

OFFICE OF PLANNING STATE OF HAWAII

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Statement of
LEO R. ASUNCION,
Planning Program Administrator, Office of Planning
before the
**HOUSE COMMITTEES ON ENERGY & ENVIRONMENTAL PROTECTION
AND
WATER, LAND, & HAWAIIAN AFFAIRS**
Tuesday, February 12, 2019
8:55 AM
State Capitol, Conference Room 325

in consideration of
HB 396
RELATING TO COASTAL EROSION PROACTIVE ADAPTATION PLAN.

Chairs Lowen and Yamane, Vice Chairs Wildberger and Todd, and Members of the House Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs.

The Office of Planning (OP) offers the following comments on HB 396.

- The OP appreciates the over-all concept of this bill as it includes steps to address current and relevant issues threatening coastal areas.
- The development of a framework for a shoreline adaptation e-Permit system would involve the integration of federal, state, and county permitting processes and their respective data systems, commitment amongst all entities for the creation of a successful program. It is unclear what level of commitment, if any, each of these jurisdictions has to such a system.
- It is unclear how the appropriation of \$750,000 should be distributed among the tasks in the proposed measure. Should the Committees advance this measure, the OP seeks further clarification in this regard and requests that a portion of the appropriation be allocated to a position (1.0 FTE), exempt from Hawaii Revised Statutes, Chapter 76, to support this initiative.

OP appreciates the intent of this bill provided that its passage does not replace or adversely impact priorities indicated in the Executive Budget.

Thank you for the opportunity to testify on this measure.

DEPARTMENT OF DESIGN AND CONSTRUCTION
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



ROBERT J. KRONING, P.E.
DIRECTOR

MARK YONAMINE, P.E.
DEPUTY DIRECTOR

February 8, 2019

The Honorable Nicole E. Lowen, Chair
The Honorable Tina Wildberger, Vice Chair
and Members of the Committee on Energy and Environmental Protection

The Honorable Ryan I. Yamane, Chair
The Honorable Chris Todd, Vice Chair
and Members of the Committee on Water, Land, & Hawaiian Affairs

The House
State Capitol, Room 325
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Lowen and Yamane, Vice Chairs Wildberger and Todd, and Members:

SUBJECT: House Bill No. 396
Relating to Coastal Erosion Proactive Adaptation Plan

The Department of Design and Construction (DDC) respectfully **supports** House Bill No. 396, the purpose of which is "...to establish a coastal erosion proactive adaptation plan task force, with the assistance of an advisory group and a consultation team, to develop a coastal erosion proactive adaptation plan to better mitigate impacts to the State's coastal zone caused by sea level rise and erosion." City beach parks comprise a significant portion of the total land area along Oahu's coastline.

The Department of Parks and Recreation (DPR) is responsible for operation and maintenance of the City's parks. DDC works with DPR on matters concerning park facilities and infrastructure, including threats to park land and facilities by shoreline erosion. The proposed legislation would provide a proactive and comprehensive approach to addressing an ongoing problem that is expected to increase due to climate change and the associated sea level rise projected to occur over the coming decades.

The Honorable Nicole E. Lowen, Chair
and Members
The Honorable Ryan I. Yamane, Chair
and Members
February 8, 2019
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The City has begun to address the problem at our shoreline parks, but has not yet formulated plans for all of Oahu's coastal parks. The City contracted with Sea Engineering, Incorporated, to prepare an April 2010 report entitled, City Beach Parks Erosion Study, Island Of Oahu, Hawai'i. This report surveyed the entire island's shoreline with the exception of the Leeward Coast. A Leeward shoreline study by the same firm has been recently completed. The City also has plans to address the protection of City infrastructure and beach resources at Haleiwa, Punaluu and Hauula Beach Parks. The proposed coastal erosion proactive adaptation plan would complement, but would not duplicate, the City's ongoing efforts in this regard.

