WITH AMENDMENTS** HB437. **This bill would provide a layer of public accountability and regulatory oversight over seawall proposals that may unnecessarily erode away our culturally, economically, and socially invaluable beaches and shoreline areas.**

Hawai'i's beaches and shoreline areas provide numerous benefits to the Native Hawaiian community and the public that are critical to our cultural values and kama'āina way of life. Access to the shoreline and the resources in the nearshore environment is critical to Native Hawaiian cultural perpetuation and constitutionally protected traditional and customary gathering practices. Moreover, our beaches and shoreline areas provide a place to bond with 'ohana and friends, help to foster positive youth development and an early appreciation for our natural resources, and provide for a variety of recreational activities, such as surfing and fishing, that have been staples of local life for generations. Our beaches are also a driving force for our economy, as a key attraction for tourists visiting our islands. Accordingly, our laws have repeatedly recognized the public nature of our shoreline areas and the right of the public to access the shoreline, and OHA has also always been a strong advocate for shoreline access in Hawai'i.

Unfortunately, poor planning has resulted in the proliferation of seawalls that have and continue to erode away much of our beaches and shoreline areas, cutting off lateral shoreline access, and undermining a cultural and socioeconomic foundation of our islands. While at times necessary to protect property and infrastructure, seawalls are notorious for their documented contribution to the loss of beaches throughout the State. For example, an estimated 25% of the length of beaches on O'ahu has been permanently lost due to seawalls and shoreline hardening, along with many miles of shoreline on Maui.¹ In many areas, such beach loss has completely precluded safe lateral access along the shoreline, eliminating any opportunity for cultural or public use. Notwithstanding the clear impact of seawalls on our shoreline areas, however, the threat of sea level rise and adjacent shoreline loss due to existing seawalls may motivate coastal landowners to seek the installation of new seawalls for their own properties, particularly where buildings or infrastructure have been placed too close to the ocean.

This measure will provide an increased level of public accountability and regulatory oversight in the proposed installation of new seawalls. OHA understands that the public hearing and variance approval standards and findings mandated in this measure will help to ensure that seawalls are only used when absolutely necessary, to protect a

¹ Charles Fletcher, et. al., *Chapter 9: Beach Erosion 16*, in ON THE SHORES OF PARADISE (2010), available at <http://www.soest.hawaii.edu/coasts/publications/shores/>.

legally-installed structure that cannot be moved further inland. Accordingly, OHA appreciates and supports this measure, as a proactive means to mitigate any further loss of our culturally and socioeconomically invaluable beach and shoreline areas.

OHA does note, however, that a “necessary” seawall permitted under this measure will nevertheless have a significant impact on cultural and public use and access of its seaward beach areas, potentially for the sole benefit of a private landowner. To ensure a more equitable protection of cultural, public, and private interests in the approval of any new seawalls, further mitigatory or compensatory measures by seawall applicants may therefore be necessary. OHA accordingly recommends the inclusion of additional criteria to be considered in the issuance of a variance under the new subsection (d) proposed for HRS §205A-46, to read as follows:

“(d) No variance for the construction of a seawall in the shoreline area shall be approved unless the applicant demonstrates that the seawall is necessary to protect an existing legal object, structure, or activity from damage due to seawater inundation or shoreline erosion and the object or structure cannot reasonably be protected by relocating it outside of the shoreline area. In determining whether a variance for a seawall may be approved, the authority shall consider:

- (1) The feasibility and cost of relocating the relevant structures, objects, or activities outside of the shoreline area;
- (2) The likelihood that damage will occur if the seawall is not constructed and the likely severity of that damage;

- (3) The availability of alternate means to protect the relevant objects, structures, or activities;
- (4) The identity and scope of valued cultural, historical resources in the seaward areas that may be impacted by shoreline erosion resulting from the seawall, impacts to any associated Native Hawaiian traditional and customary practices, and the feasible action that may be taken to protect such resources and practices; and
- (5) The loss of safe lateral public access to and enjoyment of the shoreline area resulting from the seawall, and conditions, including but not limited to public access easements, that may be required to mitigate for any such loss."

