



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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

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Written Statement of
MARY ALICE EVANS, Director

before the
**SENATE COMMITTEE ON WATER AND LAND
AND
SENATE COMMITTEE ON HOUSING**

Tuesday, March 18, 2025, 1:05 PM
State Capitol, Conference Room 225 & Videoconference

in consideration of
**HB 732 HD2
RELATING TO SHORELINE MANAGEMENT AREAS.**

Chairs Inouye and Chang, Vice Chairs Elefante and Hashimoto, and Members of the Senate Committees on Water and Land, and on Housing:

HB 732 HD2 amends Chapter 205A, Hawai'i Revised Statutes (HRS), to streamline

- 1) Special Management Area (SMA) Permitting by raising the valuation threshold, with inflation adjustment every five years, between the SMA Minor Permit and SMA Use Permit; and
- 2) Development of a single-family residence that is less than 3,500 square feet of floor area and is not a part of larger development, regardless of the valuation threshold.

The Office of Planning and Sustainable Development (OPSD) is the lead agency of the Hawai'i Coastal Zone Management Program, codified in Chapter 205A, HRS.

OPSD respectively **supports** HB 732 HD2 as written.

Thank you for the opportunity to testify on this measure.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

TO: Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante, Vice Chair
Committee on Water and Land

Senator Stanley Chang, Chair
Senator Troy N. Hashimoto, Vice Chair
Committee on Housing

FROM: Richard T. Bissen, Jr., Mayor
John Smith, P.E. Office of Recovery Administrator

DATE: March 17, 2025

SUBJECT: **SUPPORT OF HB732 HD2, RELATING TO SHORELINE
MANAGEMENT AREAS**

Thank you for the opportunity to testify in **SUPPORT** of this important measure which allows single-family residences that are less than 3,500 square feet in floor area and not part of a larger development, regardless of development valuation, to be eligible for a special management area minor permit. Increases the valuation of development that determines the necessity of a special management area minor permit or special management area use permit to \$750,000 and requires that amount to be adjusted every five years for inflation.

We **SUPPORT** this measure for the following reasons:

1. The inflation of the dollar in recent years must be updated to reflect the regulatory intent of HRS 205A Coastal Zone Management.
2. This measure causes more proposed actions to qualify for the SMA minor permit process.
3. SMA minor permits are administratively processed costing substantially less to prepare and file, with significantly lower processing times.
4. Many reasonable actions that were made infeasible by application cost and time will also benefit from this change.

Mahalo for your consideration.

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041 • WEBSITE: honolulu.gov/dpp

RICK BLANGIARDI
MAYOR
MEIA



DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

BRYAN GALLAGHER, P.E.
DEPUTY DIRECTOR
HOPE PO'O

REGINA MALEPEAI
2ND DEPUTY DIRECTOR
HOPE PO'O KUALUA

March 18, 2025

The Honorable Lorraine R. Inouye, Chair
and Members of the Committee on Water and Land
The Honorable Stanley Chang, Chair
and Members of the Committee on Housing
Hawai'i State Senate
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Subject: House Bill No. 732, HD 2
Relating to Shoreline Management Areas

Dear Chair Tarnas and Committee Members:

The Department of Planning and Permitting (DPP) **supports** House Bill No. 732, HD 2, which would increase the valuation of development that determines the necessity of a Special Management Area (SMA) Minor Permit or SMA Use Permit to \$750,000 and requires that amount to be adjusted every five years for inflation. This Bill also would allow single-family residences under 3,500 square feet in floor area and not part of a larger development to be eligible for an SMA Minor Permit, regardless of cost.

The DPP processes both SMA Minor and Major Permits. By increasing the threshold, we expect fewer SMA Major Permits and more SMA Minor applications, which are processed administratively by DPP and have a more streamlined review process.

For both permit types, Hawaii Revised Statutes (HRS) Title 13 Chapter 205A requires the agency to make a finding that the proposal has no substantial adverse environmental or ecological effects. The DPP performs a thorough review of SMA Minor projects based on the review criteria, policies, and guidelines listed in HRS Chapter 205A. If we find that a project may have substantial adverse environmental, ecological, or cumulative effects, the SMA Minor Permit is denied and the project may proceed by applying for an SMA Major Permit, which is a lengthier and more involved

The Honorable Lorraine R. Inouye, Chair
and Members of the Committee on Water and Land
The Honorable Stanley Chang, Chair
and Members of the Committee on Housing
Hawai'i State Senate
House Bill No. 732, HD 2
March 18, 2025
Page 2

process that requires City Council action. Given all this, we believe that allowing more projects to be processed as minor permits will streamline the permitting process without sacrificing environmental review.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Dawn', with a stylized flourish extending to the right.

