

STAND. COM. REP. NO. 3443

Honolulu, Hawaii

MAR 24 2022

RE: H.B. No. 2229  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committees on Higher Education and Water and Land, to which was referred H.B. No. 2229, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COASTAL EROSION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a two-year program at the University of Hawaii to study the impact of sandbag walls, or "sand burritos", on sand movement patterns and coastal erosion and on public trust resources, including beach access, coastal water quality, and recreation, at Ehukai Beach Park; and
- (2) Appropriate funds.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Oceanit Center, Surfrider Foundation Hawaii Region, and four individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources and Department of Budget and Finance.

Your Committees find that temporary erosion control devices with sandbag walls, or "sand burritos", and tarp systems can have effects similar to concrete and rock seawalls and other hardening



structures. Emergency permits for "sand burritos" are designed to be temporary in nature, and to provide landowners time with the conditioned expectation that they work on short-, mid-, and long-range options. Currently, the Department of Land and Natural Resources' Office of Conservation and Coastal Lands is investigating potential permit non-compliance with each of the remaining erosion control structures. Alleged issues of non-compliance include the failure of the permit holders to secure the proper land disposition from either the Department of Land and Natural Resources' Land Division or the county departments of parks and recreation, failure to file a completion report, failure to clean debris from failed structures, and the use of unauthorized materials.

Your Committees encourage the Department of Land and Natural Resources to temporarily continue issuance of permits for "sand burritos" during the University of Hawaii, College of Engineering's two-year study to continue mitigation efforts against coastal erosion.

Your Committees have amended this measure by:

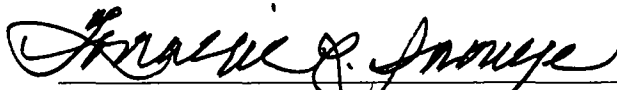
- (1) Expanding the scope of the University of Hawaii's program to include:
  - (A) Support of the design and implementation of a test project of a soft engineered shoreline protection system with one or more willing landowners, in collaboration with the relevant state and county agencies;
  - (B) Development of a beach and dune management plan for the area to identify potential short- and long-term sediment management techniques and coastal dune restoration and management strategies; and
  - (C) Analysis of potential changes to laws and policies that will allow for the implementation of adaptation measures identified in the study;
- (2) Clarifying that the University of Hawaii, College of Engineering will conduct the two-year study;



- (3) Requiring that one or more willing landowners to pay for the cost of design and implementation of any test project of a soft engineered solution, including removal; and
- (4) Amending section 1 to reflect its amended purpose.

As affirmed by the records of votes of the members of your Committees on Higher Education and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2229, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2229, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Higher Education  
and Water and Land,

  
LORRAINE R. INOUE, Chair

  
DONNA MERCADO KIM, Chair