The City would welcome the opportunity to participate in the coastal erosion proactive adaptation planning process and would have an implementation role for shoreline areas where the City owns and/or controls public park lands.

Based on the above considerations, DDC respectfully **supports** House Bill No. 396.

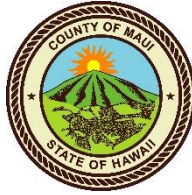
Thank you for the opportunity to express our support for this bill.

Very truly yours,


Robert J. Kroning, P.E.
Director

MICHAEL P. VICTORINO
Mayor

MICHELE N. CHOUREAU MCLEAN, AICP
Acting Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

February 11, 2019

TESTIMONY OF MICHELE CHOUREAU MCLEAN, AICP
ACTING DIRECTOR, PLANNING DEPARTMENT
COUNTY OF MAUI

BEFORE THE HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
AND
THE HOUSE COMMITTEE ON WATER, LAND, & HAWAIIAN AFFAIRS

Tuesday, February 12, 2019, 8:55 AM
Conference Room 325

HB 396 RELATING TO COASTAL EROSION PROACTIVE ADAPTATION PLAN

Representative Nicole E. Lowen, Chair
Representative Tina Wildberger, Vice Chair
Honorable Members of the House Committee on Energy & Environmental Protection

Representative Ryan I. Yamane, Chair
Representative Chris Todd, Vice Chair
Honorable Members of the House Committee on Water, Land, & Hawaiian Affairs

Thank you for this opportunity to testify in **STRONG SUPPORT** of HB 396.

The County of Maui Department of Planning strongly supports House Bill 396. This is a timely and important proactive planning measure to address and solve the growing coastal erosion problems on our shorelines and at-risk coastal ecosystems. We do not often have the opportunity to proactively plan, but this bill would allow us to do so. Many public facilities, including State-owned parcels with critical infrastructure such as roads, are at risk and will benefit from the results of this bill.

The bill defines a project plan that will ultimately lead to recommendations on how to expedite multi-jurisdictional, shoreline-permitting procedures, and how to substantially lower the permit costs for State and County shoreline projects. At-risk private property owners will also benefit.

For these reasons I **strongly support** the passage of HB 396.

Sincerely,

Michele Chouteau McLean, AICP
Acting Director, Department of Planning
County of Maui



**TESTIMONY TO THE HOUSE COMMITTEES ON ENERGY AND ENVIRONMENTAL
PROTECTION, AND WATER, LAND, & HAWAIIAN AFFAIRS
State Capitol, Conference Room 325
415 South Beretania Street
8:55 AM**

February 12, 2019

RE: HOUSE BILLS NO. 461 RELATING TO SEA LEVEL RISE AND NO. 396 RELATING TO COASTAL EROSION PROACTIVE ADAPTATION PLAN

Chairs Lowen and Yamane, Vice Chairs Wildberger and Todd, and members of the committees:

My name is Gladys Quinto-Marrone, CEO of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-HAWAII has the following **comments** on H.B. 461, which proposes to establish the Sea Level Rise Relocation Program and the position of Sea Level Rise Relocation Coordinator in the Office of Planning to coordinate mitigation measures, relocation, and site planning for public infrastructure and facilities affected by sea level rise; and, H.B. 396 which proposes to establish a Coastal Erosion Proactive Adaptation Plan Task Force, to be assisted by an Advisory Group, to develop a Coastal Erosion Proactive Adaptation Plan for streamlined and proactive shoreline permitting procedures that better mitigate impacts to Hawaii's coastal zone and lower the costs to public and private permit applicants.

As an island state, we all should be concerned about how climate change and sea level rise are impacting our coastal areas. The proposed bills are intended to create one entity in the State to oversee issues and impacts of sea level rise and coastal erosion. While we strongly support the need to centralize this efforts, we also believe that this effort needs to be focused on science, facts and evidence. It also needs to address the reality of how to deal with private property rights. If government prevents a property owner from protecting their property because of the impact it would generate on the adjacent public lands, who should compensate the land owner for their loss?

The legislature should consider a more comprehensive approach to addressing the problem today by doing the following:

1. Formally adopt the maps created by the Hawai'i Climate Change Mitigation & Adaptation Commission that identifies areas, now and in the future, that will be impacted by sea level rise. This would allow affected landowners to be informed of the possible designation and raise any concerns they may have through the Administrative Rule-making process used to adopt the maps.



2. Identify those areas around the state that will be subject to high rates of coastal erosion due to sea level rise. Provide funding for condemnation of the private properties impacted and relocation of public infrastructure.

We appreciate the opportunity provide comments on H.B. 461 and H.B. 396.



O`ahu County Committee on Legislative Priorities

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Nicole E. Lowen Chair
Rep. Tina Wildberger, Vice Chair

COMMITTEE ON WATER, LAND, & HAWAIIAN AFFAIRS

Rep. Ryan I. Yamane, Chair
Rep. Chris Todd, Vice Chair

DATE: Tuesday, February 12, 2019

TIME: 8:55 a.m.

PLACE: Conference Room 325, State Capitol

HB 396 RELATING TO COASTAL EROSION PROACTIVE ADAPTATION PLAN

To the Honorable Nicole E. Lowen, Chair; the Honorable Tina Wildberger, Vice Chair; and Members of the Committee on Energy & Environmental Protection:

To the Honorable Ryan I. Yamane, Chair; the Honorable Chris Todd, Vice Chair; and Members of the Committee on Water, Land, and Hawaiian Affairs:

My name is Melodie Aduja and I serve as Chair of the O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i. Mahalo nui loa for this opportunity to provide testimony on HB 396. The O`ahu County Committee on Legislative Priorities (OCCLP) of the Democratic Party of Hawai`i (DPH) hereby submits its testimony in **SUPPORT of HB 396 relating to Coastal Erosion Proactive Adaptation Plan.**

HB 329 establishes within the office of planning a coastal erosion proactive adaptation plan task force, to be supplemented by a plan advisory group composed of subject matter experts and sector representatives selected by the task force, which shall develop a coastal erosion proactive adaptation plan with recommendations and a set of clearly defined deliverables for streamlined and proactive shoreline permitting procedures to better mitigate impacts to the State's coastal zone caused by sea level rise and acute episodic erosion.

DPH knows that climate change is a real threat to our islands and the world. DPH strongly urges our candidates and elected officials to take immediate action to mitigate and adapt to the consequences of climate change. This includes funding adaptation measures including coastal retreat, effective participation of indigenous peoples in climate change governance, and recognition that indigenous, local, and traditional ecological knowledge is key in climate change adaptation solutions. *Democratic Party of Hawai'i Platform (2018), p. 17, ln. 31-35.*

DPH demands the protection of the people of Hawai'i and their property against natural and man-made disasters. DPH believes in the science of climate change, affirm human activity as its primary cause and main driver, and support emergency preparedness and planning efforts to mitigate its impacts. This includes investment in early warning systems, emergency management and response systems and adequate emergency sheltering. *Democratic Party of Hawai'i Platform (2018), p. 20, ln. 28-32.*

For the foregoing reasons, i.e., to invest in early warning systems, emergency management and response systems to protect the people of Hawai'i and their property against natural and man-made disasters, OCCLP supports HB 396 and urges its passage out of the Committee on Energy & Environmental Protection and Committee on Water, Land, & Hawaiian Affairs.

Mahalo nui loa

Me ka `oia`i`o

/s/ Melodie Aduja

Melodie Aduja

Chair, O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i

Ph. (808) 258-8889

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HB-396

Submitted on: 2/8/2019 8:56:23 PM

Testimony for EEP on 2/12/2019 8:55:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erica Scott	Individual	Support	No

Comments:

LATE

Testimony Supporting House Bill 396 from the County of Maui Department of Planning Coastal Zone Management Program

As the lead Coastal Zone Manager for the County of Maui Department of Planning for approximately the past decade, I urge the committee to support passage of House Bill 396, Coastal Erosion Proactive Adaptation Plan. The scope of this bill will move the State towards a much needed proactive shoreline planning process, through State leadership and funding.

An additional beneficial component is that the bill will result in examining and improving curriculum throughout the state university system with respect to the growing coastal zone management profession. The vision for the *Next Generation Coastal Zone Managers Program* is to proactively complete Environmental Impact Statement studies before damaging erosion events, via university practicums with students, professors, and private industry, eliminating two years from the permit process time and at the same time, growing our place-based cadre of coastal planners, cultural practitioners, scientists, and engineers. Overlaying a streamlined and transparent ePermit system, that combines all required Best Management Practices and mitigation conditions for Federal, State, and county jurisdictional agencies, also saves another year of permit planning time. This bill will define the Terms of Reference for a future standing State Program that will bring proactive planning to our coastal zone -- funding by the State allows for regional project planning in order to solve coastal erosion problems at the “beach cell” scale, rather than parcel-by-parcel, as is the reactive planning process currently in place. Applicant costs, including State project applicants, from conception to completion are substantially reduced using this framework by up-to 75%. Most importantly, Hawaii’s coastal ecosystems are better managed and protected within the context of climate change and sea level rise.

Finally, as stated in the bill, the coastal erosion proactive adaptation plan can fulfill identified State priorities; this initiative offers the State a programmatic framework to substantially achieve three of Hawaii Climate Change Mitigation and Adaptation Commission's 2017 Recommendations 7, 8, and 9 , which are programmatic in nature:

- (1) Recommendation #7: Develop significant and sustainable funding sources and incentives to support adaptation to sea level rise;
- (2) Recommendation #8: Support research, assessment and monitoring of coastal hazards and impacts to sea level rise; and
- (3) Recommendation #9: Establish collaborative governance processes through the Hawaii Climate Change Mitigation and Adaptation Commission that support a learning approach to sea level rise adaptation.

Additionally, this funding program proposal also addresses the first two management priorities from the statewide Ocean Resources Management Plan 2013, managed by the Office of Planning, and mandated by chapter 205A, Hawaii Revised Statutes, relating to coastal zone management, and supported by the many State agencies, as signatories to the ORMP. These are:

- (1) Management Priority #1: Appropriate Coastal Management; and
- (2) Management Priority #2: Management of Coastal Hazards.

Thank you for this opportunity to provide written testimony. I have provided additional figures below for your benefit which further describe the Proposed Statewide Proactive Planning Process, Outputs of the Hawaii Next Generation Coastal Zone Managers Program, and Indicative Budget.

Figure. Proposed Statewide Proactive Planning Partnership

Proposed Statewide Proactive Planning Partnership and Next Generation Coastal Zone Managers Program designed to Adapt to Hawaii’s Accelerating Coastal Erosion Problem