Dawn Takeuchi Apuna
Director

C. Kimo Alameda, Ph.D.
Mayor

William V. Brillhante, Jr.
Managing Director

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County of Hawai'i PLANNING DEPARTMENT

March 17, 2025

Testimony by
JEFFREY DARROW, Planning Director
County of Hawai'i Planning Department
before the
Committee on Water & Land
Committee on Housing
Tuesday, March 18, 2025, 1:05 pm
State Capitol, Conference Room 225 & Videoconference
In consideration of
HB 732 HD2
Relating to Shoreline Management Areas.

Senator Lorraine R. Inouye, Chair, Senator Brandon J. C. Elefante, Vice Chair and Members of the Committee on Water & Land.

Senator Stanley Chang, Chair, Senator Troy N. Hashimoto, Vice Chair and Members of the Committee on Housing.

Thank you for the opportunity to testify in **support** of HB 732 HD2, which increases the valuation threshold for SMA Minor Permits to \$750,000, with inflation adjustments every five years. The bill also allows single-family homes under 3,500 square feet (not part of a larger development) to qualify for SMA Minor Permits regardless of cost.

The County of Hawai'i Planning Department currently processes all SMA permits which undergo a thorough review and compliance with Hawai'i Revised Statutes (HRS) Chapter 205A. This process prevents projects from causing substantial adverse environmental, ecological, or cumulative impacts. If such concerns arise, the project must proceed through the more extensive SMA Major Permit process to ensure proper oversight.

The last valuation adjustment was in 2014, setting the threshold at \$500,000. Given rising costs, raising this amount aligns valuations with present-day economic conditions while maintaining strong coastal resource protections. SMA Minor Permits will continue to be subject to reasonable terms and conditions, and projects with significant environmental impacts will still require an SMA Major Use Permit.

For these reasons, we fully **support** HB 732 HD2 and urge its passage.

March 18, 2025

The Honorable Lorraine R. Inouye, Chair

Senate Committee on Water and Land

The Honorable Stanley Chang, Chair

Senate Committee on Housing

State Capitol, Conference Room 225 & Videoconference

RE: House Bill 732, HD2, Relating to Shoreline Management Areas

HEARING: Tuesday, March 18, 2025, at 1:05 p.m.

Aloha Chair Inouye, Chair Chang, and Members of the Joint Committees:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 10,000 members. HAR **supports** House Bill 732, HD2, which allows single-family residences that are less than 3,500 square feet in floor area and not part of a larger development, regardless of development valuation, to be eligible for a special management area minor permit. Increases the valuation of development that determines the necessity of a special management area minor permit or special management area use permit to \$750,000 and requires that amount to be adjusted every five years for inflation. Effective 7/1/3000.

Currently, any non-exempt development must obtain a Shoreline Management Area ("SMA") minor permit if the project is valued at \$500,000 or less and does not pose a significant environmental impact. Projects exceeding this amount or posing substantial environmental risks must obtain an SMA use permit. These monetary thresholds have remained unchanged since 2011.

Since then, inflation and rising construction costs, including labor and materials, have significantly increased. Adjusting the valuation threshold for SMA minor permits and implementing inflation-based adjustments every five years would help address these rising costs. This is especially crucial for those affected by the Lahaina wildfires, as the community works to rebuild and restore their homes and properties.

Mahalo for the opportunity to provide testimony on this measure.



SENATOR LORRAINE R. INOUYE, CHAIR
SENATOR BRANDON J.C. ELEFANTE, VICE-CHAIR
SENATE COMMITTEE ON WATER & LAND

SENATOR STANLEY CHANG, CHAIR
SENATOR TROY N. HASHIMOTO, VICE-CHAIR
SENATE COMMITTEE ON HOUSING

TESTIMONY IN **OPPOSITION** TO HOUSE BILL 732, HD2
RELATING TO SHORELINE MANAGEMENT AREAS

March 18, 2025, 1:05 p.m.
Room 225
State Capitol
415 South Beretania Street

Dear Chair Inouye, Chair Chang, Vice-Chair Elefante, Vice-Chair Hashimoto, and Members of the Senate Committees on Water & Land and Housing:

Earthjustice submits this testimony in **strong opposition to HB 732, HD 2**. Our office has decades of experience advocating on behalf of Hawai'i's public trust beaches, including precedent-setting Hawai'i Supreme Court cases furthering the public policy of protecting shoreline resources and extending public shoreline uses.

HB 732, HD 2 seeks to amend Hawai'i Revised Statutes (HRS) chapter 205A to increase the valuation thresholds for determining whether a project in a Special Management Area (SMA) may apply for a less rigorous SMA minor permit or whether it must apply for a SMA use permit. Considering global climate change conditions, sea-level rise projections, and widespread chronic coastal erosion throughout Hawai'i, there is nothing minor about allowing development and rebuilding along the shoreline.

Hawai'i's Coastal Zone Management (CZM) program, HRS chapter 205A, was established to "preserve, protect, and where possible, to restore the natural resources" of Hawai'i's coastal zone. HRS § 205A-21. The SMA use permit is a management tool that places "special controls on developments within an area along the shoreline" that are "necessary to avoid permanent losses of valuable resources" and ensure public access. *Id.* The SMA use permit requires that uses, activities, or operations on land within the SMA are designed and carried out in compliance with CZM program objectives and policies. HRS § 205A-29. A SMA Major Permit requires, among other things, that an applicant provide sufficient information about the project so it can be evaluated, notification to surrounding landowners, review and comment by various federal, state and county agencies, a public hearing, and approval by

county planning commissions. *See, id.* This bill would allow land uses and activities previously subject to rigorous SMA use permit requirements to pursue abbreviated permitting requirements and escape informed public decision-making. In today's climate, we should be strengthening CZM program objectives, not giving applicants a shortcut around policies established to protect public trust shoreline resources.

Development in the SMA area not only invades the public beach and blocks public access, but also paves the way to the eventual erosion and permanent loss of the beach, to the detriment of the landowner as well as the public. In recent years, intensifying public controversy has focused on the ongoing loss of beaches statewide caused by coastal development too close to the ocean. Studies of historical shoreline change show that 70% of beaches on Kaua'i, O'ahu, and Maui are chronically eroding and receding landward.¹ To date, 13 miles of beach have been completely lost to beach erosion and costal armoring, and current projections indicate that up to 40% of all beaches on O'ahu alone could be lost before 2050.²

At a time when we should be rigorously evaluating any further development along the shoreline, this bill seeks to do the exact opposite. As such, Earthjustice **strongly opposes HB 732, HD 2 and respectfully requests that it be held.** Mahalo nui for this opportunity to testify. Please do not hesitate to contact us with any further questions or for further information.

Elena L. Bryant, Esq.



Senior Associate Attorney
Earthjustice, Mid-Pacific Office

¹ Fletcher, C.H., et al. (2012) National assessment of shoreline change: Historical shoreline change in the Hawaiian Islands, *U.S. Geological Survey Open-File Report 2011-1051*, 55, available at <https://pubs.usgs.gov/of/2011/1051>.

² *Id.*; see also Tavares, K.D., Fletcher, C.H. & Anderson, T.R. (2020) Risk of shoreline hardening and associated beach loss peaks before mid-century: O'ahu, Hawai'i. *Sci Rep* 10, article 13633 available at <https://doi.org/10.1038/s41598-020-70577-y>

March 18, 2025, 1:05 p.m.
Hawaii State Capitol
Conference Room 225 and Videoconference

To: Senate Committee on Housing
Sen. Stanley Chang, Chair
Sen. Troy Hashimoto, Vice Chair

To: Senate Committee on Water and Land
Sen. Lorraine Inouye, Chair
Sen. Brandon Elefante, Vice Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: HB732 HD2 — RELATING TO SHORELINE MANAGEMENT AREAS

Aloha chairs, vice-chairs and other members of the committees,

The Grassroot Institute of Hawaii **supports** [HB732 HD2](#), which would increase the valuation thresholds for determining whether a project in a special management area must apply for a minor permit or a use permit, and index those thresholds to inflation.

The bill would also allow a single-family home 3,500 square feet or smaller to be processed under a SMA minor permit regardless of valuation and contingent on the home not being part of a larger development.

Currently, any non-exempt “development” must apply for an SMA minor permit if the project is valued at \$500,000 or less and has no significant environmental impact. If the “development” is valued above \$500,000 or could have a significant environmental impact, it requires an SMA use permit.¹

¹ [205A-22 Definitions.](#), Hawaii Revised Statutes, accessed Jan. 31, 2025.

These figures have not been updated since 2011, when the threshold was increased from \$125,000 to \$500,000.² Adjusted for inflation, \$500,000 in December 2010 had the same purchasing power as \$719,970 in December 2024.³ HB732 HD2 would set the threshold at \$750,000.

Increasing the threshold and requiring inflation adjustments every five years would protect builders from inflation and save the Legislature time from having to update the threshold by statute.

Applying for an SMA minor permit takes less time and resources than applying for an SMA use permit, which often requires a public hearing and a vote from a county planning commission or County Council. Minor permits, on the other hand, often only need approval from the county planning director.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

² [Session Laws of Hawaii 2011 Act 153](#), accessed Jan. 31, 2025.

³ ["CPI Inflation Calculator,"](#) U.S. Bureau of Labor Statistics, December 2010 compared to December 2024, accessed Jan. 31, 2025.



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE SENATE COMMITTEES ON HOUSING and WATER AND LAND
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 225
Tuesday, March 18, 2025, 1:05 P.M.

To Senator Stanley Chang, Chair
Senator Troy N. Hashimoto, Vice Chair
Members of the committee on Housing
Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante, Vice Chair
Members of the Committee on Water and Land

SUPPORT HB732 HD2 RELATING TO SHORELINE MANAGEMENT AREAS

The Maui Chamber of Commerce **SUPPORTS HB732 HD2** which allows single-family residences that are less than 3,500 square feet in floor area and not part of a larger development, regardless of development valuation, to be eligible for a special management area minor permit; and increases the valuation of development that determines the necessity of a special management area minor permit or special management area use permit to \$750,000 and requires that amount to be adjusted every five years for inflation.

The Chamber notes that the current valuation threshold of \$500,000 for developments is no longer sufficient to cover most projects. The measure sets the initial threshold at \$750,000 and ensures it is updated each year to reflect changes in construction costs and economic conditions. This adjustment will maintain the financial threshold for determining whether a coastal development project requires a special management area permit, ensuring it remains relevant and responsive to inflation. The goal is to avoid under-regulation of high-value projects that could have significant impacts on coastal ecosystems.

For these reasons we **SUPPORT HB732 HD2** and respectfully ask that it be passed.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

Keep the North Shore Country

Senate Committee on Water and Land
Senate Committee on Housing
Tuesday, March 18, 2025
1:05p.m., Room 225

LATE

Testimony in Opposition to HB 732

Aloha, Chairs Inouye and Chang, and committee members.

Keep the North Shore Country opposes the relaxation of the standards for requiring a Special Management Area Permit, major, for oceanfront residences. We do not believe the statute should be amended at this time and the bill should be deferred.

The SMA laws are supposed to protect our coastal areas from development that may cause adverse environmental impacts. Therefore, we should be careful when expanding exemptions to this review process.

A 3500 square foot residence is a large structure, especially if the lot size is small or narrow. If you want to keep this provision in the bill, then we suggest you add a provision to limit the buildable area to less than fifty percent of the lot size in order to qualify for an SMA minor permit.

We also oppose increasing the project valuation limit from \$500,000 to \$750,000 and implementing an automatic inflation adjustment. Please leave the limit at \$500,000 and delete the automatic adjustment. The legislature should retain its oversight and authority and then consider the need for adjustment in future years.

Mahalo.



LATE

March 18, 2025

Senate Committee on Water & Land
Senate Committee on Housing
Hawai'i State Legislature
Via Electronic Transmission

Re: Testimony in OPPOSITION of HB732 HD2, Relating to Shoreline Management Areas

Hearing: Tuesday, March 18, 2025, 1:05 PM CR 325 Via Videoconference

To: The Honorable Chair Inouye, Chair Chang, Vice Chair Elefante, Vice Chair Hashimoto, and Members of the Committees,

Surfrider Foundation Hawai'i Region opposes House Bill 732 HD2 which seeks to amend Hawai'i Revised Statutes (HRS) chapter 205A to increase the valuation thresholds for determining whether a project in a Special Management Area (SMA) may apply for a minor SMA permit or whether it must apply for a SMA use permit.

