

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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

OFFICE OF CONSERVATION AND COASTAL LANDS  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committee on  
WATER AND LAND**

**Friday, March 5, 2021  
1:00 PM**

**State Capitol, Via Videoconference, Conference Room 229**

**In consideration of  
SENATE RESOLUTION 29**

**REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
CONDUCT A NEEDS ASSESSMENT FOR THE FEASIBILITY AND EFFECTIVENESS  
OF A DIVISION OF OCEAN AND COASTAL MANAGEMENT WITHIN THE  
DEPARTMENT OF LAND AND NATURAL RESOURCES.**

Senate Resolution 29 requests the Department of Land and Natural Resources (Department) to conduct a needs assessment for the Feasibility and Effectiveness of a Division of Ocean and Coastal Management within the Department. **The Department appreciates the intent of this resolution and offers the following comments.**

Hawai'i's interlinked coastal environments include reefs and nearshore marine environments, beaches, rocky intertidal areas, and backshore dunes and wetlands. Properly managing these interlinked environments requires a holistic management approach that is also flexible to address localized conditions and community priorities. It is also crucial to recognize that management challenges on our beaches and other coastal environments inevitably relate back to how we've developed our shorefront lands. Sea level rise and climate change further emphasize the urgency of improving our management approaches for addressing increasing coastal hazards and ecological damage statewide.

The Department commends the recognition that sea level rise and climate change are threatening Hawai'i's coastal resources and communities and agree that a major restructuring of the current regulatory framework will be required if we wish to optimize our chances of mitigating the effects of climate change on sea level rise and our coastal and lowland areas. Current jurisdictional boundaries that bifurcate the coastal zone have often resulted in inconsistent and ineffective

management of beach and ocean resources, and shorefront development. This style of bifurcated regulation functioned in the past, balancing needs between agencies, but has since become antiquated due to increasing pressures on these resources and threats to shorefront development due to the acceleration in sea level rise. The Department believes that regulatory functions must align across coastal environments to better recognize the interconnected nature of these systems.

Finally, the Department must emphasize that it does not currently have the resources to provide the caliber of assessment required to provide such a comprehensive and far reaching assessment.

Thank you for the opportunity to comment on this measure.

**SR-29**

Submitted on: 2/23/2021 3:20:23 PM

Testimony for WTL on 3/5/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Support	No

Comments:

This action is necessary. Please support.



March 3, 2021

THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2021

Senator Lorraine R. Inouye, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON WATER AND LAND

DATE: Friday, March 5, 2021  
TIME: 1:00 PM  
PLACE: Conference Room 229 & Videoconference

SR29 Requesting The Department Of Land And Natural Resources To Conduct A Needs Assessment For The Feasibility And Effectiveness Of A Division Of Ocean And Coastal Management Within The Department Of Land And Natural Resources.

**STRONGLY OPPOSE SR29**

HFACT is a not-for-profit, IRS 501c(5) organization, that advocates for small boat commercial, non-commercial, and recreational fishermen throughout Hawaii. HFACT board members sit on a number of federal fisheries management and endangered species advisory committees as well as state marine and coastal zone advisory committees; and, HFACT is thoroughly familiar with and participates in ocean and marine resource management in Hawaii and the central Pacific.

While HFACT appreciates any effort to streamline government and make the state departments, divisions, and agencies more effective, SR29 may lead to the creation of a new division under the Department of Land and Natural Resources. This idea is directionally wrong. It makes a very large department even larger.

The state's Coastal Zone Management Program is also structurally very different that the division of aquatic resources. As recognized in SR29's preamble, the state's CZM Program is strongly linked to the federal CZM Program. The division of aquatic resources has no such relationship with NOAA's National Marine Fisheries Service. The state CZM Program works through the counties to implement their program; in contrast, the division of aquatic resources has its own offices on the neighbor islands.

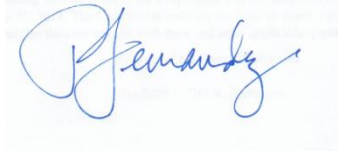
***Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.***  
***75-796 Hiona Street, Holualoa HI 96725***

Instead of studying the idea of merging the CZM Program into the department of land and natural resources, a study on how to split DLNR into two pieces is much more appropriate.

Finally, the CZM Program led the effort to update the Ocean Resources Management Plan. Office of Planning successfully integrated ideas and priorities across numerous state departments (DLNR, Transportation, Health, DHHL, OHA, etc.). The independence of the CZM Program under the Office of Planning allowed for neutral leadership than if the CZM Program was imbedded within DLNR.

HFACT thanks the chair, vice-chair, and committee members for this opportunity to provide comment and to assist in the conservation and management of Hawaii's natural resources.

Sincerely and Aloha,



Phil Fernandez  
President

# MARINE AND COASTAL ZONE ADVOCACY COUNCIL KE KAHU O NA KUMU WAI

## [COMMITTEE ON WATER AND LAND](#)

Senator Lorraine R. Inouye, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

### NOTICE OF HEARING

DATE: Friday, March 5, 2021  
TIME: 1:00 PM  
PLACE: Conference Room 229 & Videoconference

### **TESTIMONY OF JAMES E. COON IN STRONG OPPOSITON TO SR29**

Aloha Chair Inouye, Vice Chair Keith-Agaran and Members of the Committee on Water and Land:

My name is James E. Coon speaking in strong opposition to SCR40. I am the Vice Chair of the State's **Marine and Coastal Zone Advocacy Council (MACZAC)** speaking in **Strong Opposition to SR29**. A needs assessment is just not warranted or necessary.

MACZAC works closely with the Office of Planning (OP) and I have witnessed firsthand how OP manages the CZM Program. The CZM program addresses a large breadth of issues and does a very good job of managing the need for development with long range environmental planning and management.

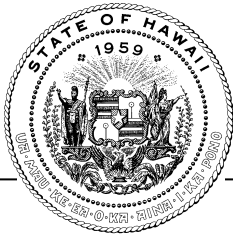
OP has been the facilitator and implementor of the Ocean Resources Management Plan (ORMP) that effectively addresses the management gaps to strengthen the State's resilience. One of the outstanding features of the ORMP is providing a platform for collaboration among Federal, State, and County decision makers.

Please support the Office of Planning and do not pass SR29.

Sincerely

James E. Coon, Vice Pres. MACZAC

[captcoon@gmail.com](mailto:captcoon@gmail.com)



**OFFICE OF PLANNING  
STATE OF HAWAII**

**LATE**

DAVID Y. IGE  
GOVERNOR

MARY ALICE EVANS  
DIRECTOR  
OFFICE OF PLANNING

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Statement of  
**MARY ALICE EVANS**  
Director, Office of Planning  
before the  
**SENATE COMMITTEE ON WATER AND LAND**  
Friday, March 5, 2021  
1:00 P.M.  
Conference Room 229 & Videoconference

in consideration of  
**SCR 40 AND SR 29**  
**REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
CONDUCT A NEEDS ASSESSMENT FOR THE FEASIBILITY AND EFFECTIVENESS  
OF A DIVISION OF OCEAN AND COASTAL MANAGEMENT WITHIN THE  
DEPARTMENT OF LAND AND NATURAL RESOURCES.**

Chair Inouye, Vice Chair Keith-Agaran, and Members of the Senate Committee on Water and Land:

The Office of Planning (OP) **strongly opposes** SCR 40 and SR 29.

SCR 40 and SR 29 requests the Department of Land and Natural Resources (DLNR) to conduct a needs assessment for the feasibility and effectiveness of a Division of Ocean and Coastal Management which would be the designated the state coastal management agency and be responsible for implementation and administration of the Hawaii's Coastal Zone Management Program (CZM).

OP opposes SCR 40 and SR 29 because we do not believe that a needs assessment is necessary to propose a reorganization into a new division in DLNR.

OP, as the lead agency for the Coastal Zone Management Chapter 205A, opposes the inclusion of the CZM Program in such a needs assessment for a new division for the following reasons:

- 1) Transfer of the administration of the CZM Program to another department may jeopardize federal funding to the State. The CZM Program is primarily funded through a cooperative agreement with the National Oceanic and Atmospheric Administration (NOAA), Office for Coastal Management, which must approve all changes to the CZM Program and federal funds budget.

- 2) Shifting coordination of sea level rise adaptation from OP to a different department is **contradictory** to Act 45, SLH 2020, which added sea level rise adaptation to OP’s mandate to coordinate among state agencies regarding climate change adaptation and sustainability. Chapter 225M-2(6), OP’s enabling statute, was amended to read, “Coastal and ocean policy management [·], and sea level rise adaptation coordination. Carrying out the lead agency responsibilities for the Hawaii coastal zone management program, as specified in chapter 205A.”

Thank you for the opportunity to testify on this resolution.