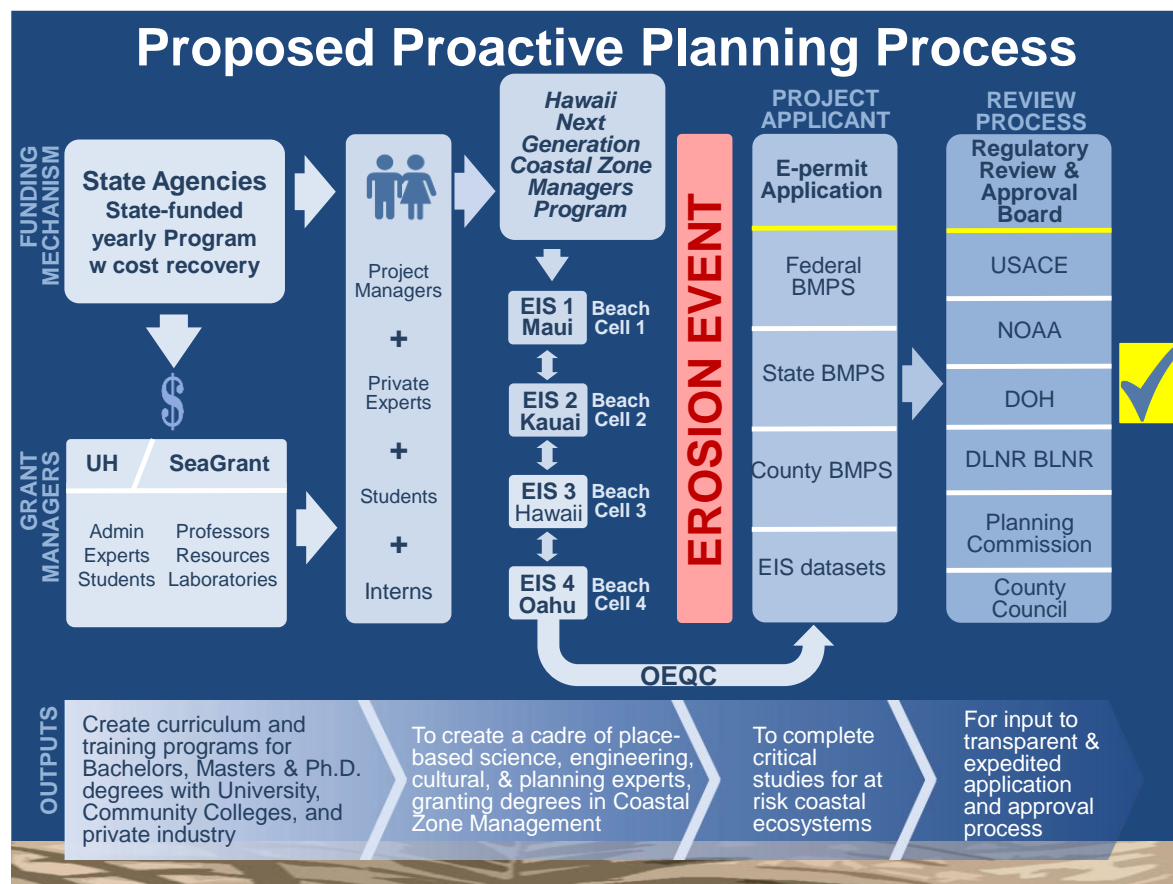


Figure 2. Proposed Proactive and Streamlined Planning Process Framework. From upper left to lower right, this flow diagram describes a framework for funding and managing Hawaii’s coastal zone through a next generation of experts to proactively complete required Environmental Impact Statements for beach cells at risk coupled with an improved one-stop permit shop and online ePermit system. This framework provides Hawaii a proposed solution for overcoming the three identified major obstacles to managing Hawaii’s coastal zone by: 1) completing coastal zone Environmental Impact Statements proactively; 2) reducing the time and cost of the multi-jurisdictional permit process; and 3) creating a place-based cadre of experts to undertake critical EIS studies before major erosional events. The framework is based on creation of a state funding mechanism, potentially with cost recovery, to grant managers, project managers, and professors at the University of Hawaii system to create the curriculum and training programs for Bachelors’, Masters’ and Ph.D. programs to expertly manage Hawaii’s coastal ecosystems. Project managers, professors, and students, through robust curriculum and educational stipends, will proactively complete coastal ecosystem studies required for Environmental Impact Statements for identified beach cells at risk from continued erosion. The outputs of this program will be to create a vital cadre of locally-educated experts of place-based scientists, engineers, planners, and cultural practitioners from all our islands to manage Hawaii’s shorelines during this era of climate change and sea level rise. The vision for the *Next Generation Coastal Zone Managers Program* is to proactively complete EIS studies before damaging erosion events, eliminating two years from the permit process time. Overlaying a streamlined and transparent ePermit system, that combines all required Best Management Practices (BMP) and mitigation conditions for Federal, State, and county jurisdictional agencies, also saves another year of permit planning time. Funding by the State allows for project planning in order to solve coastal erosion problems at the regional or “beach cell” scale, rather than parcel-by-parcel. Applicant costs from conception to completion are substantially reduced using this framework. Most importantly, Hawaii’s coastal ecosystems are better managed and protected within the context of climate change and sea level rise, while at the same time reducing permit time and costs by 75%.

Figure. Outputs of the Hawaii Next Generation Coastal Zone Managers Program

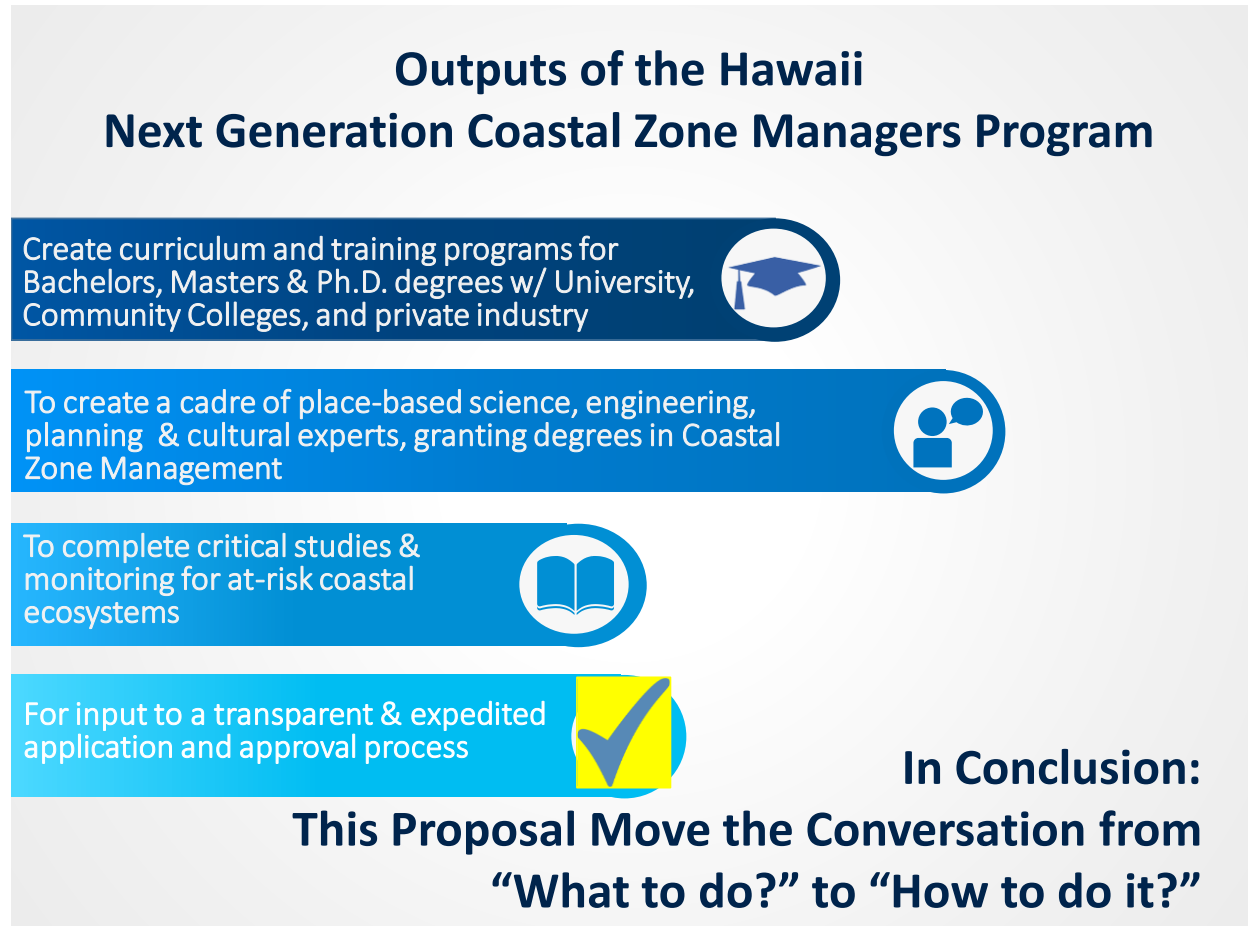


Figure 3. Outputs of the Hawaii Next Generation Coastal Zone Managers Program. The outputs of the *Hawaii Next Generation Coastal Zone Managers Program* will be to 1) further develop curriculum and training programs for Bachelors, Masters & Ph.D. degrees with University, Community Colleges, and private industry 2) to create a cadre of place-based science, engineering, planning and cultural experts, granting degrees in Coastal Zone Management 3) to complete critical studies and monitoring for at-risk coastal ecosystems 4) for input to a transparent and expedited application and project approval process.

Figure. Indicative Budget: Back of the Envelope

Summary:

Budget	Recipient	Purpose	Notes
up to \$200,000	OP	Staff time to support Task Force and project management, travel costs and other expenses	Develop consultant RFP, plus
~\$400,000	Consultant	Expert time to conduct project and develop deliverables	Complete tasks and deliverables
~\$100,000	Consultant	Travel expenses for island meetings and other consultations.	Travel to all island for two meetings per community
~\$50,000	To Consultants, OP, or other Task Force Agencies	Engage neighbor island experts on specific topics for research and data collection. Final Report development and distribution, outreach and education	Undefined budget
\$750,000			Total Request

Back of Envelope Budget Breakdown in Months and Dollars:

1. **Months 1-18: \$150K to OP.** Months 1-3: Create a project plan, reach out to create task force and advisory group. Months 1-18: OP to manage project for life of project, and coordinate Task Force and Advisory Group, plus staff time and additional hires as needed to augment resources and complete deliverables.
2. **Months 4-6: \$50,000 travel to OP.** Task force, advisory group, meet twice and form up the RFP for a consultant to bid on achieving the deliverables. Solicit bids via RFP plus hire a contractor. Other additional meetings during life of project. Complete Kickoff meeting with the contractors.
3. **Months 7-16: \$400,000 consulting personnel time.** I envision about a 5 person consultant team each up to half time at \$80,000 each to conduct research, collect data, hold community meetings and focus group meetings, write report that includes all deliverables. This would cover any additional subject matter experts required. Topics are curriculum for augmented programs (probably one person half time working w UH curriculum experts), focus group meetings (6) with regulators to understand ePermit constraints and EIS regulations, trip to Washington State for JARPA understanding, IT expert for ePermit consultation strategic plan development, education and outreach strategist, final development of a Terms of Reference for implementation of the **Hawaii Next Generation Coastal Zone Managers Program**. Other unaccounted tasks and expenses. Finalize report, print, publish, outreach.
4. **Months 9-16: \$100,000 Consulting travel time.** Conduct meetings on all islands, collect data, stipends to support all community meetings. Potential two rounds of meetings. Associated expenses.
5. **Months 7-16: Other costs.** \$50,000 Consultant costs or Office of Planning costs or other Task Force members for neighbor island subject matter experts for specific tasks.

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**LATE**

**HB-396**

Submitted on: 2/11/2019 9:20:25 PM

Testimony for EEP on 2/12/2019 8:55:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Thorne Abbott       | Individual          | Support                   | No                        |

Comments:

As a professional planner focusing on coastal issues it makes sense for the government and University of Hawaii to team up and train the next generation of planners with real life situations rather than mere theory. This bill initiates that opportunity while serving oceanfront landowners with new, practical, and more expedient means of addressing coastal erosion crisis. We offer strong support for the bill.