



SB1068 SD2 HD1
RELATING TO BEACHES
House Committee on Finance

March 31, 2023

2:00 PM

Room 308

The Office of Hawaiian Affairs (OHA) respectfully **COMMENTS** on SB1068 SD1 HD1, which proposes to develop a statewide Beach Assessment Study and Beach and Shoreline Restoration and Conservation Plan. **OHA is concerned with the adequacy of any pursuit for “compatible relationships among activities, facilities, Native Hawaiian traditional practices mauka and makai, and natural resources” contemplated by this measure and offers the following amendment to mitigate these concerns:**

OHA recommends that this measure be further improved by amending the section on Page 2, lines 6-8 with the following language to ensure that the appropriate actions are taken to preserve and protect Native Hawaiian interests:

- (8) Pursue compatible relationships among activities, facilities, Native Hawaiian traditional practices mauka and makai through consultation with the office of Hawaiian affairs, and natural resources;

OHA agrees with the purpose of the measure. As the principal public agency in the State responsible for the performance, development, and coordination of programs and activities relating to Native Hawaiians,¹ OHA wishes to emphasize the State’s trust responsibilities for the paramount protect of Native Hawaiian rights, culture, traditions, and identity.² This measure recognizes the myriad of stakeholders with interest in the beaches by “[p]ursu[ing] compatible relationships among activities, facilities, Native Hawaiian traditional practices mauka and makai, and natural resources.”

OHA takes care to note that the constitutional protections afforded to Native Hawaiians have arisen out of historical injustices against the Native Hawaiian people, injustices that have yet to be resolved,³ which have led to ongoing negative systemic impacts and disparities faced by the Native Hawaiian people. When balancing the interests of stakeholders, the State should always be mindful of the great weight behind Native Hawaiian interests in so far as they are connected to the perpetuation of the Native

¹ HRS §10-3.

² Pub. L. 86-3, 73 Stat. 4; Hawai‘i Admissions Act of 1959; Haw. Stat. Con. Art. XII (1978); Haw. Rev. Stat. §10 and §10H.

³ Pub. L. 103-150 (1993), 107 Stat. 1510, The Apology Resolution.



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Hawaiian people and the protection of their culture, traditions, resources, identity, and aspirations.

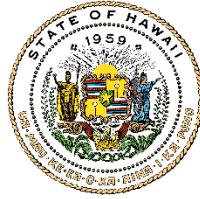
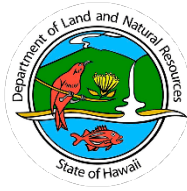
Finally, OHA takes this opportunity to apprise the Legislature that proceeds from activities, such as sand mining and concessions on beaches that are part of the public-land trust are subject, per State of Hawai'i law, to a 20 percent pro rata share “for the betterment of Native Hawaiians.”⁴ , it is important to note – and this measure should be amended to make clear – that none of the lands in the “beach restoration and conservation reclamation plan” can be alienated from – separated out of – the public-land trust.

OHA appreciates the opportunity to testify on this measure and urges the Legislature to provide the necessary amendments to SB1068 SD2 HD1 for the betterment of conditions of Native Hawaiians. Mahalo nui loa!

⁴ Act 273, 1980 Haw. Sess. Laws 525, Haw. Rev. Stat. §10-13.5.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
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Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
FINANCE

Friday, March 31, 2023
2:00 p.m.

State Capitol, Conference Room 308 & Videoconference

In consideration of
SENATE BILL 1068, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO BEACHES

Senate Bill 1068, Senate Draft 2, House Draft 1 proposes the development of a statewide beach assessment study and a beach and shoreline restoration and conservation plan and appropriates funds for the endeavor. **The Department of Land and Natural Resources (Department) supports this bill.**

In order to enable beaches to persist with sea level rise, one of the recommendations made in the 2022 Sea Level Rise Report¹ is to *conduct a statewide assessment of beaches applying the objectives of the Hawaii 'i Coastal Zone Management Act (Hawaii Revised Statutes §205A-2)*. The report notes that the assessment should identify beaches and dune systems that are important for recreational uses, cultural practices, wildlife habitat, and coastal resilience.

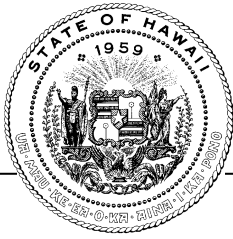
The Department appreciates that Senate Bill 1068, Senate Draft 2 will take action on the recommendations of the Sea Level Rise Report. The results of the assessment, and the development of beach and shoreline restoration and conservation plans, will assist the Department in its mission to protect Hawai'i's natural and cultural public trust resources.

The Department looks forward to cooperating with the Office of Planning and Sustainable Development in working on the study and developing the restoration and conservation plans.

Mahalo for the opportunity to provide testimony in support of this measure.

¹ The report is available at climate.hawaii.gov/wp-content/uploads/2023/01/OCCL23-Sea-Level-Rise-Report-FY22-1.pdf

DAWN N.S. CHANG
CHAIRPERSON
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
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STATE OF HAWAII
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Statement of
SCOTT GLENN, Director

before the
HOUSE COMMITTEE ON FINANCE
Friday, March 31, 2023 2:00 PM
State Capitol, Conference Room 308

in consideration of
SB 1068 SD2 HD1
RELATING TO BEACHES.

Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance:

The Office of Planning and Sustainable Development (OPSD) **supports SB 1068 SD2 HD1**, which amends Hawaii Revised Statutes (HRS) § 226-11(b) and makes an appropriation for the development of a statewide beach assessment study and a beach and shoreline restoration and conservation plan; provided that its passage does not replace or adversely impact priorities indicated in our Executive Budget.

The OPSD has initiated preliminary scoping for the activities described in this measure, and has estimated that they would require an appropriation of \$1 million dollars which would include, but not be limited to:

Development of a “statewide beach assessment study”:

1. Description of **characteristics of a beach** (shape, size, sand characteristics) and **its health** (growing, shrinking, under stress),
2. **Coastal processes & hazards** (what conditions caused its creation), and
3. **Existing mauka uses** (public recreation/amenities, backshore development, coastal infrastructure).

Development of a “Beach and Shoreline Restoration and Conservation Plan”:

1. Synthesis of **existing recent data** for state and beach parks,
2. Identification of **sand sources**
3. Identification of **public recreation assets** that are at-risk and may need renourishment or armoring to maintain the amenity, particularly where retreat is not possible and/or where **maintaining the public asset** also protects a major coastal road located on the backshore, and

4. **Coordination among agencies** at federal, state, and county levels to develop a process to **prioritize conservation and adaptation** actions suitable to the **site-specific** characteristics of the beach and its surrounding conditions.

Thank you for the opportunity to testify on this measure.



‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Finance
Friday, March 31, 2023 at 2:00 p.m.

By

Charles "Chip" Fletcher, PhD
Dean, School of Ocean and Earth Science and Technology

And

Darren T. Lerner, PhD
Director, Sea Grant College Program,
School of Ocean and Earth Science and Technology

And

Michael Bruno, Provost
University of Hawai'i at Mānoa

SB 1068 SD2 HD1 – RELATING TO BEACHES

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and the Climate Resilience Collaborative (CRC) **support Senate Bill 1068 SD2 HD1.**

This measure includes in the State's policies for the physical environment under the Hawai'i State Planning Act, the promotion of statewide beach assessments and beach and shoreline restoration and conservation and the pursuit of compatible relationships among activities, facilities, Native Hawaiian traditional practices mauka to makai, and natural resources. The measure appropriates funds to the Office of Planning and Sustainable Development for the development of a statewide beach assessment study and shoreline restoration and conservation plan. The measure also appropriates funds.

CRC is a multi-investigator research project at the University of Hawai'i at Mānoa focused on sea level rise adaptation and climate resilience. CRC is updating coastal models that project the impacts of sea level rise.

Hawai'i Sea Grant's mission is to provide integrated research, extension, and education activities that increase understanding and use of ocean and coastal resources of the Hawaiian and Pacific Islands and support the informed personal, policy, and management decisions that are integral to realizing this vision. Hawai'i Sea Grant is part of a national network of 34 university-based programs associated with the National Oceanic and Atmospheric Administration that promote better understanding, conservation, and use of coastal resources.

CRC and Hawai'i Sea Grant would be happy to provide updated sea level rise data and projections to the Committee or any lawmaker upon request.

CRC and Hawai'i Sea Grant support Senate Bill 1068 SD2 HD1.

Thank you for the opportunity to testify on this measure.



Aloha committee members,

My name is Arwen Revere and I'm a high school student from Kailua and a member of the environmental organization Wild Kids, whom I am representing today in strong support of this measure. We are proud of the natural beauty that our state has to offer. However, we are also aware of the increasing threats to our beaches and shorelines, which are important natural resources that not only contribute to the economy but also serve as cultural and recreational areas for our communities. Therefore, I am writing to express our support for the proposed bill that would include in the State's policies for the physical environment under the Hawai'i State Planning Act, the promotion of statewide beach assessments and beach and shoreline adaptation, restoration, and conservation.

The promotion of statewide beach assessments and beach and shoreline adaptation, restoration, and conservation is crucial to preserving our natural resources and ensuring the sustainability of our economy. By pursuing compatible relationships among activities, facilities, Native Hawaiian traditional practices mauka to makai, and natural resources, we can ensure that our beaches and shorelines are protected and conserved for future generations.

Moreover, the appropriation of funds to the Office of Planning and Sustainable Development for the development of a statewide beach assessment study and shoreline adaptation, restoration, and conservation plan is a commendable effort to address the threats to our beaches and shorelines. This plan will provide a framework for action and guide efforts to conserve and restore our natural resources, making our communities more resilient to the impacts of climate change.

We urge you to support this bill and prioritize the protection of our beaches and shorelines. Our natural resources and cultural heritage are at stake, and it is our responsibility to ensure their preservation for future generations.

Thank you for considering our testimony.

Arwen Revere on behalf of Wild Kids

SB-1068-HD-1

Submitted on: 3/29/2023 6:31:56 PM

Testimony for FIN on 3/31/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support SB1068 SD2 HD1.