

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WATER AND LAND
ON
SENATE BILL NO. 2814

February 7, 2022
1:00 p.m.
Room 229 and Videoconference

RELATING TO A COASTAL ZONE PROGRAM

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2814 establishes a taskforce, advisory group, and consultant team within the Office of Planning and Sustainable Development to develop a coastal zone framework-development taskforce to develop a programmatic framework for a Hawai'i Next Generation Coastal Zone Management Program (HNGCZMP) and appropriates \$950,000 in general funds for FY 23 to support the HNGCZMP.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committee on
WATER AND LAND

Monday, February 7, 2022
1:00 p.m.
State Capitol, Conference Room 229 & Videoconference

In consideration of
SENATE BILL 2814
RELATING TO A COASTAL ZONE PROGRAM

Senate Bill 2814 proposes to establish, within the Office of Planning and Sustainable Development, a taskforce, advisory group, and consultant team to develop a coastal zone framework-development taskforce to develop a programmatic framework for a Hawaii next generation coastal zone management program. **The Department of Land and Natural Resources (Department) offers the following concerns and comments.**

The Department acknowledges that the current regulatory framework creates financial burdens for the State, counties, and private landowners. We also acknowledge that the process can be frustratingly slow. The Department is engaged with the Office of Planning and Sustainable Development and with the various county planning departments on ways to collaborate, and to improve the regulatory process.

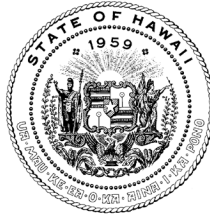
The bill proposes a new “standing, statewide—funded program whose mission shall be to better mitigate impacts to the State's coastal zone caused by sea level rise and acute coastal erosion” (page 4, lines 7-9), and tasks the Office of Planning and Sustainable Development, with assistance from an advisory group and a consultation team, to develop the programmatic framework.

The Department is concerned that the bill then proceeds to outline the expected results of the taskforce, and to provide a detailed framework for the program that the taskforce will develop.

While the Department recognizes that a lot of work went into this proposal, our position is that taskforces should not be provided with predetermined outcomes; and that any new state program, if one is needed, should be developed in collaboration with the respective agencies and affected community groups.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR OF HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
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SUZANNE D. CASE
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BOARD OF LAND AND NATURAL RESOURCES
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Before the Senate Committee on
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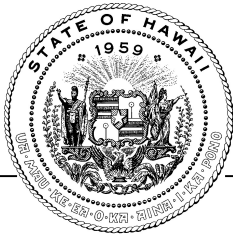
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The bill proposes a new “standing, statewide—funded program whose mission shall be to better mitigate impacts to the State's coastal zone caused by sea level rise and acute coastal erosion” (page 4, lines 7-9), and tasks the Office of Planning and Sustainable Development, with assistance from an advisory group and a consultation team, to develop the programmatic framework.

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While the Department recognizes that a lot of work went into this proposal, our position is that taskforces should not be provided with predetermined outcomes; and that any new state program, if one is needed, should be developed in collaboration with the respective agencies and affected community groups.

Thank you for the opportunity to comment on this measure.



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

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
SENATE COMMITTEE ON WATER AND LAND
Monday, February 7, 2022
1:00 PM
State Capitol, Conference Room 229 & Videoconference



in consideration of
SB 2814
RELATING TO A COASTAL ZONE PROGRAM

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

The Office of Planning and Sustainable Development (OPSD) **offers comments with concerns for SB 2814** which establishes within the OPSD, a taskforce to develop a programmatic framework for a Hawaii Next Generation Coastal Zone Management Program. The OPSD appreciates the overall intent of the measure which recognizes the immediacy of the challenges of permitting activities along the shoreline and the introduces intentions for an alternative approach. The OPSD respectfully offers the following comments:

The OPSD is concerned that the proposed “Hawaii next generation coastal zone managers program” will be redundant or duplicative of the existing coastal zone management (CZM) program, and it would be more efficient to provide additional capacity to the existing primarily federally funded CZM program which has experienced diminishing state funding for decades.

The measure establishes a 16-member task force as well as a separate advisory committee to be led by the OPSD to accomplish significant outcomes. With as large a scope as described in the measure, the OPSD would require additional staff capacity (Exempt, 1.0 FTE) to facilitate the task force and advisory committee to conduct the work that this entity is tasked to accomplish within the timeframe provided and in compliance with Sunshine Law requirements.

The measure requires “program outputs” that include enhanced curriculum and training programs. The OPSD recognizes activities related to creating curricula and certificate programs may be premature as a directive until further vetting with government agencies (including but not limited to county planning departments, and DLNR OCCL) who may host such future graduates and recognize that the University system is likely to have its own existing procedures to establish

degree and certificate programs, and therefore this may not be appropriate for this proposed task force.

There are many entities, from various levels of government, that have permitting responsibilities. Without a comprehensive understanding of how various entities manage their permitting platforms and administrative processes, it could be premature and restrictive to prescribe the delivery of an electronic-permitting system implementation plan. Should the measure move forward, the OPSD feels it more appropriate to conduct an exploratory analysis of the various permitting agencies at federal, state, and county levels, their current permitting systems, and potential for such a multi-agency collaboration.

Page 10, Lines 17-19 “(3) [~~A shoreline adaptation electronic permitting system strategic implementation plan~~] An exploratory analysis of permitting systems, which includes at least an assessment of current systems in Hawaii, and an investigation of the applicability”

The OPSD appreciates the overall concept of this bill as it includes initiatives supportive of our goals and objectives, but as written, we are concerned that its passage may replace or adversely impact priorities indicated in our Executive Budget.

Thank you for the opportunity to testify on this measure.