Therefore, OHA urges the Committee to **PASS** HB437. Mahalo nui loa for the opportunity to testify on this measure.



HB437
RELATING TO COASTAL ZONE MANAGEMENT
Committee on Ocean, Marine Resources, & Hawaiian Affairs

February 7, 2017

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Hawai'i's beaches and shoreline areas provide numerous benefits to the Native Hawaiian community and the public that are critical to our cultural values and kama'āina way of life. Access to the shoreline and the resources in the nearshore environment is critical to Native Hawaiian cultural perpetuation and constitutionally protected traditional and customary gathering practices. Moreover, our beaches and shoreline areas provide a place to bond with 'ohana and friends, help to foster positive youth development and an early appreciation for our natural resources, and provide for a variety of recreational activities, such as surfing and fishing, that have been staples of local life for generations. Our beaches are also a driving force for our economy, as a key attraction for tourists visiting our islands. Accordingly, our laws have repeatedly recognized the public nature of our shoreline areas and the right of the public to access the shoreline, and OHA has also always been a strong advocate for shoreline access in Hawai'i.

Unfortunately, poor planning has resulted in the proliferation of seawalls that have and continue to erode away much of our beaches and shoreline areas, cutting off lateral shoreline access, and undermining a cultural and socioeconomic foundation of our islands. While at times necessary to protect property and infrastructure, seawalls are notorious for their documented contribution to the loss of beaches throughout the State. For example, an estimated 25% of the length of beaches on O'ahu has been permanently lost due to seawalls and shoreline hardening, along with many miles of shoreline on Maui.¹ In many areas, such beach loss has completely precluded safe lateral access along the shoreline, eliminating any opportunity for cultural or public use. Notwithstanding the clear impact of seawalls on our shoreline areas, however, the threat of sea level rise and adjacent shoreline loss due to existing seawalls may motivate coastal landowners to seek the installation of new seawalls for their own properties, particularly where buildings or infrastructure have been placed too close to the ocean.

This measure will provide an increased level of public accountability and regulatory oversight in the proposed installation of new seawalls. OHA understands that the public hearing and variance approval standards and findings mandated in this measure will help to ensure that seawalls are only used when absolutely necessary, to protect a

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legally-installed structure that cannot be moved further inland. Accordingly, OHA appreciates and supports this measure, as a proactive means to mitigate any further loss of our culturally and socioeconomically invaluable beach and shoreline areas.

OHA does note, however, that a “necessary” seawall permitted under this measure will nevertheless have a significant impact on cultural and public use and access of its seaward beach areas, potentially for the sole benefit of a private landowner. To ensure a more equitable protection of cultural, public, and private interests in the approval of any new seawalls, further mitigatory or compensatory measures by seawall applicants may therefore be necessary. OHA accordingly recommends the inclusion of additional criteria to be considered in the issuance of a variance under the new subsection (d) proposed for HRS §205A-46, to read as follows:

“(d) No variance for the construction of a seawall in the shoreline area shall be approved unless the applicant demonstrates that the seawall is necessary to protect an existing legal object, structure, or activity from damage due to seawater inundation or shoreline erosion and the object or structure cannot reasonably be protected by relocating it outside of the shoreline area. In determining whether a variance for a seawall may be approved, the authority shall consider:

- (1) The feasibility and cost of relocating the relevant structures, objects, or activities outside of the shoreline area;
- (2) The likelihood that damage will occur if the seawall is not constructed and the likely severity of that damage;

- (3) The availability of alternate means to protect the relevant objects, structures, or activities;
- (4) The identity and scope of valued cultural, historical resources in the seaward areas that may be impacted by shoreline erosion resulting from the seawall, impacts to any associated Native Hawaiian traditional and customary practices, and the feasible action that may be taken to protect such resources and practices; and
- (5) The loss of safe lateral public access to and enjoyment of the shoreline area resulting from the seawall, and conditions, including but not limited to public access easements, that may be required to mitigate for any such loss."

Therefore, OHA urges the Committee to **PASS** HB437. Mahalo nui loa for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 3, 2017 9:38 PM
To: omhtestimony
Cc: blawaiianlvr@icloud.com
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/3/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omana Pono, LLC.	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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SIERRA CLUB OF HAWAI'I

MĀLAMA I KA HONUA. *Cherish the Earth.*

HOUSE COMMITTEE ON OCEANS, MARINE RESOURCES, AND HAWAIIAN AFFAIRS

Tuesday, February 7, 2017 9:00AM Room 312

In SUPPORT HB437 Relating to Coastal Zone Management Act

Aloha Chairman Ing and members of the OMH Committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i supports HB437, which protects our shorelines by limiting the use of seawalls, in favor of setbacks.

The Sierra Club of Hawai'i is committed to helping people explore, enjoy, and protect the planet. We work on issues related to climate change, such as sea level rise and shoreline setbacks.



Studies show that sea level is a significant threat to property and public safety. University of Hawai'i scientists predict we will experience at a one meter increase in sea level within the next 50 years. Just a one-meter increase in sea levels will inundate Waikiki.

Seawalls, or shoreline armoring, are the most common method for protecting property from rising seas. Unfortunately, this approach does not consider the consequences of interrupting the natural redistribution of sand along the coastline. As a result, armored beaches

experience higher rates of erosion than natural beaches. This is in addition to the many other challenges seawalls create from inhibiting public access to the shoreline to undermining fishery stocks.

There is an opportunity to protect shorelines not yet encased in concrete. That is why we support HB437 because it would require landowners to fully consider greater setbacks before installing seawalls. In addition the bill would establish a more stringent review process for seawall permits, and prohibit waiver of the public hearing requirement. All of these measures would help to make seawalls not the first choice for addressing rising sea levels.

Thank you very much for this opportunity to provide testimony on this important issue.

Mahalo,
Marti Townsend
Director



Testimony before the
House Committee on Ocean, Marine Resources & Hawaiian Affairs

February 7, 2017, 9:00 am
Conference Room 312

H.B. No. 437 – Relating to Coastal Zone Management

SUPPORT with AMENDMENTS

By Albert Perez
Executive Director
Maui Tomorrow Foundation, Inc.

Chair Ing, Vice-Chair Gates and Members of the Committee:

The Maui Tomorrow Foundation SUPPORTS HB 437 WITH AMENDMENTS. This bill prohibits construction of seawalls in shoreline areas without a public hearing, and requires a showing that the seawall is necessary to protect an existing legal object, structure, or activity from damage due seawater inundation or shoreline erosion, and that no reasonable alternatives exist.

Without this bill, we risk the continued hardening of our precious shorelines, with adverse impacts including loss of beaches, and the loss of shoreline and nearshore habitat for people and for endangered species such as the Hawaiian Monk Seal.

Once a shoreline is hardened, it is expensive to maintain. As the sea level rises, both the mean normal water level and the height of waves are increased. The heights of shoreline defense structures remain static, and so are unable to cope with these challenges. If not properly maintained, deteriorated shoreline hardening structures can become hazardous to shoreline users.

This bill aims to make shoreline hardening rare, and that is a step in the right direction.

However, the current wording of the proposed bill does not define “seawall.” Some types of shoreline hardening structures are more damaging than others, and every coastal location has different dynamics. In addition, there are many different types of shoreline hardening structures, including gabions, groins, steep- and shallow-sloped revetments, and rock armoring, that may be more or less appropriate in a given location. Accordingly, we suggest that the word “seawall” be replaced by “shoreline hardening structure,” and that this term be defined in this or another section of the HRS.

We are also concerned that the new section (d) requires that an object or structure cannot “reasonably” be protected by relocating it outside of the shoreline area. What is reasonable to someone who stands to make money from shoreline hardening may be very different from what a potentially affected adjacent neighbor would consider to be reasonable.

