

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committees on  
JUDICIARY  
and  
COMMERCE, CONSUMER PROTECTION, AND HEALTH**

**Wednesday, February 27, 2019  
9:35am  
State Capitol, Conference Room 229**

**In consideration of  
SENATE BILL 1339, SENATE DRAFT 1  
RELATING TO REAL PROPERTY TRANSACTIONS**

Senate Bill 1339, Senate Draft 1 proposes to require that a vulnerable coastal property purchaser statement be executed by the purchaser or transferee with the sale or transfer of a vulnerable coastal real estate within a two-foot sea level rise exposure area as officially designated by the Hawaii Climate Change Mitigation and Adaptation Commission. **The Department of Land and Natural Resources (Department) supports the measure and offers the following comments and amendment.**

Senate Bill 1339, Senate Draft 1 proposes to amend Chapter 508D, Hawaii Revised Statutes (HRS), to add a new section requiring that every sale or transfer of vulnerable coastal property shall include a sea level rise hazard exposure statement executed by the purchaser or transferee acknowledging that they have reviewed available sea level rise exposure maps and accepts the risks of purchasing property at is at risk of climate-related exposure.

It is the mission of the Department to manage public lands and ocean resources, including beaches throughout the State. The Department is very much at the forefront of addressing impacts related to coastal erosion and beach loss in Hawaii. Beaches are central to our culture and economy, yet our beaches are being lost at alarming rates due natural processes and human impacts, threatening alongshore public access and upland development.

Coastal properties are vulnerable to erosion (i.e., shoreline recession and land loss) and flooding from high waves, storms and tsunamis. The Department believes that it is critical that buyers understand the hazards and risks they are assuming in purchasing oceanfront property, in the spirit of transparency and disclosure and to support informed decision making by buyers and government agencies.

When shore-front property and homes are threatened by coastal erosion and flooding, the Department often faces intense pressure from land owners to permit shoreline protection such as seawalls and rock revetments, even though shoreline armoring is discouraged by Chapter 205A HRS, the Department's administrative rules, and county rules. The science is clear that installing coastal armoring on a chronically eroding beach typically leads to beach narrowing and loss.

In December 2017, the Hawaii Climate Change Mitigation and Adaptation Commission (Climate Commission) accepted the Hawaii Sea Level Rise Report (Report) and accompanying Hawaii Sea Level Rise Viewer (Viewer). The Report and Viewer provide maps of a Sea Level Rise Exposure Area (SLR-XA) incorporating models of passive flooding, shoreline erosion, and annual high wave run-up with 3.2 feet of sea level rise. These map layers are available for download in a variety of formats from the Viewer as well as the Hawaii Statewide GIS Program website. **Recent science points to a likelihood of three feet or more of sea level rise in the second half of this century - within the expected lifespan of most existing and new development.** A 2017 study by the U.S. Global Climate Change Research Program finds that global mean sea level rise (GMSL) is very likely (90 to 100% confidence) to rise 1.0 to 4.3 feet by 2100. A 2017 report "Global and Regional Sea Level Rise Scenarios for the United States" from the National Oceanic and Atmospheric Association (NOAA) projects 3 feet of sea level rise by 2100 in their "Intermediate" scenario and as early as the 2060s in their "Extreme" scenario. It is critical that sea level rise vulnerabilities are disclosed with the sale of a vulnerable coastal property to support informed decision making by buyers and government agencies.

At their September 2018 meeting, the Climate Commission agreed to five priority recommendations for countering impacts of sea level rise, **including supporting legislation for disclosure for private property and public offerings in areas with potential exposure to sea level rise.** A copy of a press release from the Department regarding the Climate Commission recommendations is attached for your convenience.

The Department would like to recommend that Section 508D- (d), HRS, be amended to account for sea level rise impacts within the sea level rise exposure area accepted by the Hawaii Climate Change Mitigation and Adaptation Commission, to read follows:

**For the purposes of this section, "vulnerable coastal property" means real property within [a two-foot] the sea level rise exposure area as officially designated by the Hawaii climate change mitigation and adaptation commission or its successor;**

Thank you for the opportunity to comment on this measure.

Enclosure.



## DEPARTMENT OF LAND AND NATURAL RESOURCES

**DAVID Y. IGE**  
GOVERNOR

**SUZANNE D. CASE**  
CHAIRPERSON

### FOR IMMEDIATE RELEASE

Sept. 5, 2018

### STATE CLIMATE COMMISSION ADOPTS RECOMMENDATIONS FOR COUNTERING IMPACTS OF SEA LEVEL RISE

(Honolulu) – The Hawai'i Climate Change Mitigation and Adaptation Commission (Climate Commission) at its regular quarterly meeting yesterday adopted a series of recommendations and finalized a mission statement to help guide Hawai'i's response to the impacts of climate change.

The Climate Commission is led by the DLNR Chair and the Director of the State Office of Planning and includes members from key state and county agencies. The group's mission statement formalized and approved at the meeting is as follows:

"Hawaii's Climate Commission recognizes the urgency of climate threats and the need to act quickly. It promotes ambitious, climate-neutral, culturally responsive strategies for climate change adaptation and mitigation in a manner that is Clean, Equitable & Resilient."

The recommended strategies or steps agreed upon by the Climate Commission include:

- Support legislation for disclosure for private property and public offerings located in areas with potential exposure to sea level rise.
- Request all new development, redevelopment and modifications be directed away from beach areas.
- Urge counties to incorporate the 3.2 ft. sea level rise exposure area (SLR-XA) into their general and development plans.
- Encourage agencies and non-governmental utility providers to identify and prioritize assets within the 3.2 ft SLR-XA or more as described in the State's Sea Level Rise report, identify adaptation measures, and to provide a status update on this activity annually to the Climate Commission.
- Support legislation that funds State programs to meet mitigation goals, and to bring resources to assist in planning and implementation for sea level rise and other climate related impacts.

The next quarterly meeting of the Climate Commission is scheduled for Tuesday, Nov. 27, 2018 from 1:00 – 4:00 p.m. at the Board of Land and Natural Resources meeting room, Kalanimoku Building, 1151 Punchbowl Street in Honolulu. All meetings are open to the public.

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### **RESOURCES**

(All video/images courtesy: DLNR)

Hawai'i Climate Change Portal:

<http://climate.hawaii.gov/>

Rising Seas in Hawai'i television special:

<https://vimeo.com/249760017>

HD video-Sea level rise adaptation media clips:

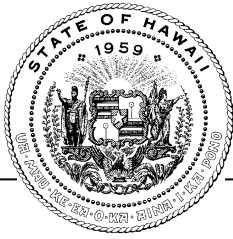
<https://vimeo.com/197533871>

#### **Media Contact:**

Dan Dennison

Senior Communications Manager

(808) 587-0396



# OFFICE OF PLANNING STATE OF HAWAII

DAVID Y. IGE  
GOVERNOR

DIRECTOR  
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813  
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Statement of  
**LEO R. ASUNCION**  
Planning Program Administrator, Office of Planning  
before the  
**SENATE COMMITTEES ON JUDICIARY  
AND  
COMMERCE, CONSUMER PROTECTION AND HEALTH**

Wednesday, February 27, 2019  
9:35 AM  
State Capitol, Conference Room 229

in consideration of  
**SB 1339, SD1**  
**RELATING TO REAL PROPERTY TRANSACTIONS.**

Chairs Rhoads and Baker, Vice Chairs Wakai and Chang, and Members of the Committees on Judiciary and Commerce, Consumer Protection & Health.

The Office of Planning appreciates the intent of SB 1339, SD1 and thanks the previous committee for considering OP's prior comments.

OP has reviewed prior testimony and general intent for the measure. Pursuant to HRS § 225P-3, given that the Sea Level Rise Vulnerability and Adaptation Report may be updated on a five-year basis with further best available science, the OP provides the following amendment for your consideration:

**Page 4, Lines 11-14:** (d) For purposes of this section, "vulnerable coastal property" means real property within the maximum scenario of the sea level rise exposure area as officially designated by the Hawaii climate change mitigation and adaptation commission.

Thank you for the opportunity to testify on this measure.

