

STAND. COM. REP. NO.

665

Honolulu, Hawaii

FEB 17 , 2023

RE: H.B. No. 756

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 756, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to prepare plans and a program to facilitate voluntary relocation of residential development away from certain at-risk areas;
- (2) Establish the Sea Level Rise Relocation Special Fund;
- (3) Allow the exchange of public land for private lands for the transfer of development rights or land exchanges to relocate private development away from high-risk areas;
- (4) Expand the climate change adaptation priority guidelines; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; University of



Hawaii Sea Grant College Program and Climate Resilience Collaborative; City and County of Honolulu Office of Climate Change, Sustainability, and Resiliency; Surfrider Foundation, Hawaii Region; Hawai'i Reef and Ocean Coalition; Coastal Planners, LLC; and one individual. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Office of Planning and Sustainable Development; Hawai'i Emergency Management Agency; and Starn O'Toole Marcus & Fisher LC.

Your Committee finds that the Office of Planning and Sustainable Development's 2019 study assessing the feasibility and implications of managed retreat strategies in the State found that, among other things, transferring development rights and land exchanges are useful techniques to achieve managed retreat strategies by voluntarily shifting development away from areas that are critically threatened by sea level rise, including areas with particularly high natural and community resource value. This measure ensures a broader evaluation and utilization of adaptation options to protect Hawaii's coastal communities in the face of sea level rise and other threats to the State's coastal resources.

Your Committee has amended this measure by:

- (1) Requiring that any plans and programs for voluntary relocation be aligned with state and county hazard mitigation plans;
- (2) Deleting language that would have established additional climate change adaptation priority guidelines; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider concerns over whether the voluntary relocation program prioritizes assisting low- and moderate-income households and properties in the public interest.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 756, H.D. 1, as amended herein, and recommends



that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 756, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Nicole E. Lowen

NICOLE E. LOWEN, Chair