Also, in practice, the requirement that the approving authority “consider” the factors listed under (d)(1), (2) and (3) may be easily met by political appointees who have no particular qualifications. There should instead be some affirmative requirement for findings by an independent professional coastal geologist who does not have a financial interest in the outcome.

Thank you for the opportunity to comment on this important legislation.

The Hawaii Association for Marine Education and Research, Inc.



PMB#175
5095 Napilihau St. 109B
Lahaina, HI, 96761
USA

Phone: 808-280-6448
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Email: mdeakos@hamerinhawaii.org
www.hamerinhawaii.org

February 6, 2017

RE: Testimony in Support of Bill-437

To our House of Representatives,

I am Dr. Mark Deakos, Executive Director of the Hawaii Association for Marine Education and Research (HAMER) and request that you support Bill-437 to require a public hearing prior to any authorization of a shoreline hardening such as seawalls and bouldering projects.

Tourism is not only Hawaii's number one source of revenue but unlike construction and development, it is a sustainable source of revenue as long as we find a way to protect and preserve the natural resources of our islands that bring our tourists to our islands. Our coastlines, which include our beaches and coral reefs, are the cornerstone of our tourism industry, valued at well over \$30 billion.

Our coastlines are living, breathing systems where land and sea share freshwater and nutrients, critical for fish nursery areas and to supporting healthy coral reef and reef fish populations. These living coastlines also supply our beloved beaches, shoreline access for swimming, fishing, kayaking, snorkeling, diving and surfing, all of which support sustenance, cultural, recreational and commercial uses.

When we sever that connection between land and sea with a seawall or some other type of shoreline armoring, we impact all the ecosystem services and benefits that we gain from a living coastline and we rob our communities and especially our keiki of those extremely valuable services.

Shoreline armoring can only be a last resort when all the alternatives have been vetted out and the public, to whom the public trust of the coastline belongs, need to be given an

opportunity to have a voice in a public meeting to provide alternative solutions that protect property while preserving our valuable coastline, beaches and coral reefs.

I trust you will think what is in the best interest of all residents for the long-term and support HB-437 to require a public hearing before any new shoreline armoring permits are approved.

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read "Deakos".

Mark Deakos
Executive Director

Stop building seawalls!

The Honoapi'ilani Hwy Rd, on the stretch from the Pali to Olowalu has been in dire need of relocation and upkeep since I was a child growing up in Lahaina. The temporary concrete seawall that keeps being put up, year after year after year is far more costly than relocating the road. Costly monetarily and costily to our Aina, and our islands livelihood. The seawall causes us to lose our beaches. It also harms our precious coral reef. Mile marker 14 and its adjacent, albeit narrow Beach, is also a resting spot for our protected monk seals, and honu turtles.

Put your efforts and energy into rehabbing our infrastructure on the West side of Maui, where we bring in tons of tax revenue but don't see the benefit in our community. We have horrible overcrowded roads with limited access to the rest of the island which is a major issue from safety standpoint, among other issues it brings. Our water and sewer treatment plant in Honokowai emits an awful odor, and cannot support the growth on the West side. These are major issues and you all need to wake up and do something about it. There is absolutely no excuse to continue to turn a blind eye towards the real issues. Start working in the best interests of the residents of Maui, and not in your own best interest only.

omhtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 7:52 PM
To: omhtestimony
Cc: nataliejeanf@gmail.com
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/7/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
natalie Forster	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 5, 2017 7:27 PM
To: omhtestimony
Cc: bluewavechris@hotmail.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/5/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Chris	Individual	Support	No

Comments: Use good sense and consider the long term effects of man-made shoreline controls. Better prior planning before building/improving shoreline plots should help minimize the need for constructions that long term have a negative effect (i.e. sea walls, jetties, etc). The negative effects are sometimes felt away from the construction site: reef damage and degradation, lost shorelines in other areas and loss of beach sand. The local community should have a say in these types of drastic measures, and all other options should be looked into.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 5, 2017 6:58 PM
To: omhtestimony
Cc: carl@onepixeldesign.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/5/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Yoshihara	Individual	Comments Only	No

Comments: Hello, I was a volunteer for Surfrider Foundation's Santa Cruz Chapter. We saw the impact and damage abutments and seawalls had on our coast. The protected areas usually do well, but the wave energy travels further down the beach. Eroding and changing the character of the shoreline in unpredictable ways. Olowalu is a state and national treasure. It's already fighting to survive and we need to protect this beautiful place for future generations. Mahalo, Carl Yoshihara

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 3, 2017 3:29 PM
To: omhtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/3/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 10:22 AM
To: omhtestimony
Cc: mjellings@hawaii.rr.com
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Carl M Jellings Sr	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 11:16 AM
To: omhtestimony
Cc: autumn.ness@mauicounty.us
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
autumn ness	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 11:10 AM
To: omhtestimony
Cc: bianca@kahea.org
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Bianca Isaki	Individual	Support	No

Comments: Aloha Committee Members, I write to support HB437, but suggest an amendment to make it more strongly protective of our coastal environment. HB 437 currently requires the authority to consider: "(1) The feasibility and cost of relocating the relevant structures, objects, or activities outside of the shoreline area; (2) The likelihood that damage will occur if the seawall is not constructed and the likely severity of that damage; and (3) The availability of alternate means to protect the relevant objects, structures, or activities." I recommend numbers (1) and (2) be deleted from this bill because moving a house or hotel away from the shoreline may almost always outweigh the cost of a seawall. In the alternative, the cost of relocation should be weighed against the actual cost of remediating potential damage to the nearshore environment and beach replenishment for the next 100 years. Second, number (3) might list potential alternatives, including cobble beach construction, beach replenishment, and other measures that would have minimal impacts to the coast and nearby beaches. Thank you for considering my testimony. Bianca Isaki

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 10:52 AM
To: omhtestimony
Cc: thorneabbott@yahoo.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Thorne Abbott	Individual	Support	No

Comments: We applaud the intent and support the measure with comments. It is important to provide decision makers sound information regarding the necessity, alternatives, and potential pros and cons of hardening the shoreline as opposed to avoiding coastal hazards such as storm surge, flooding, and erosion. First, we recommend using the term "shore armoring" rather than seawall, or defining seawall to include rock revetments, rubble mounds, seawalls, and other hard measures to fix the shoreline's location. Second, we recommend in CAPS that HRS 205A-46 (d)(1) focus on realignment to coastal hazards such as: "The feasibility OF HAZARD AVOIDANCE CONSIDERING LOT SIZE, CONFIGURATION, AND EXPOSURE TO COASTAL HAZARDS, and THE cost of relocating the relevant structures, objects, or activities outside of the shoreline area GIVEN THEIR AGE, LIFESPAN AND FUNCTION;" A proper analysis should not only consider the cost of relocating, but the value in doing so. For instance, it may be more prudent to demolish and rebuild inland rather than armor the shore given the effect on neighboring properties and nearshore natural resources. An analysis should also incorporate a temporal component and hazards analysis since volcanic dike erodes much more slowly that a sandy shoreline. Lastly, please support this bill so that decision makers and property owners have the information needed to make intelligent decisions when addressing coastal hazards and shoreline change. Please feel free to contact me if I can be of assistance in any fashion. Mahalo for your consideration of my comments.

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Denise Boisvert
225 Kaiulani Ave #1604
Honolulu, HI 96815
February 6, 2017

House Committee on Ocean, Marine Resources & Hawaiian Affairs
Hearing on February 7, 2017 at 9:00 AM

Re: HB 457 Coastal Zone Management

To Whom It May Concern:

This is testimony to support only part of HB 457.

Retain number 3 to ensure that alternatives to seawalls are evaluated before a variance is given.

Delete numbers 1 and 2 because it will always be cost-prohibitive to move a house or hotel.

Please amend and then vote for HB 457.