February 27, 2019

**Senator Karl Rhoads, Chair**  
Senate Committee on Judiciary

**Senator Rosalyn H. Baker, Chair**  
Senate Committee on Commerce, Consumer Protection & Health  
State Capitol, Room 229  
Honolulu, Hawaii 96813

**RE: S.B. 1339, S.D.1, Relating to Real Property Transactions**

**HEARING: Wednesday, February 27, 2019, at 9:35 a.m.**

Aloha Chair Rhoads, Chair Baker, and Members of the Joint Committees:

I am Ken Hiraki Government Affairs Director, testifying on behalf of the Hawai'i Association of REALTORS® (“HAR”), the voice of real estate in Hawai'i, and its over 9,500 members. HAR **opposes** S.B. 1339, SD1, which requires a Vulnerable Coastal Property Statement (“Statement”) to be executed by the purchaser or transferee with the sales or transfer of vulnerable coastal real estate.

Under Hawai'i Revised Statutes §508-D, the law imposes a broad obligation upon sellers of residential property to disclose all material facts that are within the knowledge or control of the seller. However, this measure places an unreasonable burden upon sellers because the typical seller does not have the capacity or ability to know whether their property has been designated a, “vulnerable coastal property” as officially designated by the Hawai'i Climate Mitigation and Adaptation Commission or its successor.

Additionally, this measure requires a notarized statement and recordation of the Statement at the Bureau of Conveyances. This will add to the administrative burden upon the parties in a real estate transaction, Escrow and the Bureau of Conveyances.

HAR has also created an Oceanfront Property Addendum which discloses pertinent information specific to the ownership of oceanfront property. It is HAR's industry practice to create forms that exceed what is called for via laws, rules and regulation. As such, this measure seems unnecessary.

Mahalo for the opportunity to testify.



**TESTIMONY TO THE SENATE COMMITTEES ON  
JUDICIARY, AND COMMERCE, CONSUMER PROTECTION, AND HEALTH  
State Capitol, Conference Room 229  
415 South Beretania Street  
9:35 AM**

February 27, 2019

RE: SENATE BILL NO. 1339 SD1 & 1340 SD1, RELATED TO REAL PROPERTY TRANSACTIONS—  
(DISCLOSURE OF VULNERABLE COASTAL PROPERTY)

Chairs Rhoads and Baker, Vice Chairs Wakai and Chang, 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 both S.B. 1339 SD1 & 1340 SD1, which proposes to require that a vulnerable coastal property statement accompany the sale of a vulnerable coastal property.

These bills define “vulnerable coastal property” as “real property within a two-foot sea level rise exposure area as officially designated by the Hawaii Climate Change Mitigation and Adaptation Commission.”

We understand the desire to inform prospective buyers of the possible impacts to their property caused by sea level rise. To formally identify the properties identified as “vulnerable coastal property,” perhaps the Hawai'i Climate Change Mitigation & Adaptation Commission should adopt maps, similar to conservation-zoned lands. This would allow affected landowners to be informed of the possible designation and raise any concerns they may have through the administrative rulemaking process used to adopt the maps.

We appreciate the opportunity provide comments on S.B. 1339 SD1 & 1340 SD1.



# Environmental Caucus

## The Democratic Party of Hawai'i

### SENATE COMMITTEES ON JUDICIARY AND COMMERCE, CONSUMER PROTECTION, & HEALTH

February 27, 2019 9:35 a.m. Room 229

In **SUPPORT of SB1339 SD1**: Relating to Real Property Transactions

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Aloha Chairs Rhoads and Baker, Vice Chairs Wakai and Chang, and committee members,

On behalf of the Environmental Caucus of the Democratic Party of Hawai'i (ECDPH), we **support passage of SB1339 SD1**, relating to real property transactions, and offer one amendment.

Climate change and efforts to mitigate its effects is the single most pressing issue of our time. The impact of a 3.2 foot sea level rise, as outlined in the the findings of the Sea Level Rise Vulnerability and Adaptation Report in 2017 (hereafter referred to as "The Report"), is likely to be disastrous for Hawai'i's economy, sustainability, and way of life. Sea level rise is a reality, and it is necessary to revise our statutes accordingly.

Sea level rise creates a new type of coastal hazard affecting coastal properties now, and increasingly in the future. Many of our existing statutes related to coastal properties assume a fixed sea level. Our statutes must be updated to incorporate consideration of the impacts of sea level rise, including those which may affect the value of coastal properties over time as the sea level rises and encroaches on such properties.

