

**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

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Statement of
SCOTT GLENN, Director

before the
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Thursday, February 16, 2023, 2:00 PM
State Capitol, Conference Room 325

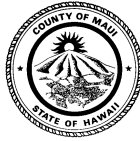
in consideration of
HB 365 HD1
RELATING TO SPECIAL MANAGEMENT AREAS.

Chair Tarnas, Vice Chair Takayama, and Members of the House Committee on Judiciary and Hawaiian Affairs:

As the lead agency of the Hawaii Coastal Zone Management Program, the Office of Planning and Sustainable Development **supports HB 365 HD1**, which proposes additions for proposed activities to be considered excluded "development" under Hawaii Revised Statutes § 205A-22 to reduce the need for Special Management Area (SMA) permitting procedures for those proposed actions that have no adverse environmental impacts on the SMAs.

Thank you for the opportunity to testify on this measure.

Council Chair
Alice L. Lee



Director of Council Services
Traci N. T. Fujita, Esq.

Councilmembers
Tom Cook
Gabe Johnson
Tasha Kama
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Yuki Lei K. Sugimura
Nohelani U'u-Hodgins

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 15, 2023

TO: The Honorable Representative David A. Tarnas, Chair, and
Members of the House Committee on Judiciary and Hawaiian Affairs

FROM: Alice L. Lee
Council Chair

Handwritten signature of Alice L. Lee in cursive.

SUBJECT: **HEARING OF FEBRUARY 16, 2023; TESTIMONY IN SUPPORT OF
HB 365, HD1, RELATING TO SPECIAL MANAGEMENT AREAS**

Thank you for the opportunity to testify in **support** of this important measure. This measure would eliminate the need for Special Management Area permits for certain environmentally beneficial projects, including those for pedestrian and bicycle facilities, native-habitat preservation, native-seabird protection, and security at public facilities.

The Maui County Council has not had the opportunity to take a formal position on this measure as amended. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

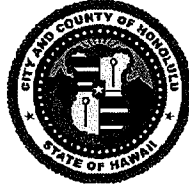
1. This measure's targeted amendments to the definition of "development" will promote, not undercut, the environmental controls and quality that Special Management Area regulations are intended to protect.
2. This measure will facilitate the timely approval of important projects to benefit the public, including improvements to pedestrian and bicycling infrastructure, environmental and wildlife protection, and security at public facilities.

For the foregoing reasons, I **support** this measure.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI
MAYOR



DAWN TAKEUCHI APUNA
DIRECTOR DESIGNATE

JIRO SUMADA
DEPUTY DIRECTOR

February 16, 2023

The Honorable David A. Tarnas, Chair
and Members of the Committee on Judiciary
and Hawaiian Affairs
Hawaii House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Tarnas and Committee Members:

**Subject: House Bill No. 365, HD 1
Relating to Special Management Areas**

The Department of Planning and Permitting (DPP) **supports** House Bill No. 365, HD 1, which would expand exclusions from the definition of “development” as it applies to special management areas (SMA) to reduce the need for SMA permits for certain activities.

We support the change in the HD 1 to keep the dwelling size at 7,500 square feet, instead of reducing it to 5,000 square feet. We also support the intent of the Bill and believe SMA permit streamlining will facilitate important restoration activities, enhance public pedestrian and bicycle access to recreational areas within the SMA, and support safety measures for public facilities.

We note the counties are empowered to require an SMA permit if they determine coastal zone impacts are anticipated for any project. Given this, we believe the proposed amendments would not compromise the need to manage activities within the SMA in Hawaii.

Thank you for this opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dawn Takeuchi Apuna".

Dawn Takeuchi Apuna
Director

Hawai'i State Association of Counties (HSAC)
Counties of Kaua'i, Maui, Hawai'i, and City & County of Honolulu
Website: hawaiicounties.org | Email: hsac@hawaiicounties.org



Testimony of the
Hawai'i State Association of Counties
on
H.B. No. 365 HD1
Relating to Special Management Areas.

Committee on Judiciary & Hawaiian Affairs

Friday, February 16, 2023, 2:00 p.m.

The Hawai'i State Association of Counties (HSAC) supports H.B. 365, HD1. H.B. 365 HD1 expands the exclusions from what is considered "development" in the special management area that have no adverse environmental impacts on the SMAs to include:

- Public pedestrian, bicycle facilities, and traffic control barriers;
- Trash removal or invasive vegetation removal;
- Installation of security measures such as: fencing; Installation, maintenance, repair, and replacement of lighting fixtures and equipment at public recreational facilities; and
- The installation, maintenance, repair, and replacement of security measures for public facilities.

The Hawai'i State Association of Counties supports H.B. 365 HD1, and requests your favorable consideration of this measure.