Yours sincerely,

Denise Boisvert

Mr. Kim Jorgensen
225 Kaiulani Ave #1604
Honolulu, HI 96815

February 6, 2017

House Committee on Ocean, Marine Resources & Hawaiian Affairs
Hearing on February 7, 2017 at 9:00 AM

Re: HB 457 Coastal Zone Management

To Whom It May Concern:

This is testimony to support HB 457's number 3 to ensure that alternatives to seawalls are evaluated before a variance is given; but I am against numbers 1 and 2 because it will always be cost-prohibitive to move a house or hotel.

Sincerely,

Kim Jorgensen

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 1:40 PM
To: omhtestimony
Cc: elle.cochran@mauicounty.us
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Elle Cochran	Individual	Support	No

Comments: As the West Maui County Council Member, I support this bill. West Maui is dealing with sea level rise along out highway and condos and resorts, and I see first hand how much damage seawalls do to the neighboring properties. Seawalls should always be a last resort, and decisions about whether to allow them or not should be made after public input and careful deliberation.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 1:35 PM
To: omhtestimony
Cc: mmcardle19@aol.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017
Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Peggy McArdle	Individual	Support	No

Comments: Aloha. I urge for your strong support of HB 437. Protect Hawaii's natural shorelines. Please pass this measure. Mahalo.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 2:40 PM
To: omhtestimony
Cc: mgill.336@gmail.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Mariah Gill	Individual	Comments Only	No

Comments: Aloha, I support HB437 and the provision that no variance will be approved for seawall construction unless the feasibility and cost of relocating the relevant structures, objects or activities outside the shoreline area is considered. It has been demonstrated time and time again, especially here on Maui, that seawalls are a contentious issue that peg community factions against one another. Every seawall proposal presents different challenges and issues because, like our coastline, every seawall scenario is different and needs to be treated as such. No blanket variance can cover the variety of situations that call for some sort of shoreline modification. There needs to be a public forum provided that allows both sides to voice their concerns and input with regards to each individual seawall proposal. That said I implore you to further define "seawall" to include boulder revetments and other shoreline protection modifications to avoid "loopholes" allowing for such proposals to seek the variance due to a poorly defined term. Thank you for the opportunity to provide comment on the bill and for the effort to further protect Hawaii's coasts. Mahalo.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 2:28 PM
To: omhtestimony
Cc: dannygr@hawaiiantel.net
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Grantham	Individual	Support	No

Comments: Shall we continue paying for poor past judgement? Do not reward ignorance and carelessness. Remove items 1 and 2, unless you compare them fairly to the cost of restoring the viable, sustainable shoreline that was there in the first place.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 2:24 PM
To: omhtestimony
Cc: ariannafeinberg@gmail.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Arianna Feinberg	Individual	Support	No

Comments: I support HB437 because we need more scrutiny before installing seawalls!

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 4:59 PM
To: omhtestimony
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Kama Hopkins	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 5:28 PM
To: omhtestimony
Cc: teresa.parsons@hawaii.edu
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa Parsons	Individual	Comments Only	No

Comments: HB 437 will prohibit construction of seawalls in shoreline areas without a public hearing and demonstrating a seawall is the only alternative. While I support this bill for the most part as HB 437 is a bill intended to help protect our State's coastlines, I do have concerns about the following portions (d)(1) and (d)(2) which provides "loopholes" for sustainable coastlines. I support HB 437, including most of section (d) which states: (d) No variance for the construction of a seawall in the shoreline area shall be approved unless the applicant demonstrates that the seawall is necessary to protect an existing legal object, structure, or activity from damage due to seawater inundation or shoreline erosion and the object or structure cannot reasonably be protected by relocating it outside of the shoreline area. In the subsections, I find two components troublesome and request amendment to these two subsections to determine whether a variance for a seawall may be approved. (1) The feasibility and cost of relocating the relevant structures, objects, or activities outside of the shoreline area. NOTE: I request this phrase be stricken as it could always be considered "too expensive" to relocate a structure. (2) The likelihood that damage will occur if the seawall is not constructed and the likely severity of that damage. NOTE: I request this phrase be stricken as the ever-changing shoreline, effect of rising ocean levels, and climate change are risks well known to builders when constructing homes and hotels on beachfront property. Subsection 3 is acceptable as written: (3) The availability of alternate means to protect the relevant objects, structures, or activities. I request this phrase be kept in the bill to ensure alternatives to seawalls, which alter and harden the shoreline and cause sand erosion from beaches, are evaluated before granting a variance for a seawall. I urge you to amend this important piece of legislation to ensure sustainable coastlines for the State. Mahalo for the opportunity to submit testimony.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 5:10 AM
To: omhtestimony
Cc: haley01@hotmail.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/7/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
haley van noord	Individual	Support	No

