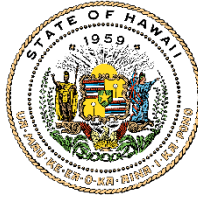


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

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DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WAYS AND MEANS

Wednesday, April 2, 2025
10:01 a.m.

State Capitol, Conference Room 211 & Videoconference

In consideration of
HOUSE BILL 1137, HOUSE DRAFT 2, SENATE DRAFT 1
RELATING TO RESTORATION OF BEACH LANDS

House Bill 1137, House Draft 2, Senate Draft 1, proposes to amend the definition of “beach restoration” used to include activities undertaken to improve eroded beaches and degraded dune systems through the management of sand and native vegetation, placement of sand, and activities undertaken to remove abandoned and remnant materials that pose a risk to public and ecosystem health. **The Department of Land and Natural Resources (Department) strongly supports the bill in its original form and offers the following comments.**

The Department administers the beach restoration program for the State via the Office of Conservation and Coastal Lands (OCCL). The beach fund can be used to provide grants to counties, nongovernmental organizations and the University of Hawai'i for the restoration of beach lands.

Currently “beach restoration” by definition is limited to the placement of sand on a beach from outside sources such as streams, harbors, quarries, and offshore sand sources. In recent years community organizations have expressed an interest in conducting related nature-based activities, such as dune restoration, to promote a naturally resilient shoreline.

The Department supports broadening the types of community-supported activities covered by the definition of “beach restoration.” Including dune restoration, sand pushing, removal of derelict structures in the definition of “beach restoration” will enable OCCL to support a full suite of nature-based activities proven to enhance the public trust, promote resilience, and encourage community engagement.

House Bill 1137, Senate Draft 1 amended the proposed language by adding the following clause in Section 2, page 3, lines 1 to 3: “emergency erosion control structures constructed pursuant to permits

issued by the department shall not be deemed abandoned property.” The Department requests that this amendment be deleted. The purpose of the original language was to allow the Department to invest in beach clean ups when funds are available in the Beach Fund and when derelict structures are impacting the public health, safety, and welfare. Sometimes this involves materials of unknown provenance, such as rebar or concrete rubble. Sometimes it involves erosion control structures that were permitted at one point, and then abandoned or allowed to fall into disrepair.

The inclusion of removal of such remnant materials in this definition serves to provide an avenue for removal of these potentially dangerous items in the absence of original owner action. The Department will reserve the right to seek compensation for the cleanup of materials if an owner is identifiable.

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



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Ways and Means
Wednesday, April 2, 2025 at 10:01 a.m.

By
Charles "Chip" Fletcher, PhD
Interim Dean
School of Ocean and Earth Science and Technology
And
Darren Lerner, PhD
Director, Sea Grant College Program
And
Michael Bruno, PhD
Provost
University of Hawai'i at Mānoa

HB 1137 HD2 SD1 – RELATING TO RESTORATION OF BEACH LANDS

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and the Coastal Research Collaborative (CRC) support the draft of House Bill 1137 that passed out of the House, which amends the definition of beach restoration to include activities undertaken to maintain and improve eroded beaches and degraded dune systems through the management of sand and native vegetation, placement of sand, and activities undertaken to remove abandoned and remnant materials that pose a risk to public and ecosystem health. Hawai'i Sea Grant and CRC note that the Senate Committee on Water on Land's amendment excluding emergency erosion structures from being deemed abandoned seems to extend beyond the original intent of measure but defer to the Department of Land and Natural Resources' position regarding this addition in House Bill 1137's Senate Draft.

Hawai'i Sea Grant and CRC support this measure because it will enable the Department of Land and Natural Resources (DLNR) to more effectively maintain and improve beaches and the health of coastal resources and support sustainable climate adaptation statewide. Broadening the definition of beach restoration provides more flexibility to utilize dedicated funds for the best use for beach management and allows for more comprehensive coastal management strategies to be applied statewide. Hawai'i Sea Grant and CRC support the amendments proposed by DLNR to improve this bill.

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 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.

The research that goes into identifying Hawai'i's exposure to sea level rise and the historical patterns of coastal erosion have been developed by the University of Hawai'i, School of Ocean and Earth Science and Technology. CRC and Hawai'i Sea Grant are available to provide updated sea level rise data and projections and examples of relevant adaptation to the Committee or any lawmaker upon request.

Thank you for the opportunity to testify on this measure.

OFFICE OF CLIMATE CHANGE SUSTAINABILITY AND RESILIENCY

KE KE'ENA LOLI ANIAU MĀLAMA 'ĀINA A ME KE OLA LOA

CITY AND COUNTY OF HONOLULU

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MEIA



BENJAMIN SULLIVAN
EXECUTIVE DIRECTOR &
CHIEF RESILIENCE OFFICER
PO'O HO'OKŌ & KAHU OLA LOA

KEALOHA FOX
DEPUTY DIRECTOR &
CHIEF RESILIENCE OFFICER
HOPE PO'O & HOPE KAHU OLA LOA

WEDNESDAY, APRIL 2, 2025, 10:01 A.M.

STATE OF HAWAII
SENATE COMMITTEE ON WAYS AND MEANS

**TESTIMONY ON HOUSE BILL 1137, HD2, SD1
RELATING TO RESTORATION OF BEACH LANDS**

BY,

KEALOHA FOX, Ph.D.
DEPUTY DIRECTOR AND DEPUTY CHIEF RESILIENCE OFFICER
OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

The City and County of Honolulu ("City") Office of Climate Change, Sustainability and Resiliency ("Resilience Office") **supports** HB1137, HD2, SD1, which amends the definition of "beach restoration" to include activities undertaken to maintain and improve eroded beaches and degraded dune systems through the management of sand and native vegetation, placement of sand, and activities undertaken to remove abandoned remnant materials that pose a risk to public and ecosystem health.

Over five miles of sandy beach on O'ahu have already been lost to erosion, and 60 percent of O'ahu beaches are in a chronic state of erosion. Future projections of up to 5.84 feet of sea level rise by the end of the century will have significant impacts on coastal properties and environmental resources. *Climate Ready O'ahu*, the City's climate adaptation strategy, recognizes the critical role dune ecosystems play in providing shoreline erosion control and seeks to strengthen partnerships with local community groups to provide additional capacity for local beach restoration.

Expanding the current definition of beach restoration to include additional activities that promote a naturally resilient shoreline will enable broader community participation in restoration efforts by providing more flexibility to utilize dedicated funds for dune restoration and beach cleanups, two common community-driven efforts at the local level on O'ahu that often occur in partnership with the City.

Chair Dela Cruz and Vice Chair Moriwaki
HB1137, HD2, SD1
April 2, 2025
Page 2

Mitigating the impacts of sea level rise and coastal flooding on our beaches and coastal communities will require coordination and commitment for generations to come. Increasing support for and collaboration with community organizations for more diverse beach restoration projects is a necessary step towards strengthening our environmental and community resilience.

Thank you for the opportunity to testify in support of HB1137, HD2, SD1.

HB-1137-SD-1

Submitted on: 3/30/2025 12:40:22 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Hawai'i Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

SUPPORT!



Testimony Presented Before the
Senate Committee on Ways and Means
Wednesday, April 2, 2025 at 10:01 a.m.

By

Rick Egged, President
Waikiki Beach Special Improvement District Association

HB 1137 HD2 SD1 – RELATING TO RESTORATION OF BEACH LANDS

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

The Waikiki Beach Special Improvement District Association (WBSIDA) is pleased to provide this testimony in support of HB 1137 HD2 SD1, which amends the definition of beach restoration to include activities undertaken to maintain and improve eroded beaches and degraded dune systems through the management of sand and native vegetation, placement of sand, and activities undertaken to remove abandoned and remnant materials that pose a risk to public and ecosystem health.

The WBSIDA supports this measure because it will empower the Department of Land and Natural Resources (DLNR) to more efficiently maintain and enhance our beaches, strengthen the health of coastal resources, and promote sustainable climate adaptation efforts across the state. Expanding the definition of beach restoration will provide greater flexibility in utilizing dedicated funds for optimal beach management, allowing for the implementation of more comprehensive coastal management strategies statewide including Waikiki Beach.

Expanding the definition of beach restoration offers significant benefits by allowing the DLNR to address a broader range of coastal challenges. It enables the DLNR to adapt to the changing needs of Hawaii's beaches and shorelines, from mitigating erosion to enhancing natural habitats and addressing the impacts of climate change. With more flexibility in funding and strategy implementation, DLNR can respond more effectively to urgent and evolving coastal concerns, improving the resilience of beaches and protecting vital ecosystems for future generations. This expansion ensures a more holistic approach to coastal management, fostering long-term sustainability for both the environment and local communities.

Thank you for the opportunity to testify on this measure.



April 1, 2025

Senate Committee on Ways and Means
Hawai'i State Legislature
Via Electronic Transmission

Re: Testimony in SUPPORT of HB1137, Relating to Restoration of Beach Lands
Hearing: Wednesday, April 2, 2025, 10:01 AM CR 211 & Via Videoconference

To: The Honorable Chair Dela Cruz, Vice Chair Moriwaki, and Members of the
Committee

Surfrider Foundation Hawai'i Region supports House Bill 1137 which amends the definition of beach restoration to reflect the types of actions which would improve beach health **in its original form and offers the following comments.**

Surfrider Foundation is a grassroots activist network dedicated to the protection of our oceans, waves, and beaches. Through our Coast & Climate initiative and Climate Action Program we center a 'living shoreline' approach to coastal land management prioritizing actions that maintain and improve degraded dune systems including dune planting. We engage the community in dune restoration events and beach cleanups to improve the health of the beaches, many that our members frequent for recreational activities.