SB1339 SD1 requires that purchasers of coastal properties within sea level rise exposure areas are of aware of and acknowledge in a written disclosure statement, the long-term risks associated with these properties, which may include restrictions on the ability of property owners to obtain permits for shoreline protection structures such as seawalls and revetments. The bill as it is written, however, designates a sea level rise up to 2 feet as "vulnerable coastal property". According to the State's Climate Change Mitigation and Adaptation Commission's designations, **we suggest amending the language to designate structures within a 3.2-foot sea level rise exposure area as "vulnerable coastal property"**.

Mahalo for this opportunity to provide testimony in **support of SB1339 SD1**.

Lana Olson

Chair, Environmental Caucus of the Democratic Party of Hawai'i





## SENATE COMMITTEES ON JUDICIARY AND COMMERCE, CONSUMER PROTECTION, & HEALTH

February 27, 2019 9:35 a.m. Room 229

### In SUPPORT of SB1339 SD1: Relating to Real Property Transactions

Aloha Chairs Rhoads and Baker, Vice Chairs Wakai and Chang, and committee members,

The HAWAII REEF AND OCEAN COALITION –HIROC– was formed in 2017 by coral reef scientists, educators, local Hawai'i environmental organizations, elected officials, and others to address a crisis facing Hawai'i's coral reefs and ocean, including those related to sea level rise.

#### **HIROC strongly supports SB1339 SD1 and offers one amendment.**

Sea level rise creates a new type of coastal hazard affecting coastal properties now, and increasingly in the future. Many of our existing statutes related to coastal properties assume a fixed sea level. Our statutes must be updated to incorporate consideration of the impacts of sea level rise, including those which may affect the value of coastal properties over time as the sea level rises and encroaches on such properties.

SB1339 SD1 requires that purchasers of coastal properties within sea level rise exposure areas are aware of and acknowledge in a written disclosure statement, the long-term risks associated with these properties, which may include restrictions on the ability of property owners to obtain permits for shoreline protection structures such as seawalls and revetments. The bill as it is written, however, designates a sea level rise up to 2 feet as “vulnerable coastal property”. Consistent with the State’s Climate Change Mitigation and Adaptation Commission’s urging for the counties’ planning, **we suggest amending the language to designate structures within a 3.2-foot sea level rise exposure area as “vulnerable coastal property”**.

It is also important that such purchasers are aware in the first place that a property they are considering for purchase lies within a sea level rise exposure area. SB1340 SD1 will require sellers to provide such notification and is a necessary companion to SB1339 SD1.

In summary, we support both SB1339 SD1 and SB1340 SD1 and urge their passage.

Mahalo for the opportunity to provide this testimony.

Kimiko LaHaela Walter on behalf of the Hawai'i Reef and Ocean Coalition.



# SIERRA CLUB OF HAWAII

**MĀLAMA I KA HONUA. Cherish the Earth.**

**LATE**

**SENATE COMMITTEES ON JUDICIARY  
AND COMMERCE, CONSUMER PROTECTION AND HEALTH**

February 27, 2019 9:35 AM Room 229

**In SUPPORT of SB 1339 SD1: Relating to Real Estate Disclosure**

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Aloha Co-Chairs Rhoads and Baker, Co-Vice Chairs Wakai and Chang, and members of the committees,

The Sierra Club of Hawai'i **supports SB 1339 SD1**, Relating to Real Estate Disclosure, but **strongly recommends defining "vulnerable coastal property" as real property within the 3.2 foot sea level rise exposure area (SLR-XA)** as officially designated by the Hawaii Climate Change Mitigation and Adaptation Commission.