Comments: I drive from Kihei to Lahaina daily and have witnessed first hand the water damage from the wall built at Ukemehame. Please protect our delicate shorelines and stop putting short term "bandaids" on long term problems.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 8:38 PM
To: omhtestimony
Cc: rebecca.a.pang@gmail.com
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Pang	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 8:09 PM
To: omhtestimony
Cc: kokoroots@gmail.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
cody nemet	Individual	Support	No

Comments: Seawall testimony Aloha Kakou, My name is Cody Nemet but many know me as Kokomon. I am submitting my testimony in support of the Seawall bill to Oppose the Seawall. This is my first time submitting a testimony online as i am pretty illiterate when it comes to computers lol. I feel though this is a very important topic and because I have to work I won't be able to present a testimony in person. Born and raised here as a gatherer, student cultural practitioner and active member of my community, i feel it is my duty to offer my opinion, guidance and support. I speak in behalf of our Kupuna and of all our young Maka'ainānā as well. I will be their voice. When i see the Seawalls, a feeling of helplessness comes over me. This is because the Seawall's bring no life no sustenance and no beauty. The circle of life stops at the Seawall as I'm sure others will go into greater detail about. It is a temporary fix for a greater disaster yet to come. It is true that the Seawall stops the ocean from coming in but where does the ocean go? Think about it because you cannot see with the naked eye unless you look for yourself. When the ocean gets blocked by the Seawall, the pressure builds and builds and the strength of it digs. It creates a funnel affect and deteriorates whats underneath. The Massive Pohaku put in front act as a irrigation for this funnel affect, pushing the strength of the ocean into the same spot every time. It is also an incredible eye sore when you are trying to enjoy the natural view when these huge concrete slabs just get in the way of them. You can already see the results of the many failed Seawall attempts from the past almost like a modern day Maori site from Rapanui lol. Many of them are becoming a part of the reef, flipped over again and again from all the pressure building at the bottom. It is obvious that this is no solution at all and even worse then a temporary bandaid as a bandaid doesn't turn against you in the long run. Solutions...what can we do? Well if we look back at history we should stop and think. How was it that they were able to build massive communities near the ocean? And the solution is community support and natural oceanside vegetation like Naupaka which holds the soil and acts as a barrier. I think we should first move the road since that has already been tabled and passed. Then i think we should use the space to create a diverse range of a Natural oceanside habitat. We should have not just the County and State support but Community as well. This is a way to bring our communities together to not only save our shores but to educate and reconnect. Once the shore is gone there is no going back.

Please think of the future for Hawaii not jus the now. Mahalo for your time as it took me a lot to learn how to use this site lol. Aloha Nui

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 8:06 PM
To: omhtestimony
Cc: erika.lechugadisalvo@gmail.com
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Erika Lechuga Disalvo	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 7:21 PM
To: omhtestimony
Cc: laurenelaide721@yahoo.com
Subject: *Submitted testimony for HB437 on Feb 7, 2017 09:00AM*

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren Ampolos	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 5:55 PM
To: omhtestimony
Cc: kai.nishiki@gmail.com
Subject: Submitted testimony for HB437 on Feb 7, 2017 09:00AM

HB437

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
kai nishiki	Individual	Support	No

Comments: I support this. We need the community aware of what is going on. Mahalo!

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