

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

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

**Thursday, February 17, 2022
8:30 a.m.**

State Capitol, Conference Room 430 & Videoconference

**In consideration of
HOUSE BILL 2006
RELATING TO PERMITS**

House Bill 2006 proposes to amend Section 171-55, Hawaii Revised Statutes (HRS), to require, for emergency permits to install sandbags, that the Board of Land and Natural Resources (Board) include as a condition on the emergency permit a requirement for the attachment of identifying information, including the permittee's contact information and the permit number, to the sandbag. **The Department of Land and Natural Resources (Department) appreciates that the Legislature is addressing issues relating to coastal erosion, and offers the following comments:**

Temporary erosion control devices with sandbag "burritos," which are large tubes of sand wrapped in fabric, have been authorized on a temporary emergency basis to address coastal erosion pursuant to Chapter 13-5, Hawaii Administrative Rules (HAR), which allows the Chairperson (Chair) of the Board to issue emergency permits when there is an imminent threat to public health or safety. This has been an important tool for the Department when addressing short-term emergencies such as floods, landslides, tsunamis, and storms.

As these emergency permits are designed to be temporary in nature, in order to allow a landowner time to work on long-range solutions, they have generally not been brought to the Board for a 'revocable permit' as authorized by Section 171-55, HRS.

The Department is currently reviewing the rules and policies surrounding the granting of emergency permits for shoreline protection. We have found that many structures were not built in compliance with their permit conditions, and there are those that have failed and lie embedded in the beach. We are currently pursuing enforcement actions against the subject permit holders.

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

The Department notes that we have also investigated reports of torn bags and debris that has washed up on the beach. This debris has typically come from propylene bags and other plastic materials that has not been authorized for use. We are concerned that any identifying tags attached to sandbag burritos might also tear off and become debris.

Thank you for the opportunity to comment on this measure.

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