

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the House Committee on
WATER, LAND AND OCEAN RESOURCES**

**Friday, February 6, 2009
9:15 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 1447
RELATING TO SHORELINE MANAGEMENT**

House Bill 1447 proposes to establish a shoreline management task force to create uniform statewide management standards of shoreline areas. The Department of Land and Natural Resources (Department) acknowledges the intent of this bill to improve the management of the coastal zone. However given the current fiscal difficulties; it would not be prudent to pursue enactment at this time. As such, the Department does not support this measure. In addition, the Department does not support the methodology proposed in the bill for the following reasons:

Section 2 of this bill calls for the creation of a shoreline management task force within the Department. This task force would duplicate efforts already underway within the Department and the Board of Land and Natural Resources to develop a comprehensive integrated coastal management policy.

The principle objective of the bill; to create uniform statewide management standards is contrary to the shoreline management policies of the Department. The Department is developing management strategies that emphasize a regional, resource-based management approach that may dictate non-uniform management policies for various regions based on existing resources and community priorities.

The participation in such a task force would take precious time away from a time-limited staff at the Department and may require an expenditure of money.

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
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

BEACH ACCESS HAWAII

www.beachaccesshawaii.org

Contact: Rich Figel
801 Kainui Drive, Kailua, HI 96734

Phone: (808) 262-5073
Email: richfigel@gmail.com

Date: Feb. 3, 2009

To: House Water, Land & Ocean Resources Committee

Re: TESTIMONY IN STRONG SUPPORT OF HB1447

Aloha Chair Ken Ito and Vice-Chair Sharon Har,

As evidenced by all the bills being introduced this session related to public beach access and shoreline management issues, I believe it is imperative to create a joint state/counties task force to create some sort of unified plan and standards.

In the past year, citizens like myself have been given a run-around by state agencies and the Honolulu City Council, who both point fingers at each other for inaction on these important matters. The state DLNR insists that beach access is the county's responsibility, while the City Council's attorney says there is nothing in the county's laws that mandate public beach access at any specific distance -- the county statutes are only "suggested guidelines" according to City Councilwoman Barbara Marshall.

Meanwhile, each county has been developing their own plans for shoreline management and policies for beach access. It is probable they have duplicated studies and reports that could have been shared with other counties or state agencies to minimize costs. A joint task force could lead to better use of limited financial resources and sharing of expertise to deal with statewide issues, such as projected sea level rise and beach erosion.

More importantly, we need to lay the foundation for the creation of a State Coastal Commission that will have the authority to oversee Hawaii's most valuable natural resource: our ocean and shores. There are many complicated facets to deal with, and it cannot be done effectively in piecemeal fashion. The fact that there are so many different bills being heard today is proof that we need to look at the big picture and take action now, before we lose more of our beaches and access to those beaches.

Please vote yes on HB1447, and provide funding for it.

Mahalo,

Rich Figel

Kailua Beach erosion...ongoing and getting much worse in the future

Willi Moelzer [herrbaer@hawaiiintel.net]

Sent: Tuesday, February 03, 2009 1:17 PM

To: WLOtestimony

Willi F. Moelzer


A Brief testimony to be read by Cyntia Thielen, my representative in Kaneohe. Due to bad news continuing back pain I am unable to attend in person. However, I authorize my representative to read my brief testimony into the record to be sent to me later by her office through Mr. John Foster.

I have been on and close to all oceans my entire life. Wherever man began to encroach on the shorelines, which basically self regulate themselves rather nicely, if left alone and protected from any interference by mankind, the shorelines are intact!

However, the shorelines from the end of Bellows into Lanikai onto Kailua Beach proper have been under severe and malignant and ignorant management, or worse have been largely left to greed and perhaps outright mismanagement by the City and State agencies responsible for this mysterious interface between man and nature.

Naupaka and the gentle summer tides and waves accrete the sand in copious quantities that would even last through more aggressive winter months of loss of sand.

However, the following are working against this natural accretion of sand around the world, may that be in Brazil at the mouth of the mighty Amazon, all major and minor beaches of Europe and North America and Canada and all beaches of Asia that I have seen and visited, all beaches around Africa and Australia.

First factor that works against the accretion process.

The slow death of most world coral reefs, including Hawaii's reefs. Simple: No reefs, no sand. I have made a mental map of all dead sun-bleached reefs of Kaneohe Bay where I have dived and sailed for more than 3 decades. That process is repeated world-wide along most coast lines that have extensive reefs.

Second factor that works against the accretion process.

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World wide man has encroached on the beaches. In Hawaii the State must be held accountable! but does nothing at all up to now. No houses should be permitted anywhere in a zone of 200 meters from the highwater mark! Emphasis is on distance from shore. Vast stretches of that zone of no houses at all, the beach naupaka must be allowed to work its miracles. Identical beach erosion measures are in effect in all of Europe already albeit with only limited success. There as here human feet destroy the protecting plants that love the near shore line and propect it. I need not say more than that here I hope! No human feet at all!

At Kailua Beach protecting Naupaka berms and small dunes were denuded and bulldozed by the City and County of Honolulu over the protests of all of us who saw what was about to happen. In two months we had all grass areas, all park areas, and all road surfaces within the park covered in feet of now drifting sand! Shame on the Department of Parks and Recreation and the State to allow that to happen.

And so it goes around the world!

In addition the world's oceans are rising from ever increasing melt down of the world's ice resources as I witnessed in Iceland and Greenland and in Sri Lanka, where the roar of calving glaciers is now the only loud sound near the coasts and in the case of Sri Lanka in the Himalayas!

Is there any hope at all for Kailua Beach into even the near future? None at all unless all of near beach homes are bulldozed and no one is allowed to walk into any newly planted Naupaka lands. All seawalls especially in Lani Kai, must be permanently removed down to old sand beds so the Naupaka can grow back. Will that happen? The most urgent and necessary measures are almost never taken in this state, and the debate will continue and the sand will continue to leave our beaches. Within the next 5 years--no more Kailua Beach!

Naupaka must be replanted and allowed to grow right onto the high water mark which it does busily and quickly if replanted from the State's nursery. The protective fencing must be installed around the growing and spreading Naupaka. No human feet must be allowed at all! Maybe then we will keep some of the sand but most of it will ultimately be washed away way offshore and in ages to come will slide down to the abyssal plain depths.

Mahalo for reading my brief remarks into the official record.

Willi F. Moelzer


Testimony for HB1447 on 2/6/2009 9:15:00 AM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 04, 2009 6:54 AM

To: WLOtestimony

Cc: [REDACTED]

Testimony for WLO 2/6/2009 9:15:00 AM HB1447

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Courtney Doyle

Organization: Individual

Address:

Phone:

E-mail: [REDACTED]

Submitted on: 2/4/2009

Comments:

We need unified action at both state and county level to protect our beaches.

February 3, 2009

RE: HB1447, STATE & COUNTY TASK FORCE PROPOSAL

Aloha Committee Members:

As a longtime resident, I am deeply concerned about lack of cohesive direction and enforcement efforts to protect beaches and shoreline access issues in Hawaii.

I believe the proposed joint State and County Task Force is an excellent idea and would benefit the many agencies and departments that have overlapping responsibilities. The task force would aid these groups to eliminate duplicate efforts, consolidate opinion, and streamline problem solving abilities. The benefit would be a more effective way to enact reasonable measures and save taxpayer money.

Please support HB1447.

Sincerely,
Isabel Figel
Kailua, HI

A solid black rectangular redaction box covering the signature area.

Testimony for HB1447 on 2/6/2009 9:15:00 AM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 03, 2009 6:39 PM

To: WLOtestimony

Cc: [REDACTED]

Testimony for WLO 2/6/2009 9:15:00 AM HB1447

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: wendy Erickson

Organization: Individual

Address:

Phone:

E-mail: [REDACTED]

Submitted on: 2/3/2009

Comments:

We need unified action at both levels to create statewide standards for beach access, as well as shoreline management policies.