Act 32 (2017) established the Hawaii Climate Change Mitigation and Adaptation Commission and directed the commission to develop a sea level rise vulnerability and adaptation report showing areas at risk under sea level rise. The commission completed its report in December 2017, which includes identification, with maps at tax map key detail, of areas that are susceptible to sea level rise impacts based on a 3.2-foot increase in sea level projected to occur by 2100 or earlier. These areas are designated as sea level rise exposure areas (SLR-XA), shown in the Hawaii Sea Level Rise Vulnerability and Adaptation Report, and can be viewed online using the Hawaii Sea Level Rise Viewer.<sup>1</sup>

The Hawaii Climate Change Mitigation and Adaptation Commission made it clear in their 2019 report to the Legislature<sup>2</sup> that the 3.2 foot SLR-XA projection should be used by state and county agencies dealing with sea level rise adaptation planning, as in the following excerpts from the report shown below (**emphasis added**). It would be inconsistent to base the disclosure measures on some other projection.

- **"Identified priorities for adaptation to Sea Level Rise.** The Commission passed five recommendations aimed at State and counties. These are:
  1. **Support legislation for disclosure for private property and public offerings located in areas with potential exposure to sea level rise;**
  2. Request all new development, redevelopment, and modifications be directed away from beach areas;

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<sup>1</sup> <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>

<sup>2</sup> [https://www.capitol.hawaii.gov/session2019/bills/DC61\\_.pdf](https://www.capitol.hawaii.gov/session2019/bills/DC61_.pdf),

3. **Urge counties to incorporate the 3.2 ft. sea level rise exposure area (SLR-XA) into their general and development plan;**
4. **Encourage agencies and non-governmental utility providers to identify and prioritize assets within the 3.2 ft SLR-XA, or more,** as described in the State's Sea Level Rise report, identify adaptation measures, and to provide a status update on this activity annually to the Climate Commission; and
5. Support legislation that funds State programs to meet mitigation goals, and to bring resources to assist in planning and implementation for sea level rise and other climate related impacts."

Climate change creates a new type of hazard affecting coastal properties now and increasingly in the future. Mandatory disclosures are needed to start the conversation about which properties are in the exposure area, to acknowledge potential impacts and risks of sea level rise, and to protect buyers, sellers, and governmental agencies as the rising seas become more apparent in future years. The Sierra Club supports this measure, but strongly recommends amending the bill to require mandatory disclosures within the 3.2 foot SLR-XA projections.

Mahalo for the opportunity to testify on this important measure.

*Jodi Malinoski*

Jodi Malinoski, Policy Advocate

**LATE**

**From:** [Sierra Club of Hawai'i](#)  
**To:** [rhoads8 - Monte](#)  
**Subject:** Fwd: In support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, 2/27 @ 9:35 AM  
**Date:** Wednesday, February 27, 2019 2:08:26 PM

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----- Forwarded message -----

**From:** **Millicent Cox** <[midicox@everyactioncustom.com](mailto:midicox@everyactioncustom.com)>  
**Date:** Sat, Feb 23, 2019 at 12:49 PM  
**Subject:** In support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, 2/27 @ 9:35 AM  
**To:** <[hawaii.chapter@sierraclub.org](mailto:hawaii.chapter@sierraclub.org)>

Dear Chair Rhoads, Chair Baker and members of the JDC and CPH committees,

I am writing in strong support of SB 1339 SD 1 and SB 1340 SD 1, two bills that would require mandatory purchaser and seller disclosures for real estate transactions that include properties within sea level rise exposure areas.

Climate change creates a new type of hazard affecting coastal properties now and increasingly in the future. Mandatory disclosures are needed now to start the conversation about which properties are in the exposure area, to acknowledge potential impacts and risks of sea level rise, and to protect buyers, sellers, and governmental agencies as the rising seas become more apparent in future years.

I support these bills, but recommend that the committees amend the bills to require disclosure for properties within the 3.2 foot sea level rise exposure area, which is the latest scientific projections that are officially designated by the Hawaii climate change mitigation and adaptation commission. We are not sure how much sea level will rise, so it would be better to be overly cautious and implement disclosures for coastal properties that may be affected up to 3.2 feet.

Sincerely,  
Millicent Cox  
[midicox@gmail.com](mailto:midicox@gmail.com)

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**Sierra Club of Hawai'i**  
*Volunteers helping people explore, enjoy, and protect the Hawaiian Islands*

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[www.facebook.com/sierraclubhi](https://www.facebook.com/sierraclubhi) • @sierraclubhi

Form Letter in Support for SB 1339

- 1 Denise Boisvert
- 2 Kim Jorgensen
- 3 Diane Ware
- 4 Jennifer Milholen
- 5 Patricia Blair
- 6 Randy Ching
- 7 Ron Lew
- 8 Kathy Shimata
- 9 Andrea Anixt
- 10 William Caron
- 11 Don Cooke
- 12 Stuart Coleman
- 13 Michelle Kwock
- 14 Richard Furst
- 15 Frank DeGiacomo
- 16 Nicholas Chagnon
- 17 Javier Mendez
- 18 Greg Puppione

**LATE**

**LATE**

**From:** [Sierra Club of Hawaii](#)  
**To:** [rhoads8 - Monte](#)  
**Subject:** Fwd: In support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, 2/27 @ 9:35 AM  
**Date:** Wednesday, February 27, 2019 2:14:04 PM

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----- Forwarded message -----

**From:** **Matthew Fernandez** <[fernandezm91@everyactioncustom.com](mailto:fernandezm91@everyactioncustom.com)>  
**Date:** Fri, Feb 22, 2019 at 3:59 PM  
**Subject:** In support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, 2/27 @ 9:35 AM  
**To:** <[hawaii.chapter@sierraclub.org](mailto:hawaii.chapter@sierraclub.org)>

Dear Chair Rhoads, Chair Baker and members of the JDC and CPH committees,

I am writing in strong support of SB 1339 SD 1 and SB 1340 SD 1, two bills that would require mandatory purchaser and seller disclosures for real estate transactions that include properties within sea level rise exposure areas.

I am a recent graduate from UH Manoa's Department of Urban and Regional Planning, and understand that effective planning whether community, environmental, infrastructure, or land use planning for sea level rise requires the need for local policy to stay up-to-date with the latest scientific data which suggests a 3.2 ft SLR-XA. This measure of 3.2 ft is also adopted by the City & County of Honolulu's Mayor Caldwell's Directive to all city departments and agencies to plan with this measurement in mind. I have been to Puerto Rico after Hurricane Maria for a research trip with my class, and have seen the damage done onto developments which are built so close to the coast, and the pain that businesses, homeowners, and local government had told us about thereafter. One of the things we learned from Puerto Rico was that there was a lack of trust between government and community, which led to miscommunications on disaster preparedness and recovery. We had recommended to our client, the Office of Climate Change, Sustainability, and Resilience for the C&C of Honolulu, was to be as transparent as possible to communities regarding the vulnerabilities to them and to effectively plan for it in order to be more resilient, and to hopefully think twice about residing there. All this comes down to is the ability to disclose all information including sea level rise risks to property owners, and potential owners that they are in an area likely to be affected in the future.

Climate change creates a new type of hazard affecting coastal properties now and increasingly in the future. Mandatory disclosures are needed now to start the conversation about which properties are in the exposure area, to acknowledge potential impacts and risks of sea level rise, and to protect buyers, sellers, and governmental agencies as the rising seas become more apparent in future years.

I support these bills, but recommend that the committees amend the bills to require disclosure for properties within the 3.2 foot sea level rise exposure area, which is the latest scientific projections that are officially designated by the Hawaii climate change mitigation and adaptation commission. We are not sure how much sea level will rise, so it would be better to be overly cautious and implement disclosures for coastal properties that may be affected up to

3.2 feet.

Sincerely,  
Matthew Fernandez  
Honolulu, HI  
[fernandezm91@gmail.com](mailto:fernandezm91@gmail.com)

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**Sierra Club of Hawai'i**

*Volunteers helping people explore, enjoy, and protect the Hawaiian Islands*

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**LATE**

**From:** [Sierra Club of Hawai'i](#)  
**To:** [rhoads8 - Monte](#)  
**Subject:** Fwd: In support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, 2/27 @ 9:35 AM  
**Date:** Wednesday, February 27, 2019 2:10:30 PM

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----- Forwarded message -----

**From:** Michele Halligan <[mahalligan1@everyactioncustom.com](mailto:mahalligan1@everyactioncustom.com)>  
**Date:** Sat, Feb 23, 2019 at 11:58 AM  
**Subject:** In support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, 2/27 @ 9:35 AM  
**To:** <[hawaii.chapter@sierraclub.org](mailto:hawaii.chapter@sierraclub.org)>

Dear Chair Rhoads, Chair Baker and members of the JDC and CPH committees,

I am writing in strong support of SB 1339 SD 1 and SB 1340 SD 1, two bills that would require mandatory purchaser and seller disclosures for real estate transactions that include properties within sea level rise exposure areas.