The previous definition of beach restoration is too narrow to effectively encompass necessary management activities. The amended definition would allow the Division of Land and Natural Resources (DLNR) to more comprehensively manage coastal lands including dune planting and vegetation management. The new definition would also strategically increase coastal management capacity by recognizing the important work being done by community groups that care for public lands as restorative to beach resources and allow for partnership on smaller projects.

HB1137 also expands the definition of beach restoration to include the removal of abandoned remnant materials that pose a risk to coastal ecosystems and public health including expired emergency armoring measures and old WWII structures. Hawai'i's beaches are plagued with discarded temporary erosion measures including geotextile erosion skirts and sand burritos. While emergency permits specify a short time period before they need to be removed, oftentimes on account of sand migration and wave action, these erosion measures become covered and are never removed. The lifespan of many of these geo-textile fabrics are long

outlived and they degrade- further polluting the ocean, waves, and beaches. The inclusion of removal of abandoned remnant materials within beach restoration is a vital step to cleaning up our beaches from materials that pose a public health risk to ocean users and the environment.

HB1137 Senat Draft 1 amended the proposed language by adding the following clause in Section 2, page 3, lines 1-3: 'emergency erosion control structures constructed pursuant to permits issued by the department shall not be deemed abandoned property'. **Surfrider Foundation Hawai'i Region requests this amendment be deleted** as the original purpose was to allow DLNR to support beach cleanups where derelict structures are impacting public health and safety. This could include materials where erosion control structures were permitted at one point, and then abandoned or allowed to degrade into disrepair. The inclusion of these potentially dangerous materials in the absence of original owner action is imperative to facilitate their removal by DLNR.

Mahalo for your time and the opportunity to provide testimony on this measure.

Sincerely,

Hanna Lilley
Hawai'i Regional Manager
Surfrider Foundation



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: April 1, 2025

TO: Senator Donovan Dela Cruz
Chair, Committee on Ways and Means

Senator Sharon Moriwaki
Chair, Committee on Ways and Means

FROM: Mihoko Ito

RE: **H.B. 1137, HD2, SD1 – Relating to Restoration of Beach Lands**

Hearing Date: Wednesday, April 2, 2025 at 10:01 a.m.
Conference Room: 211

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee on Ways and Means:

We submit this testimony on behalf of the Association of Apartment Owners of Hololani (“Hololani”) in **support of H.B. 1137, HD2, SD1**.

This measure amends the definition of "beach restoration" to include activities undertaken to maintain and improve eroded beaches and degraded dune systems through the management of sand and native vegetation, placement of sand, and activities undertaken to remove abandoned remnant materials that pose a risk to public and ecosystem health.

We support the amendment made in the SD1 to clarify that the “removal of abandoned remnant remains” in paragraph 3 (page 3, lines 1-2) does not include removal of emergency erosion protection measures were installed pursuant to permits issued by DLNR. With that amendment, we do not oppose the expansion of the beach restoration definition.

Thank you for the opportunity to submit testimony on this measure.



April 2, 2025

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair
Senate Committee on Ways and Means (WAM)

Support of HB 1137, HD2, SD1 RELATING TO RESTORATION OF BEACH LANDS (Amends the definition of beach restoration to include activities undertaken to maintain and improve eroded beaches and degraded dune systems through the management of sand and native vegetation, placement of sand, and activities undertaken to remove abandoned and remnant materials that pose a risk to public and ecosystem health. Effective 7/1/2040. [HD1, SD1])

WAM Hearing: Wednesday, April 2, 2025, 10:01 a.m.
State Capitol, Conference Room 211 & Videoconference

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers, and utility companies. LURF's mission is to advocate for reasonable, rational, and equitable land use planning, legislation and regulations that encourage well-planned economic growth, housing, and renewable energy, while safeguarding Hawaii's significant natural, cultural, and agricultural resources, and public health and safety.

LURF supports HB 1137, HD2, SD1, which amends the definition of beach restoration to expand the types of activities the State recognizes as restorative and beneficial to beach lands in response to increasing threats of sea level rise and beach loss.

LURF's Position. The Department of Land and Natural Resources (Department), county agencies and non-governmental organizations restore beaches and sand dunes across the state. However, we understand that the current definition of "beach restoration" in section 171-151, HRS, is limited to the placement of sand on eroded beaches and does not specifically include other actions that are restorative and beneficial to the public trust shoreline resources, such as sand management, native vegetation management, and removal of abandoned materials from public beaches. This bill will provide the Department with flexibility in maintaining and managing Hawaii's beach resources.

For the above reasons, LURF **supports HB 1137, HD2, SD1**, and respectfully urges your favorable consideration.

Thank you for the opportunity to provide comments in support of this matter.