

STAND. COM. REP. NO.

545

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 549

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 549, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

begs leave to report as follows:

The purpose of this measure is to reduce residential exposure to coastal hazards.

More specifically, this measure:

- (1) Expands certain state policies to include the impacts of sea level rise and climate change;
- (2) Requires new developments to plan for the impacts of sea level rise;
- (3) Authorizes public hearings regarding variances to part III of chapter 205A, Hawaii Revised Statutes, to be waived for the temporary protection of various structures in the event of emergencies;
- (4) Repeals the exception that allows for the inadvertent taking of materials from a shoreline area;



- (5) Clarifies that construction of private erosion-protection structures is prohibited except at sites where these structures do not interfere with beach processes, result in the flanking of adjacent properties, or curtail public beach access;
- (6) Repeals the requirement that an applicant for a variance for private facilities or improvements show that hardship will otherwise occur; and
- (7) Requires that an applicant for a variance for a private facility or improvement show that the action will not interfere with beach processes, result in the flanking of adjacent properties, or curtail public beach access.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Transportation, County of Maui, IMUAlliance, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Sierra Club of Hawaii, and numerous individuals.

Your Committee received comments on this measure from the Office of Planning, BIA Hawaii, and Chamber of Commerce Hawaii.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 549, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


CHRIS LEE, Chair