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches for all people. In Hawai'i we have three Chapters on Maui, Kaua'i and O'ahu. We advocate at federal, state and local levels to protect our shorelines on every coast and ensure beach access and coastal conservation. With severe coastal erosion threatening much of Hawai'i's shoreline and sea-level rise projections, this is absolutely not the time to be loosening restrictions on development and rebuilding along the shoreline.

As it stands, Hawai'i's Coastal Zone Management (CZM) program was established to preserve and restore natural resources of Hawai'i's coastline. The SMA use permit creates a critical process that protects Hawai'i's shorelines from developments, activities, and uses that would potentially threaten public trust resources and public access. This bill would allow land uses and activities that were previously subject to SMA Major permitting process, including rigorous review by federal, state, county agencies and the public, to avoid this important process.

On every island, communities, government agencies, and decision- makers are grappling with increasing beach loss and fighting to preserve our remaining beaches. Currently this bill streamlines the process, and opens the door to off-shore developers

and vacation rentals. If the need is for resident-owned and resident-occupied shoreline homes to have a better SMA pathway then please rework this bill to focus on this issue. We suggest adding an inspection and enforcement capacity at the county level as well as requiring that SMA Minor permits be opened to public comment.

As it stands, already many developers and investors have consistently distorted and taken advantage of the SMA requirements. If the objective is to protect our coastlines and communities, in it's current form, this bill would be a step in the wrong direction.

Mahalo for the opportunity to comment on this important matter.

Sincerely,

Hanna Lilley
Hawai'i Regional Manager
Surfrider Foundation

LATE

Aloha Chair Inouye, Vice Chair Elefante, Vice Chair Hashimoto and Members of Senate Committees on Water & Land and Housing. My name is Racquel Achiu from the north shore's Waialua Moku. I currently sit as Vice Chair of the North Shore Neighborhood Board but am testifying today as an individual, piko to the Waialua Moku. I have been heavily engaged with matters impacting our community for over 25 years. I have followed, intensely, the severe Land Use abuse that is on going throughout the North Shore.

I STAUNCHLY OPPOSE HB732.

The existing SMA requirements/law is severely flawed as it is implemented today. The consistent and aggressive tracking of SMA approvals in my community has revealed an overwhelming lack of compliance and accountability.

Increasing the current \$500K valuation would not only create an even more challenging effort to ensure compliance and accountability but defeats the purpose of what the SMA and its criteria is in place to do for our Coastal Management Areas. The proposed increase would only benefit the property owners, builders, developers (Many of whom are not residents of Hawai'i).

Applicants pursuing an SMA approval, more often than not, provide modest valuations, (well below the realistic value), to qualify for an SMA MINOR vs a MAJOR and avoid EIAs EISs Cultural/Historical Assessments and going through a public hearing process. Additionally, the latest "trick" that I've encountered with SMA approvals is how applicants are now splitting or portioning their projects and obtaining SMA MINOR at different phases of the build so as to keep the valuation below \$500K and avoid prompting an SMA MAJOR. Meanwhile, the integrity of our Coastal Management Areas remain at risk.

With regard to square footage, it shouldn't matter what the "proposed" square footage is for the development. Like in the case of valuations, the square footage listed in the application/plan is minimal and exceeds the original plan.

Ensuring the integrity of the SMA and its requirements for approval is paramount. Our lands, our coastlines, our communities, our history, our culture and our FUTURE are of the utmost importance, yet face constant threat.

I offer the following considerations for amendments to HB732.

- 1) **ALL SMA applications regardless of square footage and/or valuation** should require the applicant to present the development/project to the appropriate Community and or Neighborhood Board, Community meeting and or interested community groups etc where the development will be located. Naturally Honolulu City Council would be the final step in the review/approval process.
- 2) Require Inspection and Enforcement throughout the duration of the development.
- 3) Require list of vendors and or tradesmen, with contact and license info) hired for the development (such as contractor(s), electricians, plumbers, etc)

Developer(s), Builder(s) and or Property Owners have a blatant disregard of the law, policy and process that is in place to support and protect our Coastal Management Areas. That said, understanding that SMA Approvals come from the City Dept of Planning & Permitting, I feel it is appropriate to note that DPP can only implement what is written and by the resources expended to them. SO LET'S ENSURE THAT WE ARE PROVIDING THE MOST EFFICIENT LEGISLATION TO EFFECTIVELY IMPLEMENT AND ENFORCE REGULATION APPROPRIATELY.

MAHALO,

Racquel Achiu

Moku O Waialua

HB-732-HD-2

Submitted on: 3/17/2025 6:38:59 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
James Kimo Falconer	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Inouye and Chang, Vice Chairs Chang and Hashimoto and members of the Water and Land and Housing committees,

I am testifying in Strong Support of HB 732 HD2. Given the distruction of Lahaina and the overwhelming need to expedite the building permit process, it seems likely that SMA provisions and requirements are in dire need of updating. This measure will update the threshold of valuation therefore lessening the time and cost burden to the homeowner by allowing an SMA minor permit rather than the current SMA major permit.

Please help this community by passing this bill. Mahalo for the opportunity to testify.

HB-732-HD-2

Submitted on: 3/17/2025 10:59:33 AM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Tambara Garrick	Individual	Support	Written Testimony Only

Comments:

I am submitting my support of HB732 HD2. We need to help Lahaina residents and businesses rebuild.

LATE

HB-732-HD-2

Submitted on: 3/17/2025 1:27:17 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise E Antolini	Individual	Oppose	Written Testimony Only

Comments:

Aloha WTL/HOU Senators,

I OPPOSE HB732.

As a North Shore, O'ahu resident actively engaged in community land use issues, I am very aware of what I call the "SMA gambling" that goes on with properties being redeveloped in our area, largely by off-shore investors to flip into illegal vacation rentals.

The SMA law is not being fully enforced now as it stands. The \$500k valuation is evaded by developments who intentionally low-ball the value in the application. Many landowners and consultants will do anything they can to EVADE instead of comply with SMA requirements.

Instead of loosening the law, I strongly recommend: (a) adding to inspection and enforcement capacity at the county level, (b) requiring SMA minors to come to a community meeting for public comment (on Oahu, the neighborhood boards serve this function for Major SMAs).

Our community has had to battle many different rogue developers who has abused the SMA requirements. "Streamlining" is not the answer to protecting our coastlines and communities from the values and policies embedded in the Coastal Zone Management Act.

Please HOLD the bill. If there is a real need for *resident-owned and resident-occupied* SFH to have a better SMA pathway, then do that - just that - this bill can be reworked and focused on that need. And add to county enforcement capacity!!

As the amendments stand, developers who are driving up the cost of living and property values in areas like the North Shore will benefit the most.

Mahalo,

Denise Antolini

Pūpūkea, O'ahu

HB-732-HD-2

Submitted on: 3/17/2025 2:11:45 PM

Testimony for WTL on 3/18/2025 1:05:00 PM



Submitted By	Organization	Testifier Position	Testify
Charles K. Bryant, Sr.	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senate Committees on Water & Land and Housing,

My name is Charlie Bryant, I was born and raised in Ko`olauloa, O`ahu. I am a cultural practitioner and subsistence fisherman. For decades, I have fished to feed my community and support my family. Throughout the years, I have taught multiple new generations of fishermen about traditional fishing methods and the pono stewardship of our shoreline resources. On behalf of my `ohana, I am submitting this testimony in strong opposition to House Bill 732.

As a lifelong lawai'a and community member, I have seen firsthand the changes along our shorelines due to residential and commercial development, shoreline armoring, climate change and sea level rise. Hawaii's shoreline program is intended to preserve and protect the natural resources in our coastal zone and the SMA permitting program is a necessary tool to control development and ensure public access along Hawaii's beaches. This bill would make it easier for property owners to develop and rebuild along our shoreline when we should be exploring managed retreat and adaptation strategies.

For years, I have seen firsthand how developers in our community take advantage of the SMA minor permitting process by proposing construction valued at \$500K or less and then doing complete rebuilds that far exceed \$500K in value. This bill would only exacerbate this problem by lowering valuation and square footage thresholds. In light of Hawaii's climate future projections, we should be increasing regulatory oversight of development along the shoreline, not lessening it.

I urge your Committees to oppose HB 732.

Thank you,

Charlie Bryant

LATE

HB-732-HD-2

Submitted on: 3/17/2025 2:13:04 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Gil Riviere	Individual	Oppose	Written Testimony Only

Comments:

Larger homes have larger impacts on our precious nearshore environment. 3500 square feet is a big house, especially if it occupies most of the subject parcel. A better standard might be to limit the minor permit to dwellings that occupy less than one-half the lot area, or are no greater than 2500 square feet, whichever is smaller.

I oppose the valuation increase to \$750,000 and VERY MUCH oppose the automatic inflation adjustment. The legislature should retain the responsibility of considering and adjusting the minor-major threshold in the future.

I would prefer the measure be deferred, but hope you consider these suggested amendments if there is the will to move this bill forward.

Respectfully offered,

Gil Riviere

Waiialua

HB-732-HD-2

Submitted on: 3/17/2025 5:40:35 PM

Testimony for WTL on 3/18/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Marc D Godt	Individual	Support	Written Testimony Only

Comments:

Please Support HB732. Any measure that moves Lahaina closer to her rebuild is important. Front street in particular is so special and unique. It is an integral part of my town. I know the balance can be achieved to bring Lahaina back to where it was... while maintaining a safe place to live.

I am a full time resident of Lahaina and I want Front Street back with buildings mauka and makai. Please help us restore and rebuild Lahaina with all it's charm and character.

VOTE YES to pass HB732 and any other bills that work towards the same goal.

M. Godt & Family

Lahaina

Kathleen M. Pahinui
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Monday, March 17, 2025

SENATOR LORRAINE R. INOUE, CHAIR SENATOR BRANDON J.C.
ELEFANTE, VICE-CHAIR SENATE COMMITTEE ON WATER & LAND

SENATOR STANLEY CHANG, CHAIR SENATOR TROY N. HASHIMOTO,
VICE-CHAIR SENATE COMMITTEE ON HOUSING

Re: Testimony In Opposition to HOUSE BILL 732, HD2 RELATING TO
SHORELINE MANAGEMENT AREAS

Aloha Chair Inouye, Chair Chang, Vice-Chair Elefante, Vice-Chair Hashimoto, and Members of the
Senate Committees on Water & Land and Housing:

We cannot loosen the Special Management Area (SMA) requirements – it will erode what little
enforcement that we have.

The \$500k valuation is evaded by applicants who intentionally low-ball the value of the
construction or “parcel” out the costs by submitting more than one SMA at separate times. It
is a deliberate effort to ignore and bypass land use laws that are meant to protect our precious
beaches and environment.

Many of these scofflaws are from outside of Hawaii though we have bad actors locally as well.
We cannot make it easier for them. We are losing our community, and we must stop the loss.

Instead, I recommend adding in the following:

- adding to inspection and enforcement capacity at the county level,
- requiring SMA minors to come to a community meeting for public comment (on Oahu,
the neighborhood boards serve this function for Major SMAs).

Do not water down the values and policies embedded in the Coastal Zone Management Act.

Mālama ʻāina,

Kathleen M. Pahinui

Kathleen M. Pahinui
Resident, Waialua, North Shore, Oʻahu

HB-732-HD-2

Submitted on: 3/18/2025 3:35:14 AM
Testimony for WTL on 3/18/2025 1:05:00 PM



Submitted By	Organization	Testifier Position	Testify
Caren Diamond	Individual	Oppose	Written Testimony Only

Comments:

Aloha, please do not support this measure. I am opposed to the proposed increase in valuation for allowable SMA minor permit valuations. An SMA major permit requires a shoreline certification and public hearings, an SMA minor is granted over the counter with no shoreline delineation and no public input . With sea level rise and erosion, it is critical to determine where the shoreline is before allowing beachfront property owners to build without determining where the shoreline actually is. Permanent loss of our rich coastal resources and loss of public beach access would accelerate if approved. If Hawai`i is to have beaches in our future, houses and development along the shoreline must be setback from the shoreline, otherwise beaches, owners and occupants of these structures are at risk. The SMA process allows for good coastal planning that also protects public trust resources. Please do not support HB 732, HD 2. Mahalo, Caren Diamond