Climate change creates a new type of hazard affecting coastal properties now and increasingly in the future. Mandatory disclosures are needed now to start the conversation about which properties are in the exposure area, to acknowledge potential impacts and risks of sea level rise, and to protect buyers, sellers, and governmental agencies as the rising seas become more apparent in future years.

I support these bills, but recommend that the committees amend the bills to require disclosure for properties within the 3.2 foot sea level rise exposure area, which is the latest scientific projections that are officially designated by the Hawaii climate change mitigation and adaptation commission. We are not sure how much sea level will rise, so it would be better to be overly cautious and implement disclosures for coastal properties that may be affected up to 3.2 feet.

Especially in light of today's news of a cliff collapse in San Francisco -- and the probable death of a young woman as a result -- SB 1339 SD 1 and SB 1340 SD 1 are important steps towards saving lives in our changing times.

Sincerely,  
Michele Halligan  
447 Park Blvd Ukiah, CA 95482-4206  
[mahalligan1@gmail.com](mailto:mahalligan1@gmail.com)

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**Sierra Club of Hawai'i**

*Volunteers helping people explore, enjoy, and protect the Hawaiian Islands*

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**LATE**

**From:** [Sierra Club of Hawaii](#)  
**To:** [rhoads8 - Monte](#)  
**Subject:** Fwd: Strong support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, February 27 @ 9:35  
**Date:** Wednesday, February 27, 2019 2:09:05 PM

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----- Forwarded message -----

**From:** **William Liggett** <[wliggett@everyactioncustom.com](mailto:wliggett@everyactioncustom.com)>  
**Date:** Fri, Feb 22, 2019 at 8:30 PM  
**Subject:** Strong support of SB 1339 SD 1 and SB 1340 SD 1, hearing in JDC/CPH on Wednesday, February 27 @ 9:35  
**To:** <[hawaii.chapter@sierraclub.org](mailto:hawaii.chapter@sierraclub.org)>

Dear Chair Rhoads, Chair Baker and members of the JDC and CPH committees,

I am writing in strong support of SB 1339 SD 1 and SB 1340 SD 1, two bills that would require mandatory purchaser and seller disclosures for real estate transactions that include properties within sea level rise exposure areas.

Its time to be upfront with the sea level rise as the best science has identified.

Climate change creates a new type of hazard affecting coastal properties now and increasingly in the future. Mandatory disclosures are needed now to start the conversation about which properties are in the exposure area, to acknowledge potential impacts and risks of sea level rise, and to protect buyers, sellers, and governmental agencies as the rising seas become more apparent in future years.

I support these bills, but recommend that the committees amend the bills to require disclosure for properties within the 3.2 foot sea level rise exposure area, which is the latest scientific projections that are officially designated by the Hawaii climate change mitigation and adaptation commission. We are not sure how much sea level will rise, so it would be better to be overly cautious and implement disclosures for coastal properties that may be affected up to 3.2 feet.

Sincerely,  
William Liggett  
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**Sierra Club of Hawai'i**

*Volunteers helping people explore, enjoy, and protect the Hawaiian Islands*

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**SB-1339-SD-1**

Submitted on: 2/20/2019 4:33:19 PM

Testimony for JDC on 2/27/2019 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lois Crozer	Individual	Support	No

Comments:

**SB-1339-SD-1**

Submitted on: 2/22/2019 4:36:55 PM

Testimony for JDC on 2/27/2019 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Chatterson	Individual	Support	No

Comments:

Dear Chair Rhoads, Chair Baker, and members of the JDC and CPH committees,

I am writing in strong support of SB 1339 SD 1 to require mandatory purchaser and seller disclosures for real estate transactions that include properties within sea level rise exposure areas.

I support this bill and recommend that the committees amend the bill to require disclosure for properties within the 3.2 foot sea level rise exposure area, which is the latest scientific projections that are officially designated by the Hawaii climate change mitigation and adaptation commission.

Aloha,

Nicole Chatterson