

STAND. COM. REP. NO.

634

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 1113
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Water and Land, to which was referred S.B. No. 1113 entitled:

"A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to strengthen the policies of the State to reduce residential exposure to coastal hazards and to protect state beaches and update language for consistency with other statutes.

Your Committees received testimony in support of this measure from IMUAlliance, Hawai'i Reef and Ocean Coalition, Life of the Land, Environmental Caucus of the Democratic Party of Hawai'i, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Sierra Club of Hawai'i, and three individuals. Your Committees received comments on this measure from the Office of Planning, Department of Land and Natural Resources, Building Industry Association of Hawaii, and one individual.

Your Committees find that the coastal zone management program was established as part of the coastal zone management law under Act 188, Session Laws of Hawaii 1977. Your Committees further find that increased development along shorelines, increased landward migration of shorelines due to sea-level rise, and beach loss fronting shoreline armoring necessitate updates to existing



policies and regulations to address critical shortcomings in protecting beaches and other coastal environments.

Your Committees find that state coastal zone management policies must be strengthened to conserve beaches for present and future generations while also reducing hazard exposure to shorefront communities.

Your Committees have amended this measure by:

- (1) Defining the term "coastal hazard" as any tsunami, hurricane, wind, wave, storm surges, high tide, flooding, stream flooding, erosion, sea-level rise, subsidence, and point and nonpoint source pollution, and substituting that term where appropriate;
- (2) Updating objectives of the coastal zone management program relating to beach protection and policies of the coastal zone management program relating to recreational resources, economic uses, coastal hazards, and beach protection;
- (3) Amending the conditions that must be met in order for a county planning commission or county council to:
 - (A) Waive the public hearing requirement prior to action on a shoreline setback variance application for protection of a legal structure or public facility; and
 - (B) Grant a shoreline setback variance for certain private facilities or improvements;
- (4) Reinstating the authority of the county planning commission or county council to consider, when determining whether to grant a shoreline setback variance, hardship that will result to the applicant if the facilities or improvements are not allowed within the shoreline area; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1113, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1113, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Agriculture and Environment and Water and Land,



KAIULANI KAHELE, Chair

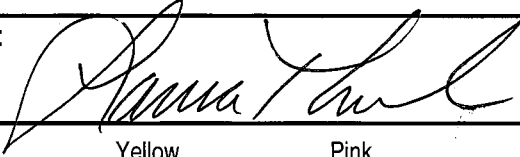


MIKE GABBARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

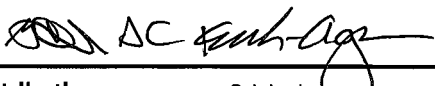
Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 1113	Committee Referral: AEN/WTL, WAM	Date: 02.13.2019		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)				X
RHOADS, Karl	X			
THIELEN, Laura H.	X			
FEVELLA, Kurt	X			
TOTAL	4			1
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

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB1113	Committee Referral: AEN/WTL, WAM	Date: 2/13/2019		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt				X
TOTAL	4			1
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				

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