Testimony for HB1447 on 2/6/2009 9:15:00 AM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 03, 2009 6:50 PM

To: WLOtestimony

Cc: [REDACTED]

Testimony for WLO 2/6/2009 9:15:00 AM HB1447

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Judith A. Mick

Organization: Individual

Address:

Phone:

E-mail: [REDACTED]

Submitted on: 2/3/2009

Comments:

Aloha- It seems imperative that we have unified action by all government agencies to create a statewide beach access that works for all the people who live and visit the island. The beach is such a precious commodity and everyone should be able to enjoy it equally. Mahalo for your time. Judy Mick

Testimony for HB1447 on 2/6/2009 9:15:00 AM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 03, 2009 7:08 PM

To: WLOtestimony

Cc: [REDACTED]

Testimony for WLO 2/6/2009 9:15:00 AM HB1447

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Mary Jo Morrow

Organization: Individual

Address:

Phone:

E-mail: [REDACTED]

Submitted on: 2/3/2009

Comments:

We need unified action at both levels to creat statewide standards for beach access, shoreline management policies. We are slowly seeing the shoreline being eroded. We have seen the closing of beach access in Kailua where there is only three beach accesses on the south Kaleheo in Kailua. These were accesses that were set asside by Castle when the Mauka housing tracts were build in Kailua in the 50's so all home owners in the tracts could use the beach. Now these same owners have to walk several blocks down to access the beach.

Testimony for HB1447 on 2/6/2009 9:15:00 AM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 03, 2009 9:14 PM

To: WLOtestimony

Cc: [REDACTED]

Testimony for WLO 2/6/2009 9:15:00 AM HB1447

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Michele McKay

Organization: Individual

Address:

Phone:

E-mail: [REDACTED]

Submitted on: 2/3/2009

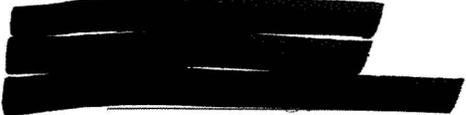
Comments:

I cannot attend the hearing, but please help protect our beaches by supporting this bill.

Thank you,

Michele McKay

Noa Napoleon



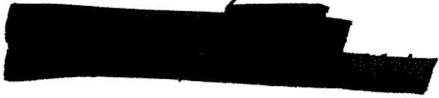
Testimony in Support of HB 1447

House Committee: Water, Land, Ocean Resources, and Hawaiian Affairs

HB 1447 is an excellent bill because it allows for the creation of a statewide management plan that would help to set uniform shoreline policies protecting against erosion and commercial encroachment for many years to come. I am an avid beach goer and have great interest in doing my part to preserve and enhance public beach access in Hawaii. In 2007 I started an organization called The Free Ocean Project because I felt that State and County agencies were not doing enough to coordinate management responsibilities with respect to shoreline or beach erosion, in particular, public access to the beach. We have tried to monitor the effectiveness of state and county policies in areas that are suffering from over-use and or commercial encroachment without much effect I regret to say. The idea of creating a shoreline task force management system is an excellent way to meld state and county efforts towards a uniform statewide preservation policy. The DLNR as you know has proposed the "Recreational Renaissance Project" ostensibly to address Hawaii's recreational needs, but I fear they are likely to ignore the voices of our communities in terms of erosion and set back problems to the detriment of free "public" beach access! This bill would close the loopholes that have prevented state and county officials from doing their jobs. Mahalo to those who drafted this bill, its an excellent idea.

Noa Napoleon

Caren Diamond



February 4, 2009

Testimony in Strong Support HB 1447

WLO

Room: 325
2/6/2009
Hearing Date 9:15:00 AM

Aloha Committee Members,

Far too much beach loss has occurred as a result of the bifurcation of our coastal resources by state and county jurisdiction. On Kauai, the disconnect is especially detrimental to our coastal resources. I urge you to support the task force in hopes that the agencies can begin to establish policies that compliment each other so that the beach can continue to be a part of life in Hawaii.

Mahalo for your support of the task force. Working on coastal issues, the lack of coordination has resulted in poor management decisions, lack of enforcement, and permanent beach loss.

Caren Diamond