

STAND. COM. REP. NO.

3198

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2060
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2060, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to further protect the State's coastal areas and resources against the impacts of sea level rise and coastal erosion.

More specifically, this measure:

- (1) Amends the objectives and policies of the Coastal Zone Management Program to further address the impacts of climate change and sea level rise on the State's coastal resources;
- (2) Amends the list of activities that are excluded from the definition of "development" in section 205A-22, Hawaii Revised Statutes;
- (3) Requires proposed developments in special management areas to comply with community plans;
- (4) Increases the minimum shoreline setback;



- (5) Expects from public hearing requirements variance applications for the protection of certain legal structures and public facilities pursuant to an emergency authorization issued by the applicable county planning commission;
- (6) Prohibits the granting of variances to artificially fix the shoreline in certain areas with sand beaches or recreational and waterline activities;
- (7) Designates the Department of Education as a state agency with responsibilities relating to marine and coastal zone management; and
- (8) Requires the Hawaii Climate Change Mitigation and Adaptation Commission to submit a proposal for a state supplemental insurance program for certain properties that are susceptible to the impacts of climate change.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Climate Change Mitigation and Adaptation Commission, Office of Planning, Hawaii Youth Climate Coalition, Pono Hawai'i Initiative, Sierra Club, and numerous individuals.

Your Committee finds that in order to properly reduce the State's exposure to coastal hazards and protect the State's coastal resources from the impacts of climate change and sea level rise, it is necessary to improve and enhance the coastal zone management program.

Your Committee has amended this measure by:

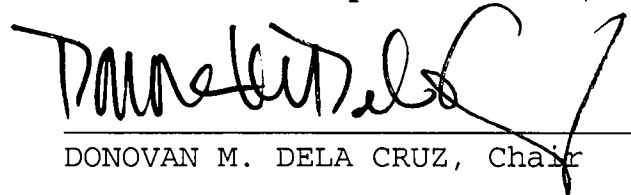
- (1) Amending section 205A-1, Hawaii Revised Statutes, to add a definition of the term "beach";
- (2) Amending the list of exclusions from the definition of "development" in section 205A-22, Hawaii Revised Statutes, to include construction or reconstruction of single family residences not situated on a shoreline parcel and nonstructural improvements to noncommercial structures;



- (3) Requiring the director of the applicable county planning department to determine whether to exclude from the definition of "development" in section 205A-22, Hawaii Revised Statutes, proposed uses, activities, and operations;
- (4) Changing the statewide public notice requirement for county hearings on special management area use permits to require that the notice be circulated at least throughout the county;
- (5) With regard to certain shoreline structures that are exempt from having to obtain a variance, prohibiting:
 - (A) Reconstruction of eligible boating, maritime, or watersports recreational facilities; and
 - (B) Rebuilding or replacement of the structures;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (7) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2060, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2060, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

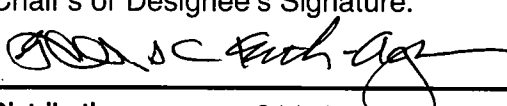


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2060, SD1	AEN / WTL, WAM	02/20/20		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene	X			
INOUYE, Lorraine R.				X
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.				X
FEVELLA, Kurt	X			
TOTAL	9